of our country; with a full confidence that government had done the best that was in their power for their relief. It is far from my intention to be understood that the state of our national affairs has not been sensibly felt, and the industry of our citizens much paralized in that part of our country, by the operation of these measures. It certainly has. But my object has been both now and the other day, only to express my opinion, that the tragic picture of general ruin and universal suffering drawn by my colleague, a ruin so wide that every eye could see it, and a suffering so deep that every man must feel it beyond endurance, was altogether overcharged and exaggerated, and this so far as my information extends, I feel no hesitation in asserting.

It is pronounced in an emphatic and commanding style by the gentleman, that these laws *must* be repealed; and for this imperative reason, that the public mind is against us, that we cannot expect to be able to enforce them much longer by any means, and that there exists a control over this body in the nature of things and in the constitution. Sir, I agree there is a control, in the constitution, over all our acts—but I had hoped after this question had once been submitted, as it has been, to the decision of that tribunal whose judgments that gentleman and his friends had been heretofore, so much in the habit of respecting; and when after a solemn argument, an opinion sanctioning their constitutionality had been given upon great deliberation and advisement, by a judge of great legal weight and personal respectability, and whose opinion from his known political character could not be suspected of any party views: after all this, I had hoped that we should have heard no more suggestions about the unconstitutionality of this law; particularly from a quarter where we had been accustomed to hear the doctrine that the judicial power was supreme, controlling not only the exercise of individual rights, but also the power of every other branch of the government. But we are told that a judicial decision is one thing, a popular decision may be another. Indeed, sir, has it come to this, that having appealed from the opinions of your legislative department in all its branches, to that oracle of the constitution, the judiciary, and finding even that against them, we are now to be threatened by an appeal to the people, over the heads of the whole government? It is now some years since the country was put into fermentation by the irregular conduct of a foreign incendiary, in affecting to appeal from the decision of your Executive branch alone, and I did not expect to have seen this course of conduct so soon revived in a more exceptionable manner by my honorable colleague—But when he speaks of a control over our proceedings existing in nature, what can he mean? He says not by open insurrection. Sir, I trust that considerations of a control existing over the acts of this government in any source except the limitations of our constitution will not be suffered to influence our judgments in the exercise of our representative functions; they ought not to do it, and I trust they will not. But the public sentiment we are told is setting strongly against us, and it is in vain to think of executing our laws in defiance of public opinion. It would be in vain, sir, to conceal that the public prejudice in the eastern section of the union has been too successfully operated upon by designing men, and a spirit of opposition to and evasion of these laws most shamefully excited. And how has this nefarious object been effected? By the grossest misrepresentations and most palpable perversions of the objects, the causes, and the policy of this abused measure. By calumnies and mis-statements emanating too often apparently from the seat of this government. I have now in my hands a sample of one of them which amongst a thousand others of the same sort has accidentally fallen under my notice.—[Mr. B. here read the following extract of a letter in the Boston Repertory of the 22d inst. purporting to be written from Washington and dated Nov. 15, 1808.] "It is said (and there can be no doubt of the fact) that Mr. Armstrong has written a letter in which he has this observation, "we have greatly over-rated our means of coercion, the embargo is not felt here, and in England it is forgotten. I wish it was raised." Notwithstanding this, these stupid politicians are determined to keep it on until they altogether destroy your commerce; and I believe it would give them not the least uneasiness to see a ligted torch put to your shipping at the wharves—indeed I have heard some of them say as much." *B. Gaz.*

Sir, I hope misrepresentations of this sort do not issue directly from this House, and yet the sentiment which has just been read is too much in accordance with the representation which in the course of the last spring were given in hand-bills, circulated in a certain part of Massachusetts, purporting to be an address made to a public meeting of his constituents by an honorable member of this House who had just come from the seat of our deliberations.—We were there told of confidential and undisguised disclosures made to that gentleman by members of this House from the Southern section of the union, that it their opinion our national commerce was rather an injury than a benefit and that its advantages were not worth its protection. I do not know whether the gentleman to whom the propagation of such information was thus publicly imputed, is willing to be responsible for that which was attributed to him in the publication last alluded to; nor have I heard that he has contradicted it, and the declaration has been left to work its effect upon public prejudice. Sir, it is by calumnies of this sort that the feelings and jealousies of our citizens have been played upon, and this hostility against your laws excited. And after all these operations have been brought into action, gentlemen come and tell us that the public opinion in Massachusetts is setting against us, and that so repugnant are our laws to the feelings and habits of our people that they cannot be executed. Sir, the people of that state and of all New-England, are a people vigilant of their true interests, jealous, and very properly jealous of their personal and commercial rights, and resolved to vindicate them against wanton aggression from any quarter. Goaded as they have been by artifices like these, and operated upon by misrepresentation of the views of their Southern brethren, and of the object and policy of our laws, is it strange that they have been wrought up to feverish habits, and that the execution of those laws is evaded and in some few instances resisted? I trust that the means of true information which we have lately diffused amongst them, will in a good measure correct those misconceptions, and allay those prejudices which have been thus artfully and wickedly excited.

