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CONGRESS.

House of Representatives.

Thursday, March 6.

DEBATE
On Mr. Gregg's resolution.
(Continued.)

Mr. JOHN RANDOLPH.—Mr. Chairman, I did expect, on coming to the House this morning, that the friends of the resolution under discussion, would have brought forward some arguments to shew (what they had studiously avoided)—that the ability to coerce G. Britain is within the compass of this nation's power; that this power ought now to be exerted, and that the proposed measure is equal to the desired effect. It behoves them to demonstrate all this, before they ask for our support. I did not come down to the House with the expectation of listening to a gross misrepresentation of my expressions yesterday; loose and desultory as I allow them to have been—much less was I prepared to hear such misrepresentations from the lips of a gentleman, whom I have treated with invariable and guarded respect—between whom and myself there has long existed a political friendship—real on my part, apparent on theirs. I did not indeed expect to hear particular expressions, used by me in the ardor of debate, broken and culled from their connecting members, and mutilated and tortured into meanings, which cold-blooded malice alone could have devised. Sir, in this way of proceeding (without intending any profane comparison) the Bible itself may be made to preach atheism, to declare that there is no God. "*The fool saith in his heart, there is no God.*" Taken together, it is inspired wisdom: dismember it, it is impiety.

It has not been denied, by any member on this floor, that the carrying trade—that the commerce and navigation of these states ought to be protected. The only question is *quo modo?* Have you the ability to protect them by war, and are they of sufficient value to justify the expense of such protection. We say no—they cannot pay for so dear a defence, rich as they may be:—but above all, they cannot repay us for the loss of our constitution. It is above all price. We go farther: we affirm that trade is now protected by the most efficient means within our power, by discriminating duties, laid by the votes of southern men, and yet, sir, we are threatened with schism, with a dissolution of the union, if we do not adopt particular systems, devised by chance, begotten of ignorance or imbecility. Are these the *mild* and *conciliatory* plans and ideas of which gentlemen boast? Is this mildness? Is this conciliation? Is this peace? The gentleman from Pennsylvania (Mr. Smilie) with a face of wondrous importance, tells you, that, by the constitution, we have power to raise and maintain armies, to build and equip navies: from which he draws the inference that (under whatever circumstances, I suppose) we must actually do what the constitution allows. And yet that gentleman, in former times, voted with us against armies and navies! Let him justify himself if he can, upon his new principles? I repeat it—if the unjust aggressions of a foreign nation, if indignity and insult, abroad, are always to produce war, the gentleman was criminal in refusing to support the administration in 1798. Yes, you were then compelled to drain the cup of humiliation to its very dregs. Did he put that cup by? Did he vote for fleets and armies, or a suspension of commercial intercourse with France? What was the French edition of the laws of nations then? That a bale of British manufacture (without any question of enemy's property) should subject to seizure and condemnation. And what was the British doctrine in 1793? That France was (with one sweep of the pen) in a state of seige and blockade, and that American flour, &c. should not be carried there at all. And yet against these principles and practices, preposterous and injurious as they were, we did not go to war—at least that gentleman was opposed to such war (if war it may be called) as was waged.

But whilst I acknowledge the carrying trade to be valuable to a certain extent, I must, unless I abandon every pretension to the character of a politician, act on existing circumstances, on things as they are, not as I believe they ought to be. In casting about, the first thing (or one of the first) to be considered is revenue. Almost our whole revenue is derived from commerce; that is, from the domestic consumption of imports from abroad. How much comes from the carrying trade? Your statements (I am told) say 800,000 dollars. But if our whole consumption were imported in foreign bottoms, the impost would exceed its present amount by 11 or 1200 thousand dollars. I warn gentlemen against a misrepresentation of this fact. Am I therefore desirous to gain this encrease at the expense of our navigation? Far from it. It would be to kill the goose that lays the golden eggs. But what is this branch of the carrying trade, for which gentlemen would sacrifice not only our whole navigation and commerce, but the agriculture and constitution of the country? Look at this trade which is to be guarded at every risk and the men who follow it. Do they carry your products abroad, and bring back goods for home consumption? No, they plunge their hands into your pockets for drawback—during this very session they threatened to plunder the treasury of millions, by a bill happily arrested on its passage. If our fair trade is not protected, how comes it that it has grown with a rapidity before unheard of in any age, unknown in any nation? That growth has been nourished by protecting duties, fostered by our neutral position. We are the real friends of your navigation. It has grown beneath the shade of discriminating duties—flourished in the sunshine of the neutral character, with the first blight of maritime war it dies.

