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IN SENATE

EMBARGO DEBATE—CONTINUED.

NOVEMBER 24.

Mr. Giles's speech concluded.

His lordship said, "as to the duties proposed to be levied under these orders of council, he should only say, that when the peace of 1782 took place, he never thought he should have lived, or that the British parliament should have lived to see the day when a proposition should be made to tax America!" And when a similar suggestion was made in the House of Commons, what was Mr. Canning's reply? Did he deny the object? No, sir: But begged the gentlemen in the opposition not to tell the secret to the Americans! Hush, gentlemen, was, in substance, his reply. Thus adding indignity and insult to the arrogant pretension. Upon this part of the subject, I shall make no comment! It is impossible to improve the eloquence of this parliamentary language! It must strike deep into the heart of every true American!!

The gentleman from Connecticut (Mr. Hillhouse) says no tribute will be paid, because there will be no inducement to pay it. France will not receive vessels into her ports, which have submitted to such a disgrace. It is admitted that the tribute is imposed; and to avoid the payment of it, we are to look to France: to give up our national character, and our national honor to the safe keeping of the French emperor. [The gentleman rose to explain. He protested against making any such inference.] This was admitted. He only stated the facts, & I supplied the inference. The inference from the facts I deem irresistible. I despise, sir, this miserable subterfuge. Let us act like a nation of freemen—Let us be the conservators of our own honor and character. We should be the gainers by it upon the most economical calculation, in pounds, shillings and pence. Our national character is now worth more than the delusive gains held out by this miserable commerce, and would sell for more in every market: submit to this disgraceful tribute, it would not be worth a cent, and would not sell for it in any market.

The gentleman from Connecticut (Mr. Hillhouse) says, that the embargo is submission to the mandates of both France and G. Britain, and therefore dishonorable. He makes this statement—France says you shall not trade with G. Britain—G. Britain says you shall not trade with France; and we say, we will not trade with either, and therefore gratify both. The fallacy of this argument consists in the misstatement. France says you may trade with me, and I am anxious you should do so, but you shall not trade with G. Britain; we say, we will not trade with you, nor with G. Britain. Now, sir, is this yielding to the mandate, or gratifying the wish of France? Certainly not. G. Britain uses the same language & meets with the same reply. Now I contend that we have neither yielded submission, nor gratified the wish of either; but have resisted the wishes and mandates of both; and I have no doubt that both are astonished at the honorable and dignified attitude we have assumed and hitherto persisted in,

But, sir, the gentleman intimates, that the government of the U. S. has suspended a rod over the head of G. Britain, and asks, whether any American would negociate with a rod suspended over his head? Let me ask in turn, sir, if the gentleman's proposition, is not submission; not indeed while the rod is suspended over our heads; but whilst it is applied with the most unrelenting severity to our backs? I was really hurt, sir, to see that any gentleman could make an observation which would bear the most distant tint of an apology for G. Britain; and I cannot conceive how any gentleman can reconcile it to himself when he reflects upon the many outrages committed by G. Britain against the U. S. before even any attempt was made to do ourselves justice—and that these outrages were increased, in proportion to our patience under them.

The gentleman from Massachusetts (Mr. Lloyd) expresses his fears of some design for the destruction of commerce. He tells us, our commerce has grown to an enormous size and warns us that it is not to be trifled with. The gentleman from Connecticut, too, tells us, that the avowed, was not the real object, of the embargo laws; and that he so prophesied at the time of passing them—that their real object was to encourage manufactures, at the expense of commerce. This charge of insincerity is a serious one. It is of a nature to impose a restraint upon the feelings, against making the merited reply. It has excited my surprise more than any thing I ever heard fall from that gentleman; and the only apology I can find for it is, that he unfortunately prophesied it. It is a painful effort of the mind to admit ourselves false prophets. By this time, it is impossible, but the gentleman must be convinced, that this was a false prophesy. He reminds me of two lines in Hudibras:

> "A man convinced against his will,
> "Is of the same opinion still."

The gentleman must be convinced, but retains the same opinion. Sir, whether it be a suspicion, or a jealousy, or whatever delusion the gentleman is laboring under, I peremptorily deny the existence of the fact he has insinuated. How has it happened, that the commerce of the U. S. has become so enormous; but from the fostering and protecting influence of the federal government? What act of hostility against commerce, has ever been shewn by the government? I challenge the gentleman to name one, or a single act from the southern members unfavorable to our commercial prosperity. On the other hand, have we not always concurred in the *stimuli* given to commerce by discriminating duties, both on tonnage and merchandize, by the drawback system? and many other acts not material now to mention. It has been from these causes, added to the enterprizes of our people, that commerce has arrived to such a pitch of prosperity. They certainly do not warrant the charge brought against the government.

