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CONGRESS.

HOUSE OF REPRESENTATIVES.

MONDAY, MARCH 14.

MR. QUINCY. It is my intention to offer a resolution to be considered and adopted by this House. Its object is information concerning important public relations. And when it is recollected, that three times during the present session, motions, having a similar object, have been refused even consideration by the House, I shall not need an apology, if, availing myself of the common privilege, I make a preliminary elucidation of the principles which ought to induce the adoption of such a resolution.

At a period like the present, when the least experienced eye can discern the clouds on our horizon, and when every individual feels in his own embarrassments, and sees in those of others, ruin spreading over the country;—if any principle be clear;—if there be any, to which every man, of whatever party, must be compelled to assent, it is, that the official information, existing within the country, touching any of our legislative duties, should be in the possession of this House. We ought to rest content with the concealment of nothing, which can throw light on our path, and aid us under the burden of a great legislative responsibility. This is no time for the refinements of constitutional delicacy. If we have reason to think, that we are suffered to remain in ignorance of important facts, there ought to be no further delay in asking for the communication of them. This is the twentieth week of our session. If it be ever to have a close, its period cannot be far distant, certainly it will not be considered untimely to ask ourselves these questions—what is the state of our information concerning our foreign relations, derived from official sources? In what respect is it complete; and in what is it deficient? In replying to these questions, I shall elucidate the principles of the resolution, I mean to offer.

When we take a view of those two great nations, both of which so deeply interfere with our interests, and so cruelly affect our rights, it is impossible not to perceive a remarkable difference in the state of our information, concerning our relations with each. Respecting Great Britain almost every thing, respecting France almost nothing, has been officially divulged. As to the former, there is scarcely any information we can ask, which we do not already possess. As to the latter, there is scarcely any, of which we are not in want. So far as it respects this House, (for on the degree of knowledge, which it is permitted the nation on this subject to obtain, I say nothing,) all the great points of controversy with Great Britain, except what relates to the rejected treaty, have been communicated. Portions of the instructions of our government to the American ministers; their developement of the negociations and their view of the motives and principles of conduct of the British ministers; even the official replies of these ministers as to the affair of the Chesapeake, to the remonstrances of ours, have not been withholden. But altogether different is the state of things, in relation to France. Here all our information is the most scanty and meagre. We have only very unsatisfactory and partial explanations of her policy or her decrees. And we have not had communicated to us any of the correspondence of our minister at Paris, with the American government, touching either the one or the other, or illustrative of any of his sentiments, concerning the projects of France. In stating this distinction between the state of our official knowledge, respecting these nations, I would not be understood, as at this time uttering a complaint, or as impeaching the motives of the Executive in developing on the one side, and withholding on the other. Grant that the ignorance, in which we have been kept, as to our French relations, has, thus far, been wise, ought we to be content to remain in it any longer? If it can be made probable, much more if it can be made certain, that important information is, in the possession of our government, which, from its nature, must have a material influence on our deliberations, can we fulfil our duty, if we fail, in a constitutional way, to make an exertion to obtain it?

With Great Britain we have now a specific negociation depending, and there may be reasons of state, at such a moment, for refraining to give immediate publicity to our relations with her. But, with France, no such negociation exists. The decrees of the French government are public acts. Official explanations of those decrees ought to have been demanded, and doubtless have been given. Mr. Armstrong's views of the dispositions and intentions of that government must have been transmitted to ours. It is impossible that there should be, in the nature of things, any good reason, why this information should be concealed from this House; even supposing that it might be wise to withhold it from the public.

I fear the House do not realise the utter deficiency of our official knowledge, in this direction, we are in the habit of collecting facts and statements from letters and newspapers, and other general sources. We confound the result of these with that which flows to us through official channels; from which alone we ought to draw the great certainties, on which should rest our public conduct.

To enable the House to possess a general view of our official knowledge, on this side, I shall recur to the first session of the ninth Congress, and notice the executive communications from that period. Our foreign relations began about that time materially to alter, from a peace to a war aspect. At the opening of that session, in December 1805, the President of the U. S. in his annual message told us, that private armed ships, like pirates, were plundering our property, and committing on our citizens, acts of atrocious barbarity; that public armed ships were hovering upon our coasts and annoying our commerce; that new principles had been interpolated into the law of nations; that Spain refusing compensation for past, and guilty of new injuries to us, obstructed the Mobile, threatened the Mississippi, and with her regular troops, invaded the old territories of the U. S.; carrying away our citizens and their property. In all this annual official developement of our public relations, I observe but one omission. *There is no mention of France.* Yet then, as now, she was the chief arbiter among the nations of Europe; the open ally of Spain, and in various particulars, both her conduct and her claims materially affected our rights. I should not notice this omission were it not characteristic. The same occurs, in every other annual message of the President, from that time to the present. In none of them is there any direct allusion, much less statement of our relations with France. Yet Tunis and Tripoli, the Barbary powers, and our Indian neighbors, occupy a wide space, and make a distinguished figure in all these communications.