We are next told by the gentleman, that you cannot identify the violator of these laws with the common unprincipled smuggler, that those who break them will not be considered as "the most worthless part of society," and therefore disreputable amongst their fellow citizens. And why, sir can you not? Because, says he, the temptation to violate is so strong that human nature cannot be expected to resist it—that the patriotism of your merchants, though it may induce them to shed their blood for the good of their country, cannot be expected to lead them to sacrifices which this system calls for. It is, sir, a rule in morals and ethics, that virtue is not virtue until it is put to the test by the ordeal of temptation; so in politics, that sort of patriotism which cannot withstand a pecuniary temptation for the good of our country, is not to be counted upon. But can it be that the gentleman has given us a correct character of the sort of patriotism of his mercantile friends; that they will consent to almost any sacrifices for their country's cause, even to the spilling of their blood, but touch their property and you touch them to the quick, and they shrink? Sir, I trust he has not done justice to the character of our merchants, and I cannot suffer his views of them to prejudice them in my esteem. They will, I trust, if our country calls, offer up not only their bodies and their blood in her cause, but will even consent to part with a little of their property, if necessary. I know that many of them would part with their all, rather than they would brook dishonor.

No man, it is said, now believes, that the professed objects of laying the embargo, have been or can be at all answered by its continuance. The question of its continuance not being now before the House, I shall notice only some observations of my colleague, as to its past effects; he says that as a saving of resources, the loss sustained by the country has already been greater than the saving. And how does he draw his comparison? By resorting to an estimate of our revenues, of the amount of our freightage, and the value of our shipping taken in a year of profound peace, and at a period of prosperity unexampled, not only in the history of this nation, but of the world. He then compares the aggregate of these with an estimate of the present probable amount of revenue accruing, and the value of our freightage and shipping. But is this comparison a fair one? Will it be pretended, that under any measure which could have been adopted to meet the unprecedented state of things, in which, by the violence of other nations, we have been placed during the past year, that state of prosperity, which we had before enjoyed, would not have experienced a great and a sensible change; that the amount of our revenues would not have suffered a serious diminution, and the freightage and vessels of our merchants have sunk to a very disproportionate value compared with former times? Sir, it cannot be pretended, but that such, under whatever measures had been pursued, must have been the result. The contrast, presented to us by the gentleman, is therefore utterly fallacious. But it may, with propriety, be considered that all that portion of our resources, which, by being kept at home, has not fallen into the hands of our enemies, may be said to be saved to ourselves, even though their value in our hands should be greatly diminished or even annihilated. It has not been suffered to increase their resources, and multiply their means of annoyance against us. This consideration is certainly not without its weight.

The gentleman dwells much upon the unequal pressure of this measure, and its unfair operation upon the different sections of the country. The inequality is in my view by no means so great as he supposes; it affects most classes of our country who have any thing to affect, and those who have not, are frequently as loud against it as any party—but the same argument would probably apply with nearly equal force against any other measure which in any event might be necessary to assert the rights, and vindicate our commercial interests; in the event of war, which the gentleman allows must sometimes be resorted to, the sea board and frontier settlements being most exposed, must be subject to the greatest depredations, and experience the severest pressure; the great towns may be bombarded, their property ravaged, and their habitations levelled with the ground. Would our cities therefore say, that we never must have war, even to save the country? These partial and unequal sacrifices for the general good, always have been, and always must be submitted to; it arises from the nature of things, is inevitable from the situation of the country, and does not grow out of this or any other particular course of measures, and especially ought any little inequalities to be submitted to, when the great object of the measure is to assert that particular interest in which the inhabitants of our cities are supposed by the gentleman to have a paramount interest.

