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CONGRESS.

HOUSE OF REPRESENTATIVES.

MONDAY, MARCH 10.

DEBATE
On Mr. GREGG's resolution.

(CONTINUED.)

MR. CLARK. A sense of duty, prevailing over personal inclination, compels me, Mr. Chairman, to offer a few remarks on the subject under consideration. The measure now under discussion appears to me to involve the best interests of our country, the prosperity, the happiness and the liberties of America tremble before it. In the hands of the resolution are contained the issues of life and death, and it would be criminal in me not to throw in my mite to rescue our common country from the impending danger. The course which I shall take will differ in some degree from that pursued by those who have spoken in opposition to the resolution. I shall not attempt to draw any marked discrimination between the varying interests of the country, or invidious distinctions between the agricultural and commercial interests. I think they are so essentially united, that one cannot fall to the ground without tumbling the other head-long into ruins. I shall consider the subject relatively to its general policy, and whether, on the principles of that general policy or conventional compact, as has been contended by gentlemen, we are bound to adopt the resolution. If I shall succeed in convincing a single gentleman now in favor of the resolution, that we are not bound by the constitution, and that it will be impolitic to adopt it, I shall consider this amongst the happiest events of my life.

The great objects of our federal engagement in forming the compact under which we now live, were to establish justice, insure domestic tranquility, and provide for the common defence and general welfare of society. Under this constitution gentleman call upon us, under the pretext of promoting the general welfare, to adopt a resolution which manifestly goes to the promotion of a minor interest. This compact, in providing for the general welfare, must mean that of the whole, or at any rate, of the larger portion of the community; it was never designed to promote a subordinate interest at the sacrifice of the general prosperity. Are we then bound by the constitutional compact to adopt this resolution? I think not. Thus much as to the constitutionality of the question.

I must consider this resolution as a war measure, and viewing the policy and present situation of G. Britain, against which it is pointed, I have no hesitation to say, that in my opinion, it will produce instantaneous war. A maritime war, for such an one she will wage, will not add one item to her present expenses; neither will it embarrass her measures on the continent? It can have no such effect. She has eight hundred ships on the ocean, flushed with victory and conquest, and a part of her navy is at this moment triumphantly sailing almost in sight of your shores, ready at any moment to seize, should that course appear expedient to her, all our vessels navigating the ocean. It cannot affect her continental operations. The war she will wage will be altogether maritime—Her navy cannot be essential against her continental enemies in Europe. Already have their fleets been annihilated. The victories off Trafalgar and in the West Indies, have cleared the ocean of almost every sail, and there remains no employment for her navy but to depredate your commerce; and she will do it, you may rely upon it. Those are but indifferently acquainted with G. Britain and the genius of the first minister, who suppose all the power in their hands will not be made use of. Gentlemen tell you this is not contemplated as a permanent system of commercial arrangement, but a temporary expedient, which by its pressure is to bring our rival to a sense of duty, and make her do us justice. But this temporary measure will have on Britain all the effect of war. Declare war to-morrow, and it can only affect her trade. Can you believe that she will, with all her advantages, remain quiet? 'Tis not her character; she will not do it. I should think contemptuously of her if she should. Will she suffer you to take war measures and not retaliate? Will she be more afraid of you with your four thousand troops, dispersed over the whole western country, and your thirteen armed vessels rotting in the Eastern Branch, than of that power whose conquering arm has extended the limits of his sway beyond former comparison, and whose ambition is bounded only by the habitable world.

What was the conduct of that government about the year 1801, when an armed neutrality was formed by a coalition of the Northern powers? This measure was comparatively pacific; but did not the gallant Nelson enforce an abandonment of this measure with cannon at Copenhagen? Will she not do so to you? It is her interest, & will she not be governed by it? She has no other rule of action. Are we not then correct in considering this a war measure? And ought not gentlemen to abandon the vain illusion they have conceived? It is however said, that she will not be willing to increase the number of her enemies. But is she not well apprised, from the genius of the American people, that nothing is more desired by them than peace; and that the moment she does you justice, you will be bound to seize it; and that she may therefore calculate on making peace when she pleases. Will she not, therefore, use all her power to bring us first to terms, and then if she fail, come to terms herself whenever she pleases.