I am accused too with stigmatizing the merchants of the U. S. I deny the charge. Every profession and calling of human life is disgraced by unworthy members. The law has its pettitoggers, the church its hypocrites, medicine and politics too, sir, have their empirics—and if there be two professions in the world, which can be selected for a tendency to develope the pre-existing germ of imperfection planted in our nature, they are the profession of the lawyer and the occupation of the trader. And wherefore? Because they open the wide field of temptation. The wisest prayer that ever was or can be devised for human infirmity, is that which teaches us to deprecate such trials—"We beseech thee, lead us not into temptation!" What is the fact? Whilst we boast of our honor on this floor, our name has become a by-word among the nations. Europe, and Paris especially, swarms with pseudo-Americans, with Anglo and Gallo-Americans, and American French and English, who have amassed immense fortunes by trading in the neutral character, by setting it up to auction and selling it to the best bidder. Men of this description—striplings, without connexions or character, have been known to buy rich vessels & their cargoes, in Amsterdam and Antwerp, and trade with them, under the American name, to the Indies. Neutral character has constituted one of the best remittances for colonial produce, or the goods which purchase it; and the trade in this commodity of neutrality has proved a most lucrative branch of traffick. This it is that has sunk and degraded the American name abroad, and subjected the fair trader to vexatious seizure and detention. But I am asked, if we shall submit to a tame and dastardly abandonment of our rights?—and by those, too, who have made a cowardly surrender of our best interests and our honor when we were well able to have maintained them. I beg leave to reply to this question by asking another. Are you prepared to assert them? to go all lengths to enforce them? In what consists true dignity? In vapouring in the newspapers? In printed handbills and resolutions? Or in taking ground which you can and will maintain,—which no change of fortune shall compel you to desert? *Aut nunquam tentes, aut perfice.* Does the gentleman want a translation? Here is one truly American: —"*Stick, or go through.*" This is true dignity:—can he give a better definition? And what constitutes false dignity? Playing the part of a Bobadil—bullying England and truckling to Spain—I beg pardon, there is *no* Spain: —bullying England and truckling to France. This you have done—You know it. When gentlemen tell us of their willingness to publish our proceedings, why do they not clear the galleries and take off the injunction of secrecy? Let their private vote correspond with their public profession. And let me tell the gentleman from Pennsylvania, (Mr. Smilie) that I would rather have his vote than his speech at any time. Who would suppose, if he had not averred it, that he held silence and good sense in such high respect,—that he preferred the calm decisions of quiet wisdom, to the effusions of empty garrulity.

The gentleman from New-York has told us, that after the call of the Executive for firm measures, he did not expect this opposition. And does he call this a firm measure? What would have been a firm measure? An embargo. That would have gone to the root of the evil. But that, sir, would not have suited your Proteus politicians. There could have been no evasion of that. But your slippery mercantile eels can slide over or under this provision, and leave the whole burthen of suffering to fall on the planter, the farmer, and the real American. The whole revenue (we are told) is derived from commerce. Who pays it ultimately but the consumer, and with as large a profit on the merchants' advance of the duties (often a mere advance of credit) as he receives from any other part of his capital. These new ideas of firmness are either above or below my comprehension. And because we are anxious to see the public debt paid off and the true interests of the nation maintained—because we will not abandon the plough, and struggle to restrain Executive influence, we are charged with hostility to all commerce, with insensibility to the honor of our country. When our doors were shut—this is no breach of confidence—one of my colleagues called for the reading of a Message from the President, soon after he came into office. It was the most severe and cutting satire that ever man listened to. I say it was a bitter satire on your proceedings, then and now. It recommended the application of our resources to a speedy discharge of the public debt, a rigid adherence to specific appropriations—tying down executive officers to the letter of the law, restricting them to the literal objects and amount of our appropriations. What is the commentary? In time of peace (for I trust no one will call this wind mill attack on Tripoli *war*) the expenditures of the navy department (so far from each item of expence being limited by the specific appropriation for that object) have exceeded the gross sum appropriated for that branch of the public service *sixty per cent!* And if this is a specimen of the yearly cost of hulks rotting in the mud, what estimate can you make of the disbursements in time of actual war against a powerful maritime state—when your seventy fours are ready for sea? This is naked truth. It rests on figures—if it be not true, how comes it that we have passed two appropriation laws, to the amount of six hundred thousand dollars, during the present session, to cover the navy deficiencies of the last year—almost the only bills that we have passed. Yes, sir, I am for paying one debt off (the cost of a former war) before I enter into another and score up a second. I confess myself to be among the number of those politicians (gentlemen may style them visionary if they please) who hailed the President of the United States as the political Messiah, sent to convince an unbelieving world that a debt once funded, might be paid off, without the intervention of a sponge. If in this I was visionary, at least I was not alone. The promise has been large, the nation calls for its performance. Look at the measures of the government, and when you reckon the Lousiana debt, that created under the British Treaty and some others, it will appear that you have nearly scored up as much new debt as you have paid off of the old. I speak of principal: paying the interest of a debt is not diminishing it—and my friend from Pennsylvania (Mr. J. Clay) must have taken the interest into his large account of yesterday. The amount of principal redeemed is less than 18,000,000. If gentlemen deny this, let them refer to the treasury statements laid before us at the opening of the session, or call upon the head of that department to state the amount of debt paid and created, within the last five years. But you will be told, for your money you have value received, at least. This I freely acknowledge. I would have given the sum for the Delta of the Missisippi, if it could not have been honorably acquired for less. Of whom did we purchase—from Spain who had wrongfully with-held our right of deposit?—So far from it, that we tell her she has yet to make satisfaction for that injury and insult;—we bring it into account against her—No, sir, we purchased from France, the rightful proprietor, against whom we then had no subject of complaint.