I would not be thought to notice this omission for the purpose of asserting it was wise or the contrary; nor yet to excite any suspicion of improper motives; but, I state it merely as a fact materially evincing our want of official light on the subject, to which the resolution, I offer, refers. Happy would it be, if the subsequent discoveries of the same session, allowed us to believe, that France even then was wholly inattentive to our national course, and neither interfered with our interests, nor attempted to exert any influence over them. But we are not permitted to indulge such a delusion. In the succeeding month by a call from the Senate for documents, concerning the complaints of France, against the trade of St. Domingo, it was discovered that, previous to that message, difficulties did exist, between that government and ours, relative to the exercise of our commercial rights. The character of the French minister's language to our government, communicated, in the message of the 10th of January, 1806, I shall not pretend to describe, but, I will cite some passages from his letters to our Secretary of State contained in that message. Concerning our trade with St. Domingo, Mr. Turreau says, "The only way open for the redress of these complaints, is to put an end to the tolerance, which produces them." And again, "Your silence towards me, and that of your government towards Congress, imposes upon me the duty of recalling to your recollection the said official note, and of renewing to you my complaints, upon an abuse, as shocking, as contrary to the law of nations." It is very remarkable, that Mr. Turreau, himself, makes "the silence of our government to Congress," on the relations of his nation a subject of official complaint. Even the French minister is not satisfied, that his great nation should make no figure in this annual message.

He proceeds—"France ought to expect from the amity of the U. States, and his majesty charges me, sir, to request in his name that they interdict every private adventure, which, under any pretext whatsoever, may be destined to St. Domingo." And last of all, Mr. Turreau, that the firm determination of his master's mind might not be mistaken by our Secretary of State, tells him plainly, "This system of impunity and tolerance can no longer continue, and his majesty is convinced that your government will think it due from its frankness, promptly to put an end to it." These letters are evidence incontrovertible, that, notwithstanding the total silence of the Executive, relative to France, there may exist important particulars of information, which, although he may not choose voluntarily to publish, yet, which, if called for, he will not hesitate to disclose. I make no comment on the mandatory style of these letters. In all languages the mode of supplication and the mode of command, have a general resemblance. Sometimes they are precisely similar. When such forms of expression are addressed to an equal, whether they be intended to express the former, or to intimate the latter, is to be collected from the general temper, character, and relative situation of those who utter, and of those to whom they are addressed. Although I am far from suggesting that this House was influenced to the prohibition of the trade with St. Domingo, by the language of these letters, yet I can never cease to regret that the measure then adopted was preceded by a publication of that correspondence. I could have wished that a majority of Congress had previous to the issuing of that summons, awakened to that moral sense of the atrocious nature of this commerce, which afterwards was manifested by them. The only remaining information derived from official sources during the session, under consideration, was obtained in consequence, also of a request from the Senate for an illustration of those "new principles, which had been interpolated into the law of nations." The executive message of the 27th of January, 1806, states, among the new principles interpolated, the following, by the French—That privateers, two thirds of whose crews were not native subjects of England should be considered as pirates—that foreigners found on board vessels of the enemy should be considered as prisoners of war, and not entitled to the protection of the agents of their country. Yet we had no information then, nor have we since, whether any explanation had been demanded or given of those decrees. If a silent acquiescence in them was not adopted on the part of our government, it is unknown to this House.

The next period of executive developement of the state of our foreign relations, commences with the last session. In his annual message, in December, 1806, the President hopes a favorable issue of our difficulties with Great Britain, and tells us those with Spain are not settled, but the same characteristic omission I have noticed in the former exists also in this. There is no France in the exhibition. Yet the Mediterranean powers and our Indian neighbors have a prominent station in this great history-piece of our foreign relations. I mean not to say that it was not wise and masterly thus to leave that great nation, wholly out of the annual representation. I judge not the Executive; but merely state the fact as an additional reason for my resolution.

