National Intelligencer.

& WASHINGTON ADVERTISER.

VOL. IX. | WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. | NO. 1271.

FIVE DOLLARS PER ANNUM, | FRIDAY, DECEMBER 2, 1808. | PAID IN ADVANCE.

CONGRESS.

HOUSE OF REPRESENTATIVES.

DEBATE ON FOREIGN RELATIONS CONTINUED.

MONDAY, Nov. 28.

The first resolution reported by the committee on foreign relations being under consideration in the following words:

RESOLVED, *That the United States cannot, without a sacrifice of their rights, honor and independence, submit to the late edicts of Great Britain and France.*

MR. QUINCY said that he was not much in favor of abstract legislation; it was so often the resort of weakness or the refuge of ignorance, so often the subterfuge of those who were willing to amuse or delude the people, that it was with great reluctance that he expressed his opinions on any such proposition; and yet he was willing to admit that if in any case this mode of legislation could be properly resorted to, this might be such a case. But in what he should offer in support of the resolution alluded to, he should take ground altogether different from that contained in the report of the committee introducing this resolution. The principles contained in the report Mr. Quincy considered as loathsome and disgraceful to the nation; to the resolution under discussion, however he certainly did not attribute the character which he attached to the report itself. It was a rule of the House he said that any resolution reported by a committee was to be taken altogether independent of of the reasoning of the committee on which the resolution was predicated. Every gentleman in the House then had a right to support the resolution on his own ground, and abandon altogether that which the organ of the House had presented to him. He thought that the principle on which this resolution should be adopted was, that it was a solemn pledge to the nation, not to be redeemed in any other way than by a total abandonment of the system of measures now pursued by the administration. Adopt this resolution, said he, and the submission which has disgraced this country for eleven months and brought it to the brink of destruction, will be done away. He asked the attention of the committee to the terms of the resolution, which contained two things—an assertion and a pledge. The assertion was, that the orders and edicts of Great Britain were contrary to the rights of the American nation. The pledge was, that the nation would not submit to them. With respect to the *assertion*, could there be any question on this floor that those edicts were contrary to the rights of America, when even the powers who had issued them did not pretend to vindicate them, on the ground of right? They had never pretended that they were not contrary to the rights of the American people. These powers reciprocally placed their justification on the great principle of necessity; and their ministers in this city would countersign this declaration. The *pledge* was, that the United States would not submit to them. Mr. Quincy asked what was meant by submission, and what by the pledge not to submit? One man submits to the order, decree or edict of another, when he does that which the decree or edict commands, and when he omits to do that which the order, decree or edict prohibits. He begged gentlemen particularly to attend to this leading principle. The pledge not to submit then was, that we would not do that which such order commanded, or that we would do that act which the order prohibited. The principle was clear and intelligible, not to be mistaken on this floor, and could not be mistaken in the nation. What are the orders and decrees of the British and French governments? One said we should not trade with the other: the United States replied that they would not trade there or any where else. This was not only a submission to the orders of those governments, but he said it was an act of slavish supererogation. It was doing what they required and more than they required; it was not only refusing to exercise that right which they command us to resign, but it was abandoning all our rights at their order. Did we exercise our rights, under the embargo, notwithstanding the orders and decrees of France and Great Britain? No; we co-operated with them, and because they said we should not trade with each other, we said we would not trade at all. This was submission, not only kissing the hand which strove to injure us, but putting their foot on our neck. The object of France was to oppress Great Britain, to deprive her of all commerce, to destroy her resources, if possible—and what did we do? France not being able to do it, we co-operated with her, and did all we could to unite ourselves with the continental powers. He took the administration now on their own ground; he did not mean to consider them as having a partiality either on one side or the other. Take the question now as it related to Great Britain. She attempted to prohibit all commerce with France, in doing which she had two objects in view; the one was to take away the commerce of France and thus produce discontent amongst the subjects of Bonaparte; the other, and principal object was, to injure the commerce of neutral nations by excluding them from the continent. She wished to destroy competition and take commerce to herself. Now, said Mr. Quincy, your embargo law co-operates directly with her; you abandon your rights on the ocean altogether, and the consequence is, that Great Britain takes that very commerce which you have deserted, which you will not support your citizens in carrying on. What, Mr. Quincy asked, was the language of Bonaparte in relation to the embargo? Why, he had applauded it; said that we had done more than he had expected; that it had not been in his power to suppress the commerce of Britain, and we had assisted him. What was the language of Great Britain? It was also a language of approbation. She told us that we could not do more for her; that we were her only rival, and she wished the command of the commerce of the universe; we had withdrawn ourselves from the ocean, and what we lost she gained. This was the language, as our embargo favored the true interests of that nation. On this principle he conceived the present course of policy to be a disgraceful submission to the orders and decrees of the belligerent powers; on this principle he thought the embargo an abandonment of our rights under pretence of resisting them. He rejoiced therefore in the introduction of this resolution as the harbinger of a new day, as the precursor of wiser measures.

