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CONGRESS.

HOUSE OF REPRESENTATIVES.

Friday, February 28.

Debate, on Mr. Dawson's resolution.

Mr. COOK. I am not sorry that this debate has taken the range it has. Indeed the three resolutions are so connected with each other, that many of the arguments which apply to the first, may with equal propriety apply to the others; they all amount to the question of policy or impolicy of adopting or rejecting this system of defence.

I am in favor of the report of the select committee, because it provides for a species of defence, which alone can be brought into action, against every offending nation.

I consider every class of American citizens as equally entitled to the protection of your government; and that such was the expectation at the adoption of the constitution. Are not all classes equally bound to obey your government? Surely they are. They have all then equally a right to your protection; for protection and obedience are reciprocal duties. Your merchants & your mariners are then as much entitled to protection in their pursuits, as are those whose pursuits are agricultural. Shall your laws give protection to your seamen, your merchants &their property, while in your rivers and ports, or within soundings; and will you abandon them on the high seas, the common property of all nations? Where will you draw the line of demarkation beyond which they shall be at the ban of the empire. They must be protected, sir, in all places. Our dominions consit of land and water—we have a property in severalty, and one in common and undivided. The ocean is this common property—it is the highway of nations. The limits of a maritime country, sir, are undefinable.

In encouraging and protecting commerce, you equally encourage and protect agriculture. They depend on each other. A wound given to the one, affects the other. Agriculture & commerce, sir, are not as some suppose in hostility to each other—they are co-ordinate and co-relative—the speed of the ship is the speed of the plough. Without the active commerce of this country, agriculture would be choked by a surplus of produce and the want of a market. At a time of peace, at this very time, sir, what ships but American can transport the indigenous productions of this country, at a common freight and peace premium? There are none, sir; the increased premium is an abatement of the price of exports? Depress the enterprise of the merchant; abandon the protection of your navigation; & the planter will become dependent on the fortuitous arrival of belligerent ships for a market and a price.

What is the consequence if you do not guard your commerce? The rates of premium will be advanced to an incalculable amount. True, the consumer eventually pays; but the consumers are all your people; who would thus indirectly pay a tax perhaps treble or quadruple the amount of cost in providing and maintaining a naval defence:—And which is the more honorable? Which will most impair your revenue already greatly injured from want of protection?

I have said that the ocean is the common highway of nations; such it ought to be; but new principles are interpolated into the law of nations: robbers & pirates infest now every sea. The Mediterranean no longer excites superior dread; spoliations, insults and injuries, are now brought home to our shores: whole kingdoms are about to be declared in blockade: and I know not what will escape being considered as contraband of war. What, sir, are now the rights of neutrals? but the right to complain.—The modern law of nations, sir, is now what a single nation chooses to fashion it for maritime domination.

Sir, it is fairly presumable that a large majority of this House are indignant at our wrongs, and disposed to resent them: on the subject of means only can we differ.

Many gentlemen are in favor of acts of non-importation. But will this amount to protection? to that protection, sir, to which our commercial brethren are so justly entitled? Our merchants have suffered greatly: some half, and some wholly ruined. Shall we, for their satisfaction, tell them and others, that they may haul their vessels into dock to rot, while a non-importation act may continue to operate? Is this granting them protection?

Whence is it that your revenue is derived, by which your national debt is lessened; by which your civil list is paid, your very government supported? From commerce: and will you muzzle the ox that treadeth out your corn? What but commerce has raised this country to so enviable a height of prosperity? What but commerce, or taxes on commerce, has enabled you to build the navy you have; has empowered you to resist the encroachments and insults of foreign governments; or furnished the means to save our western brethren from the inroads of the savage? Of what benefit was it to the northern states that millions of the public money were spent in support of a western army, and in defence of Mississippi navigation? This is not a question to be asked; for government was, and is bound to protect *every* part, and the rights of *every* class of citizens. *E pluribus unum*, is the motto of our government. If disunion, geographical distinctions and local interests are nourished, we shall become the dupes of our own sordid views and an easy prey to any foreign assailing foe.

We are the second commercial nation in the world—having upwards of a million tons of shipping. Is our navy any way proportionable? By our commerce and our numbers compared with other nations, should we in the same manner proportion our naval strength; on the basis of numbers, we are entitled to thirty ships of the line and seventy frigates.

Some gentlemen are in favor of abandoning commerce to itself. Let commerce take care of itself, say they. If the mercant cannot pursue his occupation in safety and to advantage, let him quit it, retire from the sea ports and take hold of the plough. As well might we tell our brethren of the west; if the Indians harass you, and you cannot pursue your agricultural concerns, come here to our ports, and take to the smack and the fishing line for support. No, sir, we are not to abandon our different occupations, but to be protected in them.