But what has excited my surprise, more than any thing else, respecting this suggestion is, that the delusion upon the gentleman's mind, should be so strong as to banish his recollection of the local interests of the different states in the union. He seems to suppose that the southern are manufacturing states—this is not the fact The fact is, that the commercial are, also, the manufacturing states: The southern states are agricultural and commercial, not manufacturing, except in the household way; and that is not the species of manufacturing, that has excited the gentleman's alarm. The peculiar organization of society in the southern states, will, for a long time, forbid large establishments of domestic manufactures. This is the kind which gives the gentleman so much alarm; and, in this kind, the southern states have no local interests whatever. They have, however, an essential interest in commerce, although, generally, the merchants carrying it on, may not reside within them. The agriculturists know, that a prosperous commerce is essential to good prices, and, therefore, they have always contributed to its protection and prosperity. In this state of facts, the gentleman may find a perfect security against his extravagant, and unfounded jealousie. But the gentleman is alarmed, because he has discovered in the President's replies to sundry addresses from the manufacturers, expressions of satisfaction at their prosperity and improvement in the manufacturing system. But the President has no where expressed an intimation, or a wish, that this improvement or prosperity should be encouraged and promoted at the expence of commerce. And if he were to indulge so extraordinary an inclination, he could not expect to get a vote south of Potomac, in favor of the system. Suppose the merchants had addressed the President in the days of their prosperity, would he not have expressed his satisfaction at the circumstance? And would such expression have been just ground, or any ground of alarm and jealousy to the manufacturer? Certainly not, sir. Every patriot must rejoice at the prosperity of each, and every class of citizens. Indeed, sir, did not the gentleman himself, in the course of his observations, with a laudable animation, express his high satisfaction at the doings of his own legislature, giving encouragement to colonel Humphries, in his attempts at introducing manufactures into the state of Connecticut? Proceedings highly honorable both to the legislature and colonel Humphries; and which I have also seen with great satisfaction. But, sir, would it be correct to infer from this circumstance, that commerce is to be assailed and prostrated? Such an inference would be as idle and absurd in this case, as it is in relation to the views of the general government. Indeed, sir, I concur perfectly with the gentleman in the opinions he has expressed upon the manufacturing system, in relation to the commercial. I have taken more pains in repelling this extraordinary jealousy or suspicion, in the hope that in correcting the public sentiment, in this respect, it would, at the same time, dissipate a great portion of the objections to the embargo laws, which seem to me at this time, to be imperiously demanded, by the extraordinary crisis of our foreign relations.

I am now approaching a part of this subject, Mr. President, which fills me with regret. I know its delicacy, sir, and deeply regret the necessity which impels the examination of it. It is however rendered indispensible, perhaps, by exterior events; but certainly by observations made in the course of this debate. I allude, sir, to the inexecution of the embargo laws; or, rather, sir, to the suggested incapacity of the government to enforce their observance. The gentleman from Connecticut, (Mr. Hillhouse) tells us, directly, that the government has not power to enforce the execution of these laws. The gentleman from Massachusetts (Mr. Lloyd) even points out the mode of resistance. He tells us they may be resisted, first, by town meetings, then by petitions, then by legislative resolutions, and, finally, by insurrections and rebellion. [Mr. Lloyd rose to explain. He said, "he did not say that this would be the course of events. He only stated them, abstractly, as probable results from those laws."] The gentleman is correct in his statement. I meant to be understood, as stating his observations in that way. It cannot escape observation, however, Mr. President, that this is the practical process now going on in the state, the gentleman has the honor to represent.

It is submitted to the patriotism and good sense of those gentlemen to determine, whether mentioning these circumstances, even in that way, may not have some tendency to produce effects, which must be so much deprecated by all; and permit me to hope, sir, by none more than by those gentlemen. And whether, sir, they are not calculated to keep up the delusions in foreign nations, which, I believe in God, to be the principal causes of our present embarrassments. These circumstances were the less to be expected from gentlemen, who, a few years ago, arrogated to themselves the exclusive appellation of lovers of order and good government, whilst their political opponents were denounced as anarchists and disorganizers, and not even possessing virtue and honesty enough to be trusted with the public treasury. This, sir, was an imposing appellation; and as long as its sincerity was confided in, it preserved these gentlemen in the dominion of the United States.