Mr. Quincy said he would here close the observations which he had to offer on this resolution, were it not that the principle of the report and of the resolution were totally at variance, were it not that the continuance of the measure of the embargo was specifically recommended in the report. It would be necessary to say something on this subject, so all-important to the nation. When he came upon this subject of the Embargo, Mr. Q. said, it seemed to him as if he trod on magic ground. He knew not how to express his wonder nor how to shew his sorrow. When he had come from Massachusetts, the idea that this embargo was to be removed had been universal. It had not been the opinion so much that the embargo would be removed, as that it had been at that moment actually removed. He had thought that there was an universal sentiment that the embargo could not be continued; and he had drawn that opinion from no narrow sources, but from the conversation of men of various political opinions. Under this impression (said he) I came to the city. I now hear the incantations of the great enchanter, I feel his terrors, and am called upon to deny the evidence of my senses, to contradict what I have seen and heard and felt. I am told that the embargo cannot only be continued as relates to New-England, but that it may be continued for an unlimited time; some say for six months; some for a year, and one gentleman from North Carolina says he would rather have a three years embargo than war: another gentleman from Virginia told us he hoped that the embargo would never be taken off till the orders in council are repealed. Good Heavens! Are the members of this House mad? Are they touched with that insanity which the Almighty never fails to send as the precursor of destruction? The people of Massachusetts, of New England, a people from the earliest period of their existence connected with the ocean, a people to whom commerce was the dearest inheritance from their ancestors and the choicest promise to their posterity, to be prohibited from the use of the ocean, not for a time limited and certain, but for a time unlimited and uncertain, until our enemies recede from their position! I have not language to express my utter astonishment at this proceeding, at the madness of the attempt, and at the dreadful consequences which will follow such an attempt if persisted in. My honorable colleague (Mr. Bacon) told us the other day that he had travelled in Massachusetts and seen no such strange effects as I had the honor to suggest very humbly that there were. My hon. colleague has travelled, really from Hudson to Stockbridge, from Berkshire to Boston perhaps, from inn to inn, from county court to county court, and such species of information as he has collected on his passage he gives to the House. I suppose he found that salt, sugar, and West India rum were dearer, and beef, pork, butter and cheese cheaper than usual, which produced the result in his mind that the effects of the embargo were much misrepresented. Has my colleague travelled through the cities on our coast? Has he seen our ships rotting in the wharves? Has he seen our streets, once thronged, abandoned? Has he heard the merchant tell of his embarrassments? Has he heard the merchant whose capital is in stock, say, that he is compelled to depend on the clemency of monied institutions whether he should or should not stop payment? Has he enquired of those industrious individuals who the day before the embargo had more calls for business than they had hands or time to employ on it, and who are now condemned to submissive employ from rich men? Mr. Quincy enumerated other species of distress which were not distinctly heard by the reporter. He said there was nothing highly colored in this picture; every feature of it was taken from the life; and when it was shewn to the people of Massachusetts, there were ten thousand men who would truly say that he had rather kept back a portion than surcharged the picture. Other gentlemen might take their ground; he would take his—that the embargo law must be repealed; that they could not enforce it. He repeated that the embargo must be repealed; it could not be enforced for any material period of time longer. When he talked thus, let not gentlemen mistake him; he alluded not to violations of the law, but he spoke of a different mode—a very different state of things. The hon. gentleman from North Carolina (Mr. Macon) with great zeal had exclaimed that he was for enforcing this law at all hazards. But (said Mr. Quincy) let me tell that gentleman, with great deference to him and to all this House, that I believe that there exists a control upon this body, even upon this national legislature—a control of nature and of the constitution. He said he did suppose that if this House, the Senate, and all the other branches of the government, were to decide that the atmosphere around us did not exist, that water should not flow, that heavy bodies should not fall—he spoke with great deference, however, because he knew the high opinion which some gentlemen entertained of their own authority—he should suppose that, nevertheless, air would still circulate; that the Hudson, Delaware or Potomac would flow to the sea; and gravity still maintain its attraction to the centre. It would be just as absurd and utterly foolish and impracticable for this House to attempt to prevent the people of New England from descending on the ocean. All their habits, hopes, and interests were there. The very situation of the country prohibited this measure. They had 500 miles of sea coast, indented and intersected with creeks, bays, and rivers, every one of which offered inducements to commerce. Talk of twelve additional revenue cutters, said he; multiply it by ten, twelve, by twenty, or an hundred; and it will not be possible with that number to prevent them from going on the ocean, when the popular sentiment is against you, and I tell you it will be against you soon, if it be not at this moment. Ask your officers of the revenue if in some of our seaport towns property seized by them has not been sold for three or four per cent. only of its value? I state this as a fact.