I hardly should think the request of our merchants unreasonable, if they should hold to you language of this sort. All your revenue is derived from us: give us a naval defence in proportion to the amount of our tonnage, and to the revenue you receive from us. Such a naval defence would very far exceed an hundred large armed vessels. But such is not the demand: Their request amounts to but a small part of what can be afforded; a gradual increase of our navy, the expense of which will hardly be felt; which will in part be paid by the additional revenue arising from additional defence and security; much revenue has been sacrificed for want of naval defence, and hereafter, in proportion to the increase of our commerce will be the increase of our losses, unless that commerce be fostered by a protecting navy.

Great Britain knows the nature of our government, and its wishes to maintain peace; she expects we shall show our resentment, and seek our redress by the passing some species of non-intercourse act. Let us, sir, disappoint her; the disappointment will have a good effect.

Some gentlemen have supposed the present executive of the U. S. unfriendly to commerce. The belief must be unfounded in correctness. No man can believe this after reading the President's report made while he was secretary of state. He is friendly to our commerce, and must be friendly to its protection.

There are many gentlemen, who, under the administrations preceding the present, were much opposed to the creation of a navy. They wish to preserve consistency, and hence continue their opposition. But, are not cases altered by circumstances? What might have been highly improper then, may be strictly proper and necessary now.

Gentlemen, and among others the hon. Speaker, have said that we are now about commencing a new system. Surely this is not a question about the creation of a navy. A navy we already have. It commenced under the former administration; it has been continued by this. The question is, shall we or shall we not increase that navy to meet the exigency of our affairs.

It is said that a naval force tends to the provocation of insults and injuries; and unless it be immense, it must soon be destroyed. It is from nothing past that this argument can be drawn. Where was ever a nation possessed of naval force, whose navy was ever wholly destroyed? Look to all the minor powers of Europe, I mean minor in naval importance. They may have been partially injured, or greatly crippled, but none of them have been destroyed; although so much nearer to points of collision than we are.

Sir, we are a nation increasing with rapidity in wealth, numbers and general prosperity. It will indeed be strange, if we expect as we grow great to gain respectability by our pusilanimity. No, sir, the only, or certainly the most sure way, of gaining the respect of other nations, is by adopting the means that all nations adopt to become great; it is by our power that we are to be respected, and our rights and liberties maintained.

A navy equal to that of G. Britain, is neither needed nor expected by our merchants who are anxious for a navy as the only efficient defence against all nations; in future times, if wars cannot be avoided, (and, a power to wage war is the best security for peace) when we may be opposed to England, the other powers of Europe will be with us, when acting with England against other powers our force will be irresistible. I believe, sir, that if ever the enormous and gigantic power of the British Neptune is to be curtailed, it must be the work of Americans. Yes, sir, our naval commanders are destined hereafter to reap laurels for victories obtained over British ships. When an armed neutrality was formerly projected, had we then possessed a navy, we might probably have rendered much assistance in checking the naval power of England. They have become the tyrants of the ocean; they have a sway over the seas far beyond what they ought to possess; it is necessary to lessen that power; and ought we not to yield our proportion of force for that purpose?

We talk much of favoring and protecting the rights of man. Has man no rights on the ocean? Have not our citizens rights on the water as well as on the land? We seem to have one right, and only one, on the water; it is, sir, the right to suffer and complain; we have abundance of this right.

Gentlemen may say that our debt will increase with our navy; and that we shall be unable to pay our national debt so soon as promised. The present administration, or the present dominant party, if I may so call it, is pledged for the payment of the national debt within a limited time. Sir, I consider such pledge most impolitic. Surely, if we should be invaded, or, if any other great exigency should demand it, we should not hesitate to go millions in debt. This pledge, this promise, can be dispensed with then. And when more than now was there a call for dispensing with this impolitic engagement. When were our rights more insulted? England trampling on them; and Spain threatening to shut up our ports with half a dozen line of battle ships. I will ask, suppose Spain or G Britain should attempt to block up the Chesapeake, or the port of New York; what could be done? Our frigates could do nothing to resist the assault. No, sir, the whole of them would be incompetent to meet the foe. Nor must we always depend on the hostility of foreign nations towards each other even for a partial defence of our commerce. If we have an efficient force, we shall be respected, our commercial rights will be maintained, and our alliance courted by other nations. Let us then set our shoulders to the burthen; and, in the hour of difficulty, if necessary, lock round for friends and allies.

An increase of the navy would also have a good domestic effect. Many of our merchants are opposed to the present administration, erroneously viewing it as inimical to commerce; but, sir, the present administration are friends to commercial rights, has not diminished the navy, nor has it ever been the opinion of the executive, that it ought to be diminished. His communication relative to 74 gun ships all understand.