We are warned by the gentleman not to appeal to the Spirit of 1776, in aid of the general course of measures which have been taken in vindication of our rights. He tells us that the spirit of that day was one entirely different from that which governs the policy of these times; that it was a spirit of action and not of passive submission; not of restrictions upon our commercial enterprize, but of active exertion—[Mr. Quincy here said that he had not used the words now imputed to him, he said the word *embargo* was not to be found in the proceedings of that day]—Mr. Bacon. I will shew the gentleman how much he will gain by his play upon words—[he then proceeded to read from the Journals of the Old Congress, the following paragraph from the non-importation and non-exportation association of the Colonies, entered into by Congress, and recommended to the Colonies.]—Mr. Quincy asked what was the date of those proceedings—[Mr. Bacon answered Oct. 20, 1774.] Mr. Quincy said his expression was that no such measure was taken in '76.]

Mr. B. The gentleman is welcome to his hair breadth escapes, and his repeated explanations; I will soon bring him down to 1775, a period not very unlike '76 in its principles and objects; nor is a non-exportation measure altogether different from an embargo! The following are the paragraphs referred to:

"To obtain redress of these grievances which threatened destruction to the lives, liberty, and property of his majesty's subjects, in North America, we are of opinion, that a non-importation, non-consumption, and non-exportation agreement, faithfully adhered to, will prove the most speedy, effectual and peaceable measure: And, therefore, we do, for ouselves, and the inhabitants of the several colonies, whom we represent, firmly agree and associate, under the sacred ties of virtue, honor and love of our country as follows:

"First, That from and after the first day of December next, we will not import, into British America, from Great-Britain or Ireland, any goods, wares, or merchandize whatsoever, or from any other place, any such goods, wares, or merchandize, as shall have been exported from Great Britain or Ireland; nor will we, after that day, import any East India tea from any part of the world; nor any molasses, syrups, paneles, coffee, or pimento, from the British planations or from Dominica; nor wines from Madeira, or the Western Islands; nor foreign indigo."

"Fourth. The earnest desire we have not to injure our fellow-subjects in Great Britain, Ireland, or the West-Indies, induce us to suspend a non-exportation, until the tenth day of September, 1775; at which time, if the said acts and parts of acts of the British Parliament hereinafter mentioned, are not repealed, we will not directly or indirectly, export any merchandize or commodity whatsoever to Great Britain, Ireland, or the West-Indies, except rice to Europe."

This was in 1774—again, on the first of August 1775, I find this further resolution:

"*Resolved*, That under the prohibition, in the said association contained, to export to, or import from, the islands of Great Britain and Ireland, this Congress intends to comprise all exportation to, or importation from, the islands of Jersey, Guernsey, Sark, Alderney, and Man, and every European island and settlement within the British dominions; and that under the denomination of the West-Indies, this Congress means to comprehend all the W. I. Islands British and foreign, to whatever state, power, or prince belonging, or by whomsoever governed, and also the Summer islands, Bahama islands, Berbicia and Surinam on the Main, and every island and settlement within the latitude of the southern line of Georgia and the equator."

Thus far, sir, did the patriots of '76 commence their resistance to foreign subjugation by an embargo, and I was indeed surprised to hear my colleague endeavoring in this point of view to contrast the policy of that period and the present one, and now shielding himself from his error under a mere play upon the words by which at the different periods the same measure happened to be called. I repeat it then, that the spirit of the revolution is not inaptly invoked at this crisis, nor are the measures of 1808 dishonored by a comparison with those of '76.—the objects of that day and of this are substantially the same, and I trust that the same ulterior measures and the same spirit will be found, if necessary, to carry us through the struggle.

But the gentleman protests against the suggestion of our having to pay tribute under the British orders, being brought into the debate to influence our prejudices, or alarm our apprehensions; he calls it the mere stalking horse of party, and begs that it may be put out of the debate. He will excuse us if we cannot consent to lay aside in complaisance to him, a consideration which this House and this nation never can and never ought to overlook. He does not deny that such is the requirement of the British government; that our exports before they can go from this country to the continent of Europe shall first enter at a British custom-house & pay a duty to be fixed by that government; but says he, there is no danger that our merchants will ever pay it, because by the French decrees, the very circumstance of their coming from England and paying the duty, subjects them to confiscation as soon as they shall arrive at a continental port. But the gentleman well knows, that such of our merchants as have been allured by an improper thirst for gain, have long been in the habit of going with their cargoes from England to the continent notwithstanding the decrees; contriving by false and forged papers, purporting to be made out from American custom-houses, to conceal the fact of their having actually sailed from England. This is a thing now of public notoriety. There is, I am told, more than one instance of the official evidence of it in this city, and it is proved by British publications of the highest authority, to have for some time been a course of business extensively pursued, and it is even said that there are in London offices where all the necessary papers for a vessel sailing from all the principal ports in the U. S. are to be purchased by the ream. What then has the commander of an American vessel, anxious to make a profitable voyage to the continent of Europe, and unable to get there directly on the account of the British orders, to do, but what it is proved too many of them have been in the habit of doing for a long time; visit G. Britain, pay the duty required upon his cargo by the acts of Parliament, purchase his forged papers giving him the appearance of coming directly from an American Port, and thus complete his fraudulent voyage. But, says the gentleman, we can by our laws prohibit this procedure and effectually punish and prevent those who would otherwise be base enough to attempt it—is this to believed, sir? He had but a little before told us, that the temptations of profit to evade our embargo laws were so great, that our merchants could not be expected to resist them; that it was too much to require of human nature, and we could not therefore execute these laws on our own soil. I ask whether the temptations of a profitable voyage to the continent, and vastly profitable they are when they can be got through with, will not render it quite as difficult for those upon whom they operate to resist them & whether we can expect to repress this spirit of cupidity in our citizens three thousand miles off more easily than when they are upon our own shores?—certainly not—this disgraceful tribute therefore will be paid, and the consideration of it is a just and serious subject for our attention.

In answer to the enquiry which the gentleman very properly anticipated would be pressed upon him in relation to the course which in his judgement ought originally to have been pursued instead of the one which he so much reprobates, he very modestly tells us, that it is not for him a solitary individual to offer his projects for the government, though our course he adds is as clear as the milky way, if we would but see it. Sir, the honorable gentleman is not generally so over modest that he dare not even hint his projects to the House; nor indeed ought he to be, his talents & information well intitle him to assume a very different attitude, and he is generally not very backward in assuming it. If he or his friends have in truth some grand specific which would at once cure all the diseases of the nation, surely it is but a duty of patriotism in them to bring it forward, and let the nation see it. When they are in the habit of reprobating every other measure that can be proposed or adopted, we have a clear right to demand of them their project, we have a right to ferret them out of their lurking holes, and in the name of the nation, to demand a disclosure; but there is no danger of their disclosing that which they have not to disclose. They know full well that in the peculiar state of this country and of the world, it is out of human power to point out any course which shall at once assert our rights, and not press upon the popular pulse and the general interest. It is safest therefore to deal in general assertions. The gentleman is willing generally not to submit—he would resist—but how? why possibly it may be war. The gentleman condemns general abstract forms of legislation, as the general resort of weakness and folly. I do not think so of his general unspecified professions in relation to this subject; on the other hand they are in my view the expedient of art, of address, and of cunning, for the purpose of avoiding responsibility and commitment, and so must be received by the nation.

In conclusion I will only add, that I am rejoiced that we are likely at last to unite in one position, that the edicts which have been levelled at us are an unquestionable violation of the rights, honor and independence of our country and that they are not to be submitted to. I trust that the Nation will follow us in this determination, and that like them, after having exhausted every other means of conciliation and tried every other alternative, if they shall continue still to be drove from one stage of oppression to another, until having retreated to the very wall, they can consistently submit to aggression no longer; that they will then like their fathers of 1776, without waiting to estimate the exact amount of their means, resolve at all events to vindicate their unquestionable rights, and trust to the sword for their defence.

Mr. Bacon concluded by saying, that as the question of the future continuance of the embargo had been expressly left open by the committee, so he did not wish to be understood as expressing any opinion on that point. His motive in rising had been principally to vindicate the report of the select committee from the attacks of his colleague; to repel his animadversions upon its past policy and operation, and to notice some of the particular allusions to himself.

SENATE.—Nothing done.

HOUSE OF REPRESENTATIVES.

THURSDAY, DEC. 1.

FOREIGN RELATIONS.

The House again in committee of the whole; the first resolution 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.

The question