But, Mr. Quincy said he should be asked where was that love of order and observance of law which were said to characterize the New England states? He said they must take care and not trust to that. It was not sufficient for gentlemen on this floor to represent those individuals who broke through such a law as this as the most worthless or profligate part of the community; they could not for any great length of time identify these individuals with common smugglers.—He doubted whether gentlemen here, when they understood what were the temptations which existed, strong as were their predilection for this system, would think it possible to persist in it. On the margin of the ocean were ships lying loaded with produce; and when the question was between the total destruction of their owners and the violation of a law which contravened all the natural rights and interests of these people, they would very soon, from the very temptations offered be obliged to break through it. You cannot expect (said he) that patriotism will carry into force such a law as this. It induces men to make any common sacrifice, but it never requires a man to extend himself on the rack, and allow himself to be systematically tortured by your law. It is very well in the interior to talk of the patriotism with which the measure is borne, where a man's lumber or produce but accumulates on his hands, for though he cannot sell them, he can retain them for sale hereafter; but where there is nothing but your law to stand between a man and bankruptcy or rapid fortune the temptation is too great to be resisted. And when individuals are placed in this situation, when they see opportunity offered them, they will be pressing to the water; and it is not too much to say that you cannot enforce your law against them.

There was another difficulty, Mr. Quincy observed, in relation to this law—the constitutional difficulty. He said he knew that he should be told that the courts of justice had added their sanction to it. Certainly no man respected more than he did the opinion of a court of justice, or of the individual who in this case had delivered that opinion. But it was one thing to decide a question before a court of law and another thing to decide it befor the people. He appealed to gentlemen as statesmen, whether what contravened the rights of the great mass of the citizens, infringed their interests and took away from them their natural privileges, ought not to have an unquestionable constitutional authority, and not to rest upon construction, unless that construction were so indubitable that it could not admit of dispute. What was the construction in this case? Why, by construction (said he) you derive from the constitution a power such as never was exercised in any country, which is unequalled in the annals of legislation. By construction under a grant of power to regulate commerce you take a power not only to prohibit it indefinitely, but you put the power of regulating commerce into the hands of twelve men not of this House. The precedents shewn are against you; for the precedent on a former occasion is in strict conformity with the usage of other nations. It was a limited embargo and came again within 60 days under the control of Congress. They would not even trust it to a Washington.

There was another principle, he said, which ought to be considered at this time, comprehending a view still higher and more important than that just taken. He asked the committee if in the year 1788, when the federal constitution was under debate in the state of Massachusetts, any individual had risen on that floor, if some hoary seer who could look deep into futurity, had risen on the floor of that convention and stated to the body that, within twenty years of that debate, in consequence of a secret construction not then anticipated, the whole commerce of the U. States would be abandoned, annihilated, that it would be made dependent not on the will of the House of Representatives, but upon the decision of twelve or fifteen other men—if this could have been conceived, whether the constitution would have permitted even a doubt to exist on the subject? The gentlemen of the Southern states had a species of property of which they were extremely jealous, and justly, because they knew that the people of the Northern states could not realise the importance of it. And so with the people of the Eastern states in relation to commerce. He said there was nothing which was so dear to them, which had been from the earliest periods so essential to their support, & in which the popular feeling was so much interested.