I am accused by the gentleman from Pennsylvania, (Mr. Smilie) this I suppose is a specimen of his candor—(I am reluctant to say any thing whilst he is absent—I am sorry he has fled his seat)—of designedly passing over one of the most important considerations presented by the present subject—*the impressment of our seamen.* And yet what did that gentleman tell you? That he himself (long as he had tresspassed on your time) had been compelled to omit many important things, that he intended to say. This realises the proverb. "One man may steal a horse, whilst another must not look over the hedge." I will tell the gentleman, if I did omit this topic, I had scarcely thrown myself into the carriage that conveyed me home, before I recollected and regretted it. The gentleman may say what he pleases, but he never had, no man ever shall have cause to upbraid me with flinching from any question that may be brought on this floor. Now, sir, let gentlemen lay their hands upon their hearts and answer sincerely if they do believe this resolution has the power to take one American seaman out of a British ship of war? Are gentlemen hostile to impressment, and yet friendly to a naval war, to systems which must eventuate in the introduction of this system at home, in the subversion of our liberties? Let them examine the profound argument of judge Foster on this subject. They will find that Great Britain is compelled to resort to it, to maintain her naval power and her existence. And it is because I am opposed to resorting to the same expedient (for will any man pretend that a great navy can be manned without recurring to it?) because I think it abhorrent to the genius of a free people, that I am against rushing into that naval war, into which gentlemen wish to precipitate us. No, sir, you cannot command seamen for your navy, in time of war, without impressment. The wealth of Croesus could not sustain the expence, and even if that objection could be removed, the operation by enlistment is too tardy to meet a sudden emergency. If you have difficulty in procuring seamen to serve in the Mediterranean, what will be the case in a war against England. With all their bravery many a man who would willingly meet the corsairs, or even the Dons and Monsieurs, would feel reluctant to be led to battle against a British fleet—and why, sir? Because, waving other considerations, a great proportion of our seamen are foreigners—natives of Great Britain, who still feel prejudices for their parent country. Yes, sir, the character of the American seaman, like that of the neutral trader, too often eludes our grasp. The moment you make war, much more if you resort to impressment, the American sailor vanishes, he becomes a subject of Denmark: with the first frost, he disappears in a night.

But if I did not misunderstand the gentleman from Pennsylvania, he said that I had treated the House in a manner of which, sir, I trust I am incapable of acting towards any assembly, much less one of your dignity. Am I indeed, so ignorant of the feelings of man? Of the character and composition of this House? No, sir, I have spoken of certain projects and their projectors in language such only as I think they deserve, and in which, claiming the same liberty which that gentleman urges and exacts, I will ever speak of such absurd and fantastical systems. The authors are no doubt interested in diffusing the ridiculous burthen of their disgrace as widely as possible. I cannot blame them for it, sir—'tis natural to wish for partners in our shame. But the great political sin, for which I have been denounced by the gentleman from Pennsylvania, is the opinion which I have expressed of a certain book, which seems to be his political Bible. And, sir, he would have me considered as an inconsiderate person who would not scruple to call Locke a dunce, Newton a driveller and Franklin a journeyman printer; and in an oracular saw he has pronounced that this book will live when he and I too sir are laid in our graves. But when he considers his own age and the frailty of my constitution, he will confess that he has allowed but a short span for the existence of his favorite work. But even though it should live when we are wasting in the silent tomb, there is nothing in my composition that aspires to being considered as its author. Who is the author? Does the gentleman know? Must we have semi-official authority, even for a title page? No, sir, whatever others may think I have no ambition to have written such a book as this. I abjure the very idea. Unless my understanding has abandoned me, it involves an abandonment of the very doctrine for which the writer contends. Sir, the very cursory view which I took of this subject yesterday will compel me into some repetitions, but I must beg to be indulged in some additional remarks. What is the doctrine?