It was hardly to have been expected that these gentlemen would now be found the first to sound the alarm in favor of anarchy and confusion; nor was it to have been expected, sir, that the eastern states, which were the first to press the consitution upon us, and which have reaped a golden harvest from its operations, should be the first to wish to absolve themselves from its sacred obligations.

But, Mr. President, I believe this government does possess power sufficient to enforce the embargo laws. The real character of our government seems to be entirely misunderstood by foreigners, and not fully appreciated by some of our own citizens. It has all the strength of *execution*, with the most despotic governments upon earth. It is aided, too, by the knowledge of every citizen; that when its will is pronounced, it is the fair expression of the will of the majority. The checks of this government are exclusively upon its *deliberations*, not upon its powers of *execution*. So far from it, that the constitution has expressly provided, that the government should possess all means necessary and proper for executing its specified powers. There is no limitation whatever, upon the means for executing the general will, when fairly and deliberately pronounced. Nothing could be more absurd than to suppose, that when so many checks had been imposed upon *deliberation* in pronouncing the public will, after that will was thus pronounced, that any means, whatever, for its *execution* should be withheld.

Again, sir, the fundamental principle of our government is, that the majority shall govern. This principle is known and respected by every citizen, and by none more than the people of Massachusetts. They are taught to respect it from the cradle to manhood. First in their town meetings—then in their legislature—and, finally, in the general government. They know too well the fatal consequences of resisting it. I have perfect confidence, therefore, in the people of Massachusetts, and, if their electioneering leaders and partizans, should unfortunately stimulate some of them into insurrection, I have no doubt but that the militia of that state, when lawfully called on, will obey the call, and will do their duty. Such a movement would share the fate of all similar attempts which have preceded it; and its only consequences would be, that its authors, as they would be the first to merit the fate, so they would become the first victims of it. But, sir, I have but little apprehension from these threats of insurrection and rebellion, for other reasons.

The peculiar interests of the people of Massachusetts, forbid the attempt. A few leaders may, perhaps, postpone their interests to their love of power—But few, however, could enjoy the power under any new order of things, and the people at large would soon see that their interests were sacrificed to the indulgence of this infatuated ambition of the few.

Let this subject, Mr. President, be a little further examined, in reference to the local interests of the eastern states, as members of this union. Potomac may be considered as the boundary line between the commercial and agricultural states.

When our first difficulties with the belligerents occurred, it respected merely a commercial right. What was the conduct of the merchants, and commercial states, upon the subject? You have heard, sir, their memorials read, calling upon the government, in a voice too loud to be suppressed, to protect them in their commercial rights; the call was obeyed. As I think this part of the subject ought to be well understood, I beg the indulgence of the Senate to read their own proceedings thereupon.

"The Senate resumed the consideration of the report of the committee made on the 5th inst. on that part of the message of the President of the U. S, which relates to the violation of neutral rights and the impressment of American seamen.

On motion, to commit the second resolution, reported;—it passed in the negative.

On motion, to strike out the following words in the second resolution, reported:

"Demand and insist upon the restoration of the property of their citizens, captured and condemned on the pretext of its being employed in a trade with the enemies of Great Britain, prohibited in time of peace: and upon the indemnification of such American citizens, for their losses and damages sustained by those captures and condemnations, and to"—

It was determined in the negative, Yeas 13, Nays 16.

The Yeas and Nays having been required by one fifth of the Senators present, those who voted in the affirmative, are,

Messrs. Adair, Baldwin, Bradley, Gaillard, Howland, Logan, Maclay, Moore, Plumer, Smith, *of Vermont*, Sumter, Turner, Worthington.

Those who voted in the negative, are,

Messrs. Adams, Anderson, Bayard, Gilman, Hillhouse, Kitchel, Mitchill, Pickering, Smith *of Md.* Smith *of N. York*, Smith *of Ohio*, Smith *of Ten.* Thruston, Tracy, White, Wright.

And several amendments to the said second resolution having been adopted:

On motion, to agree thereto as amended, it was determined in the affirmative, Yeas 23, Nays 7.

The Yeas and Nays having been required by one-fifth of the Senators present, those who voted in the affirmative, are,

Messrs. Adams, Anderson, Baldwin, Bayard, Gaillard, Gilman, Hillhouse, Howland, Kitchel, Logan, Maclay, Mitchill, Moore, Pickering, Smith *of Md.* Smith *of N. York*, Smith *of Ohio*, Smith *of Ten.* Tracy, Turner, White, Worthington, Wright.