So much with regard to this as a war measure. For the irresistible conclusion in my mind is, that it will produce war. But suppose it should not produce war; will it not produce consequences equally fatal? Will it not destroy your commerce? Our exports will not be purchased, as the merchants will not fit out their vessels unless they can get a market for them. For this what are we to gain? The carrying trade. I beg leave here to make some remarks on the position of the gentleman from Massachusetts and to examine the principle assumed by the British government; by which it will be seen the whole carrying trade is not affected by it. What is the ground which the prize courts of Britain take? That a neutral has no right to deliver a belligerent from the pressure of his enemies hostilities by trading with his colonies in time of war, in a way not authorised in time of peace. This principle, so far as it relates to our government, is not so unfair as gentlemen seem to imagine. Let us apply it to Britain and France. As to Great Britain she is contending for her liberties and her very existence, and, although I shall not contend that a nation at war has not the right to regulate her commerce with neutral neighbors in any way allowed by the law of nations; yet the enemy has certainly the right to prevent every means of relief, to produce, if possible, oppression and poverty in order to procure peace. Can you expect that Britain will permit you to supply France and Holland with commerce, and on such terms as enables them to go the cheapest into the market and convert all their merchant ships into armed vessels to privateer upon her trade, and while France is so relaxed in her system, have we a right to expect any indulgence from Britain? War we know always brings some evils to a neutral country. Can we therefore so materially blame Great Britain? Then as to the consequences of this trade. It certainly does not bring more than 170,000 dollars into our treasury, while it draws from the purchase of our domestic productions a large part of the capital that would be otherwise devoted to it. When I say 170,000 dollars, I mean to apply the remark particularly to that trade which has been the object of suppression by the prize courts; for I agree that the revenue arising from the whole carrying trade is stated to amount to 800,000 dollars, but no man will say that the duties arising from this species of trade is under-estimated. Is the whole value of this trade so important as to justify a sacrifice of all our interests? I will ask gentlemen, whether it is correct or proper that the great interests of the country should be given up to a trade only continued in time of war, and in which but a few men are interested? Let it not here be understood that I am the enemy of commerce. No, I am its friend. Without it, agriculture would be nothing, and there would be no market for the sale of our surplus produce. We must have trade—but let it be on principles of permanency, and not on such as emerge from a state of war. Britain has never affected our direct trade, and my vote shall be always ready to protect it. I agree that a circuitous trade is beneficial to the country, just as money brought into it is beneficial. But let us take the subject up on calculation. I think it a fair subject of calculation, a question of profit and loss, and see whether it ought on that ground to be protected. If it is found the play is not worth the candle, gentlemen will certainly not wish its preservation. Is it right to protect, at the hazard of every sacrifice, this trade of so precarious a profit, and which cannot continue longer than the period of war. Our exports to Great Britain and her dependencies amount upon an average of three years, to 20,653,000 dollars; of this amount the two articles of cotton and tobacco, the exclusive produce of the states south of the Potomac, constitute more than one half. This will be entirely lost, or at least the most considerable part, for I have no expectation of finding a market for any thing like this amount, in any other country. Cut up at one stroke under the pretence of temporary expediency the cultivation of these two articles, and you prostrate the expectation, independence, and industry of thousands—then will be applied to your own industrious and virtuous citizens, what the mover of the resolution supposed it would be to the manufacturers of England, a dagger to their vitals. Let us not for God's sake ruin our country under the delusive expectation of injuring our adversaries. Another and very current view may be taken of this subject; it is acknowledged that there are comparatively but few persons immediately interested in this trade, and although to them a lucrative one, yet it must end upon the cessation of hostilities in Europe. It must be unjust, that the great interest of the agriculturalist should be sacrificed to this trade, or even pledged for its protection and security. I never will agree that one class or profession of people shall underwrite and ensure the success of another class, and this too without any premium. This is precisely the case in this instance—the trader gains all under the protecting arm of the farmer, and the loss falls on the farmer, if it should be attended with any.

Let us view this subject in another light. It is contended, that if British manufactures are prohibited, that our commerce will still go on, that our merchants will find other markets, and that the security of the revenue will not be affected. But I beg gentlemen seriously to consider the situation of Europe. I do believe that our demands cannot be supplied but from Britain, they cannot be supplied elsewhere? Because from 1786, the British manufactures introduced into this country have regularly encreased; notwithstanding in France labor is cheaper than in Britain. Not because an Englishcoat was better than a French one. The fact is, the French manufactures cannot be got on the same reasonable terms as the English. What has been the effect on the price of Liverpool cottons since France has menaced the invasion of England? They have increased in price, because her manufacturers have been taken from their shops and converted into soldiers. What is the situation of Europe? Convulsed to her centre, will Germany afford us the articles we want? Do we not know that her manufactures have always been limited and confined to particular articles. Where then is a supply to be had? Where is a return to be got for our domestic productions, without which our loss will be incalculable? What will its effect be on our treasury? We know that the British manufactures yield about five millions of revenue, which go to the regular reduction of the public debt, which to this degree must be suspended if they are prohibited. Will gentlemen say, because I hold this language that I am the apologist of British measures? No. Were I to give way to my feelings on this subject, instead of being governed by my judgment, there is no length to which I would not go. My colleague has told us that G. Britain is fighting our battles and those of the world. I believe so. But not from any good will to us or the world—in fighting their own battles, they fight ours. Let us then suffer them to go on, not out of affection to their government which is tyrannical, and which, if it had the power, would lord it over this country as it did when we were colonies, not from attachment to the English government or its measures, but from a regard to our own country to which this measure would be ruinous. If the articles we want can be got from any other country, let us obtain them from them; but do not let us carry our enmity so far to Britain as to ruin ourselves.