Some have said that the liberties of a people were liable to be overthrown by a navy. I cannot discover that it has the least tendency that way. Generals have overthrown the liberties of nations, but I certainly never read of an admiral that made himself a despot. I believe history affords no such examples.

If it should be contended that the creation of a navy would lead to the odious and tyrannical practice of impressing seamen, I would ask what is the important difference between impressing men to go on board your armed vessels and fight your battles, and drafting men, to go perhaps into the front ranks of the warmest engagement? In either case you compel men to fight, where they do not wish. But I do not think there is any danger of our being under the necessity of ever entering on the practice of impressing. If it were now necessary to man thirty line of battle ships, I have no doubt men enough would voluntarily come forward impatient for battle, and supply all our wants of this description. Our brave mariners have their feelings; they feel an indignation like that which the merchants feel, and like that which this House, I trust also feels.

Sir, I must repeat that we are but one. I voted for the bill prohibiting intercourse with St. Domingo: I considered the bill as calculated to have a favorable effect on the southern states. That bill may partially injure some persons at the northward concerned in trade with that island; but in giving my vote I was governed by the good of the whole. I hope also that gentlemen of agricultural habits in the southern states, will consider the subject of defensive measures with an enlarged and national view.

There is no nation in the world so enterprising as America: no nation has so rapidly increased in commerce, and in new resources of commercial enterprize, as has this nation within the last fifteen years. Our prosperity, I had almost said our all depends on commerce. You must not, you cannot, compel the merchant to abandon his pursuits; 'tis contrary to his right, and contrary to your interest; contrary to contract; therefore you must protect his rights.

If we ask what plan of defence is urged by the usage of all other nations? The answer is obvious.

I have, sir, doubts of the efficacy of a non importation act. While aiming to starve the manufacturers of England, let us advert to our own sufferings. We may starve the butcher and the baker, but shall we not injure our own health. What gainers shall we thereby be, or how will our merchants be redressed by such measures; how will our farmers thus find markets? I might not object to restrictions on importations, so far as is consistent with the preservation of peace; but no further will I go till we are prepared for war. If we do this, we may expect that commercial men will patriotically submit; especially if they can look forward to the short time, when the whole community will submit to the expence of supporting that which is the principal support of all.

We are becoming, sir, every day less the customers, and more the rivals of G. Britain. The means of defending our commerce must be eventually wholly naval. We need never fight Great Britain single handed, but we want that kind of defence which is a protection not only against England, but against every other power, and that kind of defence to which, after all our sufferings on the ocean, we shall be ultimately compelled to resort.

Some may object to naval coalitions on the ground that such coalitions are generally fruitless and unsuccessful—But, sir, this has not always been the case. Did Britain always rule? No, sir. Spain and Holland have also had their day—and a De Ryter and a Van Trump have vanquished and triumphed as completely as have ever a Nelson, or a Rodney.

I believe the best mode of protection will be line of battle ships and frigates; these will give greater security to our ports and harbors, than the erection of land batteries. I am not however opposed to gun-boats; they may do much by way of defence in shallow waters, and may be useful any where and are easily concentrated to a point.

Much is expected from us by the nation: the only question can be, what manner of redress and defence shall be adopted: but whatever may be the final decision on the important questions before us, I sincerely hope that a spirit of candor, liberality and harmony may actuate our proceedings, and lead us to a correct decision.

Mr. SLOAN. I think the arguments of the gentleman who has just now taken his seat perfectly refutable by a single observation. I have not the spirit of prophecy but I have the power of retrospection. Look at the powers of Europe whose naval forces are inferior to that of G. Britain; when did they ever gain a great victory over the English navy! Never; and judging from what is past, what will come, they never will conquer that enormous naval force.

Mr. EARLY. The gentleman from Massachusetts, fears we shall not divest ourselves of local feelings, in discussing and deciding on this subject. I apprehend he has no cause for this fear. The subject is one in which we are all nearly equally interested. The northern states have their Boston and New York; the middle states their Philadelphia and Baltimore; the southern states their Norfolk, Wilmington, Charleston, and Savannah; and the western states New Orleans; this cannot be a local question.

By the report of the secretary at war it appears that 1,500,000 have been expended on the different fortifications; and that three ports only are in a state of defence; Boston, Philadelphia, and Baltimore. It also appears by the report 107,000 dollars have been expended at Newport on fortifications, which are now greatly out of repair, and which when repaired can be of no service; there being *three* good channels by which vessels may enter the harbor, and these batteries being altogether unable to annoy an enemy's ship except in *one* channel.

We have expended 1,500,000 dollars on fortifications and not more than one eighth part of that sum has had any good effect. I consider the sum of 150,000 dollars as insufficient for any valuable purpose, nor do I believe that the annual appropriation of this sum for many years yet to come would be of essential service in defending our ports at large.

