posed to be under the influence of government, I mean the Morning Post three weeks before; I think they afterwards in a measure retracted what they had stated, and said that they might have made a mistake.

Are you aware of the construction given by Mr. Regnier by order of the Emperor of France, of the Berlin decree? I am not.

Then you are not aware that that explanation is supposed to have been communicated to America by Mr. Armstrong, and to have had some considerable influence in determining on the measure of the embargo? I consider the measure of the embargo to be to protect themselves against both France and England.

In the course of your business, did you ever stop your shipments to America in consequence of the Berlin decree of 1806? We certainly did not go to the extent we had done before, conceiving that it might lead to difficulties with this country.

Abraham Mann's evidence to be continued.

CONGRESS.

HOUSE OF REPRESENTATIVES.

DEBATE

On the Resolution offered by Mr. G. W. Campbell for authorising the President to SUSPEND THE EMBARGO under certain contingencies.

THURSDAY, APRIL 14.

(CONTINUED.)

MR. D. R. WILLIAMS felt that the question which was about to be decided was one of so much importance, every member of the House must be specially responsible for his vote on it; and laboring under that responsibility, he felt it a duty to state some of the reasons for the vote he should give. I shall vote against the resolution, said Mr. W. and in so doing shall not be influenced by the reasons assigned by my friend from Virginia, (Mr. Randolph) nor by those of the gentleman from Maryland. When this resolution was first presented to us, I felt very much inclined to vote for it; but upon considering it more maturely I cannot. This I regret exceedingly, because I shall perhaps differ from a large majority of the friends to the embargo. Gentlemen themselves who advocate it, if all the consequences which certainly attach to it are deliberately considered, will I hope give it up. What is the object of the resolution, or rather of the embargo itself, for I presume it is intended either to fix the day or the circumstances on which it shall be suspended? [Mr. Randolph observed that while up he had forgot to propose an amendment to the resolution so as to declare it expedient to *repeal* the embargo.] No, sir, said Mr. W. it is not expedient. This amendment however has cut in upon me unexpectedly; but as the debate has heretofore been a kind of general battle, partaking of war, army, embargo treaty, resolution and amendment—I shall be in order on any point, it has taken so wide a range.

The resolution is pernicious, and for this reason: the embargo is not designed to affect our own citizens, though I confess it operates hard on them; but to make an impression on Europe: and beyond all question, the firmer you stand, the more likely is your measure to have effect. What is the opinion inferable from the adoption of such a resolution? Does it not tell the belligerent powers of Europe with whom you are contending, that you are tired of the embargo; that you are sick of it, and will accept any modification of their general principles (I would rather say practice, for they have no principle) so hostile to your neutral rights, rather than submit to it any longer? I hope this consideration will have weight with gentlemen, who, like myself, are friendly to the embargo, for assuredly it is entitled to it. Besides, are gentlemen aware of the embarrassment they will not be able to avoid in framing a law on such a subject? It will be scarcely possible to define the circumstances on which you will permit the suspension to take place, without incurring one of two risks; either too precise to admit the President's acting, for being a law its letter must be fulfilled, or so general as to invest him with a discretionary power altogether inexpedient. I cannot conceive a situation more disagreeable than would be the President's with such a power. Though I subscribe to what I consider the sound part of the declarations of the gentleman from Virginia (Mr. Randolph) the other day as to the tendency this resolution will have to throw a monstrous & unusual power into the hands of the President, yet I do not believe it unconstitutional; nor can I subscribe to the arguments of my friend with respect to the constitutionality of the laws laying an embargo; for, sir, if they prove any thing they prove quite too much; and did I possess but a moiety of the eloquence and ability of that gentleman, I could certainly confute them. I contend that the power to lay an embargo is granted in the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes." If you cannot prohibit commerce with a particular port or nation, of what avail is the power to regulate it? The law prohibiting all trade with St. Domingo is authorised by the same clause of the constitution, and yet it never was supposed to be unconstitutional. Will it be questioned that you can prohibit exportation from the U. S. in the vessels of any particular nation? Will it be questioned that you have a right to exclude foreigners from trading with the Indian tribes within your jurisdictional limits? Most assuredly you have these rights and all derived from the same general power to regulate commerce. The embargo is not an annihilation, but a suspension of commerce to regain the advantages of which it has been robbed; it follows then that it is a constitutional regulation of commerce. The gentleman read my name among others in the negative on the passage of the section in the bill to authorise the President to suspend the non-importation law. I will not undertake to say what were the reasons of the gentleman for voting against that section, but I know that my reason was, it vested the President of the U. S. with power to suspend the law at the time when we ourselves should be in session. I thought then as I do now, that it is inexpedient, under any circumstances, to give the President power to suspend the operation of a law during the session of Congress.