Those who voted in the negative, are,

Messrs. Adair, Bradley, Plumer, Smith *of Ver.* Stone, Sumter, Thruston.

So it was, *Resolved*, That the President of the U. S. be requested to demand the restoration of the property of their citizens, captured and condemned on the pretext of its being employed in a trade with the enemies of Great Britain, prohibited in time of peace; and the indemnification of such American citizens, for their losses and damages sustained by these captures and condemnations; & to enter into such arrangements with the British government, on this and all other differences subsisting between the two nations, (and particularly respecting the impressment of American seamen,) as may be consistent with the honor & interests of the U. S. and manifest their earnest desire to obtain for themselves and their citizens by amicable negociation, that justice to which they are entitled."

At this time the question involved only a commercial right. What was the conduct of the merchants then? They came forward and pledged their lives and fortunes to support the government in any measures for its protection. The question is now changed. To the original question, is added a question of national sovereignty and independence. What is now the conduct of these same merchants? They tell you, sir, to tread back your steps, give up the contest, and disgrace your country. These merchants too, threaten you with insurrection and rebellion unless you yield implicit obedience to their mandates.

Again, sir, I have little apprehension from these threats, for the following reasons:—first, most of the individuals engaged in these commercial establishments, I am told are persons of considerable property and families. [illegible] therefore, now, in the enjoyment of every political and domestic blessing; their infatuated passions to the contrary notwithstanding. I think persons of this description will pause, before they hazard all these blessings; and a moment's impartial reflection will be sufficient to check their career. In the next place, there are many local advantages accruing to the people of the eastern states from the operations of the general government. They consist principally of the following, although there are others.

1. The protection afforded to their carrying trade, by discriminating duties, both on tonnage and merchandise.

2. Protection and facility afforded to the coasting trade.

3. Protection to their fisheries by duties on foreign fish.

4. Affording a good market for their surplus manufactures and other articles.

5. Payment of the public debt at par, which was bought up at very low rates.

6. As a result from all these advantages, the protection of their population on the seaboard, by lessening the inducements to emigration.

Permit me, sir, to remind the gentleman from Massachusetts (Mr. Lloyd) that these advantages are not to be trifled with.

But, sir, I have heard it intimated that these advantages could be compensated by a connection with G. Britain. Indulge me, sir, with an examination of this idea. A connection between New England and Old England, could only be for the benefit of the latter. They are essentially rivals in every occupation. First, in navigation—second in exports. The exports of New-England are principally fish and beef. It would be a great object with Old England, utterly to destroy the New-England fish market; and the Irish beef would come into an advantageous competition with the export of that article.

These are permanent points of competition, unalterably fixed in the nature of things; they cannot be altered, nor destroyed by any sudden ebullition of passions; nor by any connection resulting therefrom.

Again, sir, what would be the effect of such a connexion upon the rest of the U. S. In that case, the discriminating duties now in favor of the New England states would be turned against them, and would probably be given to the middle states, and thus New-England would be effectually excluded from carrying the bulky and heavy productions of the southern states. Discrimination might even be made in favor of British ships. It is a matter of no consequence to the agriculturalist, whether his produce is carried to market in a New England or Old England ship. The only interest he has in the transaction is the price of his produce; and that could always be driven to its highest point by the competition of British tonnage and British capital alone, without taking into the estimate the tonnage and capital of the middle states. The people of the southern states are perfectly sensible of the local advantages their eastern brethren enjoy from the operation of the general government. But they envy them not—they rejoice in their prosperity; and the southern people are pleased with the recollection that they contribute to this prosperity; they find in return their compensation in the general safety and protection: I do not mean safety and protection against any internal movements; upon that point I would agree with our eastern brethren upon a reciprocal absolution from all obligation; I mean safety and protection against foreign aggression. Under this plain and obvious view of this part of the subject, Mr. President, I should be disposed to think that our eastern brethren would be the last to desire to absolve themselves from the sacred obligations of the constitution.

In the southern states we feel no resentments nor jealousies against our eastern friends. There are no inducements with us to foster and encourage such unpleasant and mischievous feelings. The gentleman from Massachusetts, (Mr. Lloyd) has ventured to interpose an opinion between G. Britain and France, respecting the character of the quarrel between them. He has ventured to say, sir, that France is fighting for lawless domination; whilst G. Britain is fighting for her *natale solum*, for her national existence. Sir, in my opinion, it must be inauspicious to the interests of the people of the United States

(*Continued on last page.*)