At the end of this session, however, light was thrown on the long continued darkness of this quarter of our horizon. On the 19th of February, 1807, we have, at last, some official developement of our relations with France. It is a great era in our information; and as my resolution will have reference to it, and as there is to be drawn from the facts it contains, a strong argument for this measure, the House must indulge me in some remarks on the information then communicated. The extraordinary decree of the French government of the 21st of November, 1806, was, as we all know, of a most dubious character. Its language admitted very different constructions. It might be a mere municipal regulation. It might be a general rule for the conduct of French cruizers; in which case it deeply affected our neutral rights, and directly infringed our treaty with France. The uncertainty, concerning its construction, filled this country with apprehension, and our minister at Paris, with sufficient promptitude demanded an explanation from Decres, the French minister of marine, of the official interpretation, intended to be given to it. Decres, in his reply to the American minister of the 24th December, 1806, after having stated what "he considered," and what "he thinks" the imperial decree means, adds this pointed and remarkable caution: "It will be proper that your excellency should communicate with the minister of exterior relations, as to what concerns the correspondence of the U. States of America with England." And to the end that gen. Armstrong might not mistake, as to the nature and necessity of his recurrence to another department, for the satisfaction he sought, the minister of marine subjoins this most impressive postscript—

"It will not escape gen. Armstrong that my answers cannot have the developement which they would receive from the minister of exterior relations, and that it is naturally to him to whom he ought to address himself, for those explanations which I am very happy to give him, because he wishes them, but upon which I have much less positive information than the prince of Beneventum."

To this part of Decres' letter I shall recur hereafter. At present, I proceed to bring into one view all the remaining knowledge concerning our French relations, which has been permitted to come to us through official sources.

The next period of legislative intelligence on this subject is that which commenced with the present session. In his official message, at its opening, the Executive tells us of a treaty with Great Britain rejected—of the outrage on the Chesapeake—of our unsettled differences with Spain. But as to France, whether we have any relations with her at all, or whether, as to us, there be any such nation on the globe, or any thing in this message, neither the House nor the nation are the wiser. It is true, that there is a general, sweeping sentence, which includes every thing—"With the other nations of Europe our harmony has been uninterrupted, and commerce and friendly intercourse have been maintained on their usual footing." But whether this be a developement of our relations with France, such as this people ought then to have been satisfied with; whether the aspect of that nation upon the prospects of this, and almost every other country for three years past has been such as perfectly to authorize the Executive of the U. S. during all that time, to maintain, in each of his annual official messages, a total silence on our connexions with her, I leave this House to consider. To my mind it is an ominous silence, full of meaning.

All the residue of our official information, relative to France, has been of a confidential nature. Yet, with the exception of a part of the communications at the time of laying the embargo, it all has been so entrusted to us, that we have a right to speak openly, and say what it was; and with respect to that portion, on which our lips are closed, I have a right to state, generally, what it was not.

First then, as to what we possess. In the order of time is the letter of Mr. Champagny of the 21st of August last, in reply to a letter of Mr. Armstrong of the 8th of August. This letter of Armstrong has not been communicated. It appears, however, from Champagny's answer, that it was not any claim of exposition of the decree of 21st of November, 1806, nor of the general views of the French government towards us, or our commerce, but merely had relation to a particular complaint, concerning American vessels, carried into Spanish ports. Such it is expressly stated by Champagny, to be in his reply. The next information is the letter of Regnier, the grand judge, which accompanied the recommendation of the embargo. This letter was dated the 18th September, 1807. By this it is discovered that it is the intention of the decree of the 21st. of November, 1806, to subject English merchandize and manufactures on board neutral vessels, to capture. But why, or how, this exposition of the decree was at this late hour obtained, whether it was accidental, or whether it was the consequence of the application of our minister, we are ignorant; for the letters of Mr. Armstrong to our government, which accompanied Regnier's letter, have never been communicated to us.

Our next information, of which we may speak, is that contained in the late confidential communication of the Executive; being a letter to the French minister of exterior relations, dated the 12th of November last. This letter also was not any official demand of explanation, relative to the decree of the 21st of Nov. 1806, but merely a remonstrance against a decision of the council of prizes, which has condemned the cargo of an American vessel, wrecked on the French coast, solely for being English manufactures, and his exposition of the cruelty and unprincipled nature of that sentence. But what the answer of the French minister of exterior relations was, or what were the communications of Mr. Armstrong to our government, which accompanied his transmittal of his letter of the 12th of Nov. we know not. They have never been submitted to our inspection.

There is, however, one fact discovered in the letter of the 12th of Nov. which ought not to be passed over, without notice. Mr. Armstrong in this refers to a letter of Mr. Champagny to him of the 7th October preceding, in which says Mr. Armstrong, "You," (Champagny) "thought that the decree of the 21st of November might be reconciled to the treaty between the U. States and France." From this unlucky quotation it is manifest, that on the 7th of October last, Mr. Champagny did address a letter to Mr. Armstrong, relative to the decree of the 21st of November, 1806. What was that letter? Was it an answer to any letter addressed by Mr. Armstrong to him? If so, what was Mr. Armstrong's letter? Can there be a good reason why the import of these letters relative to the official construction intended to be given to the operation of a most dubiously expressed decree, deeply affecting most important rights, should, for one hour, be concealed from the public?