"In times of peace among all nations, their commercial intercourse is under no other restrictions than what may be imposed by their respective laws, or their mutual compacts. No one or more nations can justly control the commerce between any two or more of the others.

"When war happens between any two or more nations, a question arises, in what respect it can affect the commerce of nations not engaged in the war?

"Between the nations not engaged in the war, it is evident that the commerce cannot be affected at all by a war between others.

"As a nation not engaged in the war remains in the same relations of amity and of commercial pursuits, with each of the belligerent nations, as existed prior to the war, it would seem that the war could not affect the intercourse between the neutral and either of the belligerent nations; and that the neutral nation might treat and trade with either, or both the belligerent nations, with the same freedom as if no war had arisen between them. This, as the general rule, is sufficiently established."

Here is a faint endeavor to establish the principle that free ships make free goods. But the writer, as if despairing of his ability to affect it, goes on to say—"But in as much as the trade of a neutral nation with a belligerent nation might in certain special cases affect the safety of its antagonist usage founded on the principle of necessity has admitted a few exceptions to the general rule"—"usage" founded on what? Reason?—Right?—No, sir, on that law which admits nothing to control it—"Necessity" that cannot stoop to argument. If once you admit that necessity ought, can, or does establish exceptions to this broad rule, do you not admit all that the British doctrine requires? But, sir, it will be said that the sole legitimate proof of this necessity is *usage*. But usage must have had a beginning, and the small protection which this argument affords is thrown away by the subsequent admission, that a change in circumstances ("*in the course of commerce,*" for instance) will justify a departure from established maxims, will warrant the commencement of a new usage. As if all the articles contraband of war, were minutely specified—and by a change in the maxims and implements of war, new and more terrible instruments of annoyance should be fabricated;—would they not fall under the head of contraband? And is it not demonstrable that a direct trade to France, in gunpowder or any other article contraband of war, would be less beneficial to her and less injurious to her enemy, than the colonial trade now in dispute—and is not (according to this writer's acknowledgement the lesser principle involved in the greater? Am I therefore the apologist of England? I scorn to boast of my patriotism:—it is indigenous. And when I am reduced so low as to plead to the charge of want of love to my country, of natural affection to my birth-place my pride will tell me to bid you farewell, to go home and hide my shame. Am I the apologist of Britain, because your cause has been weakly defended, or treacherously betrayed? No, sir, this "Examiner" is her apologist. I have not minutely dissected the work—There was no occasion for it. It is something like the edifice we inhabit. 'Tis hardly worth while to be examining frizes and cornices, and architraves and stucco work, when you know the foundation to be rotten, whilst the building is tumbling about our ears, and we are obliged to seek refuge in another. It is not, indeed, sir, worth while to consult the orders of architecture in a miserable card house of an argument, which the first puff of wind must demolish.

Sir, the admission, that a change of circumstances will justify a departure from the established maxims amongst nations, was an unnecessary and fatal concession not called for by the nature of the case.—What is "the course of commerce," now? Totally changed in a few short years. The marine of France, Spain and Holland, whether for the purposes of trade or war, is no more. They have no longer navigation, or navy. Again, amongst a load of quotations from Grotius, and Puffendorf, and the Lord knows who, we are told it is the duty of the neutral to observe the strictest impartiality "to behave himself alike to both the belligerent parties" But is it to behave alike to both parties to carry for him who cannot carry for himself, to throw the Ægis of neutrality over a commerce which he can no longer protect to save him all the danger, expence and risk of convoy and war insurance. This is a hollow, Delphic reciprocity:—reciprocity to the ear, but not to the sense. If you carry contraband, or attempt to enter a blockaded port, you are liable to capture. Why? Because justified by necessity. As to the motives of the neutral merchant, they are out of the question. His object, no doubt, like that of every other trader under the sun, is gain. He, sir, is too often the mere ephemeron, the butterfly of the day, who does not care one farthing whether you are at war with this or that nation, with England or with France, provided he can get good returns. His business is to post his books and ballance the ledger, and whether he deals with the subjects of a white emperor or a black one, of Bonaparte or Dessalines 'tis all one to him. No doubt, sir, it is the right of the neutral to pursue, and he will, he ought to pursue his own interest. But it is the right of a belligerent (as conceded by this writer) to enquire how far such pursuit comes into collision with his interests and his safety. The motive of the neutral may not be hostility to either party engaged in war, but his own benefit. This however will not influence the belligerent nation, who takes up the question solely with a view to its effect on itself. What will Great Britain say?—that the exigency exists—it has occurred, *flagrante bello*, that the necessity admits of no delay, that you yourselves have abandoned the question in dispute, and even if you have not, that she cannot consent to sit down quietly, and be extirpated from the face of nations, out of complaisance to Grotius or Bynkershoek, or in deference to the unknown author