I should be in favor of this mode of defence, if I thought it would be of utility. If I thought the port of New York alone could be defended by the appropriation of the whole sum mentioned in the resolution, I would cheerfully vote for it; I would cheerfully vote for double that sum; four fifths of the produce of the state, I have the honor in part to represent (Georgia) goes to that port, 340,000 dollars have been expended on the fortifications of that port, and the works are of no utility: a picaroon might pass to the city without much molestation. According to the report of the secretary at war, the harbor of New York cannot be defended on account of the width of the Narrows, or entrance into the port. Our ports are not susceptible of defence by land batteries. If they were I should cheerfully vote for this or much larger sums.

The committee at length rose, and *Mr. Dawson* informed the house that he should again call up the report on Thursday next.

Norfolk, Feb. 28.

By a recent act of the British parliament, respecting prizes, it is among other things enacted, That in all cases of appeal from the vice-admiralty courts, that the proceeds shall be paid to the Register of the court, and to be by him, and the parties concerned, remitted to Trustees in London, named, one by the captor and one by the claimant, to be invested in government securities until a final decision. This will obviate one great inconvenience experienced heretofore by our citizens, who after an expensive process, and getting a favorable decree, often found the captors and their securities insolvent.

The following most extraordinary interlocutory order was lately made in Bermuda, a copy of which was sent by a gentleman of that island to his friend in this place.

The case of the Columbian Packet was this: she went from the U. S. to Bordeaux, and was captured on her return voyage. Any comment upon the principles which are embraced in this order is superfluous, they are such as never can, nor never will be submitted to, and will not, we trust, be countenanced by the tribunals in England; if they are, there is an end to all neutral rights.

Bermuda, *alias*
Somer's islands.

Thursday, the second day of January, in the year of our Lord one thousand eight hundred and six, before the honorable and right worshipful Wm. Territt, doctor of laws, commissary and judge of the court of vice-admiralty, in the said islands of Bermuda, and also to hear and determine all and all manner of causes and complaints, as to ships and goods seized and taken as prize, specially constituted and appointed in the sessions' house, at the town of Saint George in the said islands of Bermuda.

Present, *John Lewis*, deputy register.

Ship *Columbian Packet*, Parnel Warrington, master.—Our sovereign lord the king, against the said ship and goods, taken and seized by his majesty's schooner of war, the Whiting, whereof lieut. John Orkney is commander, & brought to the said port of St. George, in the said islands of Bermuda, and also against Parnel Warrington, the master and claimants of the said ship and cargo.

Harvey prayed the claim by him given to be admitted, and the ship and cargo to be restored as claimed, with costs, demurrage and expences.

Esten prayed the said claim to be rejected, and the said ship and cargo to be condemned.

The judge, having heard the said claim and proofs read, and advocates on both sides thereon, directed that further proof of the property of the said ship and cargo (except one trunk marked G. W. consigned to Gervais Wallet, in Philadelphia, and one box marked IWF. containing a few bottles of snuff, of which the judge decreed restitution, with the consent of the attorney general,) should be produced by the claimants, in eight months from the date hereof, with liberty, also, to the captors to bring in further proof, by invocation of papers from the cases of the Zulema and the Eugenia, in the court of vice admiralty at Halifax. The judge further directed, that the claimant should within the same time adduce further proof upon the following points:

First—Of what *colony* or *country* the outward cargoes were the growth, produce or manufacture.

Second—Under what *certificates* were the same admitted to an entry in the ports of France, and whether liable to *foreign* or *reduced* duties.

Third—What are the French laws upon this subject, and what limitations are imposed upon return cargoes.

(Signed)
JOHN LEWIS, *Dep. Reg.*

A true copy—Attest,
JOHN LEWIS, *Dep. Reg.*

FOR SALE.

The subscriber offers for private sale a valuable plantation adjoining the land known by the name of Non such, about one mile and a half from the Eastern Branch bridge, containing about 280 acres with a sufficiency of wood and meadow ground, about 15 acres now in grass and may be well called as pretty a piece of ground as any in the District of Columbia; the main road leading through part of this tract which will be a suitable stand for a tavern and retail store, together with plenty of wood and hay, which always command a ready cash price, will make this property a desirable object to any person wishing to become a farmer. This land is well watered by several never failing springs. Any person desirous of becoming a purchaser may see the title papers and view the premises by applying to the subscriber living on the land, if the above property is not sold at private sale by the 14 day of April next it will then be sold at public auction on the premises, and at the same time ten valuable slaves, mostly young and healthy.

Terms of sale will be made known on the day of sale.

JOHN MASTERS.

Feb. 21—w3t