But we are told that this is only one cause of complaint against the British government; that another cause of complaint is the impressment of our seamen. It is a cause, a most serious cause of complaint. On this subject I have more feeling than on the other. I commiserate the deplorable situation of those men and their friends, and wish most ardently it was in my power to relieve them from it. But there is some apology even here to be made for the British government. The inhabitants of the two nations are so like each other, and so nearly the same in their language and habits, that it is extremely difficult to distinguish one from the other. And I will ask you if we have not more subjects of Britain in our service, than they have American citizens in theirs? Let us also recollect their principle, once a subject, always a subject. When, therefore, we give their subjects the privileges of a citizen by naturalizing them, is it not a counter-action of British policy; and is it not some apology for their conduct in pressing this description of men? I recollect of no instance of their refusing persons allowed by them to be American citizens, whose claim was fully substantiated. Let me again repeat it, that in a state of war neutral powers must suffer some injury; when all nature is in conflict, we cannot expect to escape injury. I do not therefore think this ground of complaint a cause of war, for where is the difference between forcibly taking away the citizens of our country, and enticing those of another by the allurement of superior advantage. Every society has the right, and exercises that right, to ordain municipal regulations for its government; and every member of the society is bound by them. By the immemorial usage of England, no subject is allowed the right of expatriation and they hold the privilege of impressing their sailors wherever found in time of war, and claim their allegiance, whatever may be their condition. We ought not to seduce them. I do not mean this as a justification, but it is undoubtedly a mitigation of the affront. But what is proposed? To go to war in order to obtain the release of a few captive citizens that have been taken on the water; let them get out of the way by turning cultivators of your waste land, in which they can acquire a virtuous and honorable competency. But sir, what will be the sympathy of the gentleman, who shed tears of grief over your impressed seamen, when they shall view the scenes of devastation produced by war; all your seaport towns in ashes, people of every age and condition mourning over their ruined mansions and fallen fortunes, countries ravaged by a merciless foe, or millions of your citizens slain in fighting your battles; will your carrying merchants then step forth, and fight for you? No, indeed, they will not, they are too precious to be made food for gun powder, they will not be shot at all day for seventeen cents, they will all disappear—their rule is wherever money can be made, there is my country. Guard, then, I beseech you, Mr. Chairman, against that fatal infatuation which hath destroyed the universe.

MR. EPPES. After the discussion which has already taken place on this subject, I shall not consider myself authorised to occupy much of the time of the House. As, however, I have on some occasions ventured to express my opinions on this floor, I cannot reconcile to my feelings a silent vote on a question interesting to the United States generally, and particularly so, to that portion of country which I in part represent.

Whatever difference of opinion may prevail within these walls as to the course which ought to be adopted towards a nation which under the pretence of right has commenced a system of warfare and pillage on our commerce; I hope for the honor and interest of our country we shall finally unite in something. If in a free country there is any principle which ought universally to be admitted, to inforce which neither reasoning or demonstration should be necessary, it is that every class of citizens is equally entitled to protection.—To secure to man his personal rights, and the fruits of his honest industry, are the two most important objects of a free government. The government unwilling to use for that security the means of which it is posessed, does not deserve the support of freemen. Our constitution makes no discrimination between different classes of citizens, nor can we, in our legislative capacity. The citizen whose capital is vested in a ship, has an equal right to protection in using for his benefit and happiness that ship with the cultivator of the soil in using his plough. To arrest by violence his ship and confiscate his property, is to the merchant the same injury as it would be to the farmer to arrest his plough and destroy his crop. In each case the citizen must look to the community for the removal of every obstruction thrown by violence in the way of that perfect freedom in the use of his property which constitutes its value. It is true, and no man will deny the correctness of the principle, that every nation has a right to abandon any particular commerce injurious to its interest or dangerous to its safety. This is the natural right of all nations, and particularly of free countries, where the general welfare of the community is the supreme law. While, however, a commerce remains lawful, the citizen embarks in it with the same right to expect protection as in any other lawful occupation. For a government to refuse it is a violation of that fundamental principle in free government, that protection on the part of the government is the basis of support on the part of the citizen. If we are unable or unwilling to interpose in behalf of our citizens, when their personal rights have been invaded, their property captured and condemned under principles unknown to the law of nations, let us give up the farce of pretending to self government, and go back to the degraded state of colonies.