I am determined for one to adhere to the embargo, and will give my reasons for it in as few words as possible. It appears to me that the operation of this measure upon Great Britain is demonstrable and that its pressure must be irresistible. In ordinary times an embargo in this country could not fail to produce distress in that island and its western dependencies; but how much more fearful and alarming must those distresses be in the present state of the world? The ruinous commercial regulations of Europe generally, have almost completely dried up the source of British revenue from that quarter; the other channels through which the wealth of the world flowed into her coffers are now either diverted or destroyed. The confused relations of the whole commercial world, pressing more seriously on her than on any other nation, because the existence of no other so much depends on commerce, all conspire to produce a crisis, peculiarly favorable to our policy. The nature of her imports too, enters justly into the calculation. What are they? Cotton, tobacco, lumber generally, wheat, flour, rice, pot and pearl ashes, tar, pitch, flax-seed, hemp and hides; all of these articles (tobacco alone excepted) are necessary for their food or manufactures, and for which no substitutes can be found. We find from the statements of her imports and exports for 1805, that she imported (exclusive of inland) from Europe, 13,383,275l. from Asia, 6,072,169l. from America, 9,615,161l. and from the rest of the world, her western colonies excepted, 106,925. That she exported to Europe 21,784,345, to Asia 1,638,600, to America 12,164,000 and to the rest of the world, exclusive of her western colonies, 1,022,092—of her exports to this country so large a proportion as 11,208,986l. are of her own manufactures. The aggregate amount of her exports to countries from which the power of France has excluded her, is 17,310,000—add to this her exports to the U. States, and then say, what must be the inevitable deduction resulting from it. Occluded from Europe, and shut out from America, she must lose the profits resulting from so many millions in trade, which support the monstrous machinery of her government; she nor any other nation, with such a load of debt as she now staggers under, can resist such a pressure growing out of so many important deprivations. The drawing from Great Britain the commerce of cotton alone cannot fail to produce an effect which I hope the British ministry are not mad enough to meet. The Newfoundland fisheries are nearly at an end for want of a market; the Baltic and Turkey trades are almost extinct; the Italian, a large portion of the Mediterranean, the whole of the Spanish, French, Dutch, German and Russian commerce is annihilated; her West-India planters almost ruined—and her manufacturers at home discharging their workmen. Such is the dislocated state of Europe and the relations of Great Britain with the continent, that she is totally cut off. Where are the stores of the Baltic to come from? Where is she to find the grains of Dantzic? Above all how is she to procure the hemp of Russia? No where and in no manner but in American bottoms. Thus insulated, thus pressed, she will not long resist. So much for the operation of the embargo upon the island of Great Britain. Now as to the West Indies. The system of her policy at the commencement of the revolutionary war was monopolization, and that which characterised the wisdom of that system was this; she confined the consumption of the national family to the products of the family. Now it so happened that the same system which was then wise and politic, became ruinous to the British West-Indies; because the U. S. being separated from the British empire, and the restrictions remaining the same, the products of the empire were no longer adequate to their supply. The politicians of the Sheffield school were notwithstanding determined to adhere to the same system, and the world never can forget, that in attempting to enforce that system, fifteen thousand persons died of famine in Jamaica alone. In 1788, the ministry satisfied of the necessity, determined to open an intercourse with the U. States through British and colonial built vessels duly navigated, and by statute excluded American vessels from participating in that intercourse. This has been the policy of that government ever since down to the passage of the "American intercourse bill," during the administration of Mr. Fox. Has this policy ever been maintained for one entire year? No, sir. Notwithstanding the law of the realm, prohibiting importations in foreign vessels, it has been annually, I had almost said regularly, violated: and what, sir, were the circumstances under which these violations were made? Indisputably the most perilous to ministers. The awful responsibility of suspending the law by their own act, to say nothing of the whole navigation interest at home, which they were sure to provoke, were circumstances of fearful import. It was a stern, stubborn, uncontrollable necessity in the West Indies, which coerced the infraction of the statute, and Parliament has never refused to ministers a bill of indemnity. And what does this teach us? If they were unable to maintain this policy when our ports were open to them, how is it possible to supply the West-Indies when they are occluded? I hazard nothing in telling gentlemen our lumber is as necessary for the profitable existence of the W. Indies, as our Indian corn, flour, rice, and provisions generally are to their actual being; and yet lumber is higher in Great-Britain than in her colonies. Where are these articles to come from? Not from the mother country, for the average annual importation of flour into Liverpool alone, is 90,000 barrels. The fact is, sir, these are no longer staples in the British empire, and hence it is that her colonial system is so repeatedly relaxed. Instead of supplying the W. Indies, Great Britain has more than once been obliged to resort to a policy directly the reverse. She has opened her ports and paid you a bounty upon the very articles necessary to the existence of the West Indies. From whence then are the West Indies to be supplied? Not from her North American colonies; that expectation has been long since proven to be fallacious. In truth, sir, from no where but the U. States. And when she is thus cut off from all her resources, thus unable to feed her own subjects, what must be the inevitable result? She must yield that which her own honor & interest calls for, justice and reparation to our moderate claims upon her.