I have now recapitulated all the information on the relations, of which it is permitted us freely to speak. As to that which may be deemed confidential I abstain from saying what we have. I have a right, however, to say what we have not. We have not any of the correspondence between Mr. Armstrong, and our government, since his letter of the 24th December, 1806 communicated in the President's public message of the 19th of February 1807.

The question recurs, have we any reason to believe, that any such information, not communicated, is in the possession of our government? The evidence that such information does exist, and that the Executive has it, is to my mind more than probable; it amounts in degree, next to absolute certainty. In the first place, as to a demand made by Mr. Armstrong, of the French minister of exterior relations for an explanation of that decree, is it possible for any man to doubt, for a moment, that he did make such a demand, and that the knowledge of that demand, and probably the answer, with Mr. Armstrong's explanation of his own conduct, must be in the hands of the Executive? Observe the facts. On the 10th of December, 1806, scarcely twenty days after the issuing of the November decree, Mr. Armstrong, with an honorable promptitude, demands of the French minister of marine, an explanation of its construction. The minister replies substantially, "this is my opinion upon that "subject, but mine is not the proper "department for constructions of this "kind; go to the minister of exterior "relations. He knows the emperor's "will; he can give you every satisfac-"tion." Mr. Armstrong transmitted this information, with a letter, to our government, of the 24th of December, 1806.

Now, what was the obvious duty of the American minister? Was it not to turn round at once to the minister of exterior relations, and request the explanations so much desired, from the source to which he was thus not merely officially referred, but absolutely urged to resort, by the minister of marine? If he did, would he fail to communicate the result of that application to our government, accompanied by his own observations? But suppose he has neglected any such application, and has omitted to apprize this government of his proceedings, is this a reason for refusing to adopt the resolution, which I propose? On the contrary is it not a strong reason for the measure? If Mr. Armstrong has been guilty of such a culpable neglect, at such a crisis as this, relative to so all-important a subject, ought not this House to know it? Ought we not to impeach him before the Senate of high crimes and misdemeanors; and ought he not at once to be recalled to answer to the just complaints of his country? Precisely the same is it, if it be true, as seems to be circulated, in whispers, that Mr. Armstrong has transmitted no letters to our government, which have not been communicated to us. Shall confidence be continued in a minister resident at the court of a power, whose arms and whose policy affect the interests of the globe, if he have omitted, for one whole year, to keep our government informed of his observations and opinions? Take which conclusion you will, a resolution similar to the one I propose, ought to be adopted. Either Mr. Armstrong has done his duty, the information is in this country, and it ought to be communicated; or, Mr. Armstrong has failed in his duty, and it becomes ours at once, to call him, in a constitutional way, to answer for his fault.

But is it to be credited that no other communications than the meagre ones we possess, have been sent by Mr. Armstrong, in all the ships, public and private, which, for this year past, have afforded him opportunities, for that purpose? If more information on these relations be not in the country, the fact ought to be known. If it be in the country, why ought we not to ask for it? Must not it be important to enable us, intelligently, to perform our duty? We are called upon to raise an army; but against whom it is to operate, seems to be a question, which none of us can solve. Is it against France, or Spain, or Great Britain? Against either, or all of them? Must not a material difference be made in the numbers, the appointment, and the nature of the levies, whether an invasion by France be apprehended, or a desolation of our sea coast by Great Britain, or of our frontiers by Spain?

Let not gentlemen say the adoption of such a resolution will throw a censure upon the Executive. The information in his possession may be of that critical nature, that he may hesitate to make it public on his single responsibility. It has been frequently urged, on similar occasions, that we ought to have a confidence, that the Executive has done his duty. But the argument proves too much. It supposes that the chief magistrate cannot err in judgement. And if it be conclusive, it forever debars this House of the exercise of its constitutional privilege of asking for information.

The present is no period for motives of extreme delicacy to have influence in this House. Let us have a perfect knowledge of all our foreign relations, that we may neither entertain any attachments, nor any antipathies, respecting other nations, except such as the real conduct and views of each will justify.

The reports in circulation, which have found their way into our newspapers, in the form of letters from France, that the French Emperor has said "there shall no longer be any neutrals," and the confiscation of several hundred thousand dollars of American property, in territories, under the control of France, are circumstances, which loudly call for the adoption of the resolution, I have now the