The ground of difference between the United States and Great Britain, is too well known for me to dwell on this part of the subject. It has been stated on this floor by a gentleman from Massachusetts, in terms clear, forcible, and manly. The impressment and detention of our seamen is an injury, which has justly excited the indignation of the people of America for the last ten years. Every attempt to arrest by negociation this serious injury has failed, and each year adds new victims to the roll of impressed seamen. The recent captures of American property to the amount of six millions of dollars, under doctrines new and manifestly unjust, is a serious injury to the individuals and to the community. And although I have no doubt, as has been eloquently stated on this floor, that American merchants have in some instances disgraced that character by covering the property of the enemies of Great Britain, I am equally certain that the injuries done to *bona fide* American merchants, trading fairly on American capital, are sufficiently numerous to justify and demand the interposition of this government.

While, however, I have no doubt as to the right of the citizen on the one hand to demand protection, and of the duty of the government on the other to extend it to him, I am willing to acknowledge all the difficulties of our present situation. I consider it no disgrace to this infant nation to say we are not able to meet on the ocean a nation, a match on that element for the world combined. I hope the period will never arrive when the substance of the citizen here shall be squandered on a navy competent to meet on the ocean the navy of Great Britain—separated from the rest of the world, at too great a distance to fear invasion, possessing a country abounding with productions valuable to the different nations of Europe with whom we have commercial relations, it is our interest to cultivate peace with all—to adopt even for the protection of our rights peaceable remedies. On the value and importance of our commerce to the different nations of the earth, and not on offensive war, we must depend for enforcing a regard to the principles of justice on the part of those with whom we have commercial relations. If we are not able to meet on the ocean Great Britain or any other European power, we can say to them all, respect in your intercourse with us the principles of justice, or we hold no intercourse with you—if you will not traffic with us on principles that are fair, we will neither receive your manufactures, nor send to you our productions. We are now for the first time about to test this principle so important to a nation jealous of fleets and armies. Of the various measures of this kind which may be resorted to—high discriminating duties—a prohibiton of certain enumerated articles, a general prohibition, and as a denier resort a suspension of all intercourse, are the remedies within our reach. It is a mere question of convenience and expediency, to which of these we shall resort. I should prefer for myself as a first step the mildest. It is not in my opinion the interest of this nation to dissolve at a single blow its commercial connection with Great Britain. The commerce, if carried on, on principles that are fair, is mutually advantageous to the two countries. In Great Britain we find the best market for our most valuable productions, and with us she finds the best market for her manufactures. To prohibit at a single blow imports to the amount of thirty-five millions of dollars, however injurious it might be to the manufacturers of Great Britain, would certainly be a serious injury to our own citizens. I cannot but hope that a milder measure will cause the British government to respect our rights and pursue a course manifestly dictated by a regard to its own interest. If, however, Great Britain is so lost to her own interest as to persevere in a system of injustice calculated to deprive her of the best market for her manufactures, a market daily increasing, with the increasing population of this infant country, let us on our part proceed with that caution and moderation, which shall evince that the course we are determined to pursue is founded on principle, and will never be abandoned until our wrongs are redressed. I am willing to adopt for the present a prohibition, of enumerated articles. If that shall fail, to pass hereafter a total prohibition and finally to put forth our whole strength, and say we hold no future intercourse with you; but dissolve for ever all commercial relations with a nation, which takes for its national law the base principle of necessity, and makes itself the exclusive judge of that necessity.

As, however, it will not be in order to argue propositions not immediately under consideration, I shall confine my observations to the resolution of the gentleman from Pennsylvania. I am willing to consider this resolution, as its friends profess it to be, a commercial regulation, and not a war measure. Indeed I should not apprehend war with Great Britain, even if it was adopted—it is not her interest to add to the number of her enemies, and her vessels, numerous as they are, will find sufficient occupation in guarding her own channel and protecting her own capital.—I object to this measure, because I believe that it will be so extremely injurious to the United States in its operation, that it ought not to be resorted to