I am a friend to the embargo for another reason: its operation is impartial. Impartial, because all my observations as to the British West Indies apply with ten-fold force to the French and Spanish West Indies. Her marine is annihilated; not a French merchant-man can be found on the ocean. Without even a coasting trade, she cannot enjoy the commerce of her own colonies. How then can she supply her West Indies with subsistence? How can France be supplied with the product of her own West Indies, coffee and sugar, or with the product of the East? No where but through American bottoms: they must starve if you have resolution enough to hold on to the embargo.

But a gentleman from Maryland yesterday (Mr. Key), for whose talents I have a high respect—I mean no incivility—proved that which he can most indubitably prove at any time, that he is a better lawyer than a politician. I cannot subscribe to the opinion of my friend from Virginia (Mr. Randolph) that the details of the gentleman from Maryland on the subject were correct; and I have endeavored to discover the *data* of his calculations, and I cannot for my soul. The gentleman observed, speaking from a report of high authority before him, that previous to the revolution the sand bank of Nantucket alone maintained 5000 men and boys, whose habitations were temporary; and that these amphibious animals produced from the sea 400 dollars each. The gentleman says the product of the sea for the year 1807 is two millions, and 5000 men are employed on this bank—*ergo*, they average 400 dollars each. Sir, the gentleman must have forgotten that there are many fishermen other than those at Nantucket. I will undertake to say that there is no description of people in the whole world that live by labor that average such a profit. Besides, the gentleman forgot to mention how large a quantity of fish taken by the British, is exported as American fish by the Boston and other merchants. The cultivation of cotton never yielded such profits, and that has been more productive than any thing I never head of. But I am willing to allow that the gentleman is correct, that the profit of each fisherman is 400 dollars. What does it prove? That you have been imposed upon in granting them a bounty. But gentleman on the same side of the question are at war with one another; for a gentleman who understands this business, (Mr. Quincy,) proved to us that these fishermen were employed in a very unproductive business—so valuable, and yet so unproductive! I am willing to grant all the importance which gentlemen ask for to the fishing trade; but as the gentleman has intimated, I am not afraid of the fishermen moving off. In so doing to use a trite proverb, they would jump out of the frying-pan into the fire. Yes, sir, into the fire; for the Newfoundland fisheries not in so good a situation as your own, the embargo to the contrary notwithstanding. Their fishery is swept from the ocean; all the ports of Europe are shut against them. But there are other consequences attached to this sandbank besides the privilege of fishing; something like the blessings of free dom. If it be possible that the fishermen could be tampered with to leave their country, I say in God's name let them go.

[MR. KEY, by way of explanation, here repeated his statement respecting the fisheries, which may be found in his speech in our paper of the 27th inst.]

Mr. W. said he was glad the gentleman had explained, and sorry he had not done it sooner as he had been invited so to do; for if he knew his own heart it would be the last thing he would willingly do to misunderstand or misrepresent. One thing I do not understand, said he, the gentleman told us that the embargo was partial, and gave us the instance of its operation upon the fishermen to prove it. He says the ocean is his farm, and the fish his crop. The land is my farm, sir, and cotton is my crop; and I stand as to cotton as the fisherman as to his fish. We are all blockaded, sir, and fishermen no worse off than others. We are admitted to cultivate our farms, to bring our produce to the national market, but not to suffer our enemies to eat of it. But the gentleman took this distinction, and really it is remarkably strange to me, that the embargo is peculiarly hard upon the fishermen, because, forsooth, their fish will not keep. I much doubt whether it has been a week since the gentleman himself eat cod fish; it is not three days since I did. It is kept and can be kept, sir. How could they get it in Europe if it was not kept. All the Catholics at this particular time (lent) are living on it. It cannot but be preserved if they will take care of it. It is really strange that gentleman who see fish every day—in Massachusetts it is the standing dish of Saturday the whole year round—will yet say that it will not keep.