There was, Mr. Quincy remarked, another reason which had great effect in relation to this subject, in the part of the country in which he lived; and that was, the total imbecility of this measure as a measure of coercion. No man in that part of the country believed that it had produced any effect. Those individuals who had been in the West Indies and Europe, who knew their resources, had not any conception that it could have produced any effect. He said he would not have touched on this subject, if he had not heard of the scantiness of the harvest in G. Britain, & a hope that we could coerce G. Britain in consequence of it. Did gentlemen understand that the consumption of wheat in Great Britain and her dependencies was not less than one hundred and fifty millions of bushels, whilst we exported but 7,300,000 bushels to all the world? Did gentlemen really think that a country in which an annual consumption of 150 millions of bushels of wheat was necessary, could be coerced by withholding from her such portion of our seven millions of bushels as was sent to that country, when the commerce of the Barbary states and the Black Sea were open to her?

But, Mr. Quincy observed, it had been said of this measure, that it "saved our resources." He begged gentlemen to recollect what we lost by it. We had lost already ten per cent on our whole capital—the interest and profit on our imports and exports.

[Mr. Quincy here made a statement going to shew that, in addition the profit lost on our imports and exports, a sum was also lost by the inactivity of our shipping, equal to twenty dollars for every ton; and also the loss of one-twelfth part of our whole shipping, a ship ordinarily lasting twelve years, and one year having already nearly expired under the embargo. The amount of these three items Mr. Quincy estimated at about $30,000,000.]

Not less than near 30 millions absolutely gone to destruction. He would say nothing of the loss of property going out in all directions; but there was an irremediable loss of 30 millions of dollars. When the House were told that our resources were saved, he wished the House to consider if there was not some deception in this. He supposed that by our resources being saved it was meant that something was saved, to which we could have recourse. All the product of the country, he said, was raised for consumption or for exportation. The people produced annually sufficient for their consumption. The surplus was of no value unless it could be exported or exchanged for other commodities. Suppose this embargo was continued for two years or four years. Did not gentlemen believe that the annual produce would be lost? They could not manufacture all their surplus cotton, or chew or smoke all their surplus tobacco. It was intended for a foreign market, and if it could not go there, was worth nothing.—You are, (said he) weaker now than you were prior to the embargo, from the depression of agriculture, the reduction of the price of labor, and the want of inducement to enterprize or industry. It can never be worth while to keep what is of no worth, or to labor for that which profiteth not.

There was another reason, Mr. Quincy observed, which must create a great and continued discontent at the embargo in the part of the country in which he lived, and that was, the peculiar hardship with which the measure bore upon them. There was not a gentleman who had spoken on this subject who had not said that this measure was felt as much in his part of the country as in any other. He said he would make a single comparative statement of the situation of the two largest states in each portion of the union—Massachusetts and Virginia, and he did it only to shew the difference of embarrassment in the one and in the other.

Mr. Quincy here made a comparative statement which was not heard with sufficient accuracy to enable us to present it, going to shew that Massachusetts, with a much smaller population than Virginia, possessed a capital, rendered inactive by the embargo, of more than six times the amount of that of Virginia. Did gentlemen really think that in this case there was no difference in their respective embarrassments? Was it possible that they should not conceive that the suffering was infinitely greater with his constituents than with those of the gentlemen from the Southern country?

Mr. Quincy remarked that there was a middling class of citizens in New-England whose whole was vested in commerce, and over whom ruin was suspended; and they did not believe that, in the wisdom of Congress, they understood the interest of the merchant better than he does himself; and who believe that, so far as this measure had been intended as a service to commerce, it had not had the intended effect.

But it was asked would not the people of Massachusetts, the cradle of Liberty, submit to the privations caused by the embargo. Massachusetts the cradle of liberty! This is not the liberty rocked in the cradle of Massachusetts; not an embargo liberty, but a liberty cradled on the ocean; more of a sea than a mountain nymph; not a liberty in fetters; not a liberty of walking within the four sides of a prison and dashing out your brains against the wall. We could [illegible]