If the law is partial, amend it: and I will here do the gentleman from Maryland the justice to say that upon another occasion he made use of this argument as a reason for cutting of the exportation by land. If the law be partial it will not operate as a reason for repealing, whatever it may do for amending it. The gentleman was peculiarly unfortunate in supposing that the West Indies may be supplied by the British northern provinces, because, as he says the line between the U. States and the British provinces on land is artificial. Granted—and was there ever any more obstruction to the exportation of your products through that quarter when Jamaica was starved than there is now? No, sir. Unfortunately for the gentleman's argument he hit upon naval stores, tar and turpentine as the products she is to get by land transportation. Certainly these are not the staple commodities of Vermont. No naval stores can Great Britain get but from us and from the Baltic; she never did get any any where else, & if you keep on the embargo she will neither get them here nor there.

The gentleman has objected to the measure of the embargo, because it operates upon the belligerents who are dishonorable and faithless in their proceedings, and may recede but to involve us the deeper. This cuts up the treaty-making power by the roots. If you are not to depend upon promises, why talk about them? Why form a treaty or why publish this correspondence between our ministers through the world, if no faith is to be placed in them? Whether you have war or embargo you must ultimately resort to promises and parchment obligations.

I understood the gentleman from Maryland (Mr. Key) also to say that 38 millions of our product are as free of exportation as they ever have been at any time for the last ten years. If I did not understand the gentleman correctly I hope he will correct me. It does really astonish me that a gentleman of his understanding, for I allow it to be infinitely superior to my own, should hazard a declaration of this sort. If this is a fact you have been in an error from the time of your coming here. We raise for exportation 48 millions, and of these the gentleman says that 38 are free as they have been for the last ten years. The embargo is wrong and we are in the dark if this be the fact. But I undertake to say that not a single dollar of American produce is free from the operation of European prohibitions. We differ on this subject and it is not extraordinary. For it is recorded that "with difficulty do we procure the things that are upon the earth, and much labor do we find out those that are before us." I hold in my hand that which is said to be the observations which dropt from the Chancellor of the Exchequer in the British Parliament. This was to prove that the ministry were willing to accept of a commutation of duty which should operate as a total prohibition and in lieu of a duty on exportation; that the ministry were willing to modify the British orders of council so that cotton should not be exported from the country, instead of permitting it to be exported by paying a duty. The Chancellor of the Exchequer said this or it is said for him. Yet it is cause of no complaint to you that she puts you in the same situation as when these states were her colonies; gentlemen have no objection to this arrangement, and your produce is as free from embarrassment as it has been for ten years past! It is one of the blindest pieces of folly that ever any nation attempted; and the effect will be directly opposite to what the British ministry aim at. The entrepot for cotton will not now be London but Hamburg, or some other port where no export duty is paid. Why? Because the moment there is one pound more of cotton in England than is necessary for home consumption, the price will fall, and Great Britain will have diverted the commerce of this country to another channel. What says Mr. Erskine? That all your commerce must go through the ports of Britain. Is it possible that any gentleman can consider this as no restriction? The amount of your exports to Great Britain alone has been 28 millions; and now not only that but all the products which you send to other governments, completely independent as you are of her, must all centre there—and why? That they may contribute to the support of the British war; and yet we are to be told that this is no restriction on us! [Mr. Key explained that neither Mr. Erskine's note or the British orders of council had influence on our commerce except to such states as are under the control of Napoleon; and do not relate to our commerce either with the East or West Indies.] Mr. W. continued: I did state, sir, when I began to comment on this part of the gentleman's argument, and he assented to my statement, that he had said that thirty-eight millions were as free of exportation as they had been for ten years past. The gentleman has now again risen to explain, and what does he tell you? That they are free from *British* orders. Does the embargo act only on British orders or do the British orders affect only what is sent to French ports? Is there a single port exempt from the French decrees, sir? What became of them in the gentleman's arithmetical calculations of profit and loss? What induced you to lay the embargo? The gentleman from Virginia has told you that you had no official information relative to the British orders in council; but they were laid in consequence of the French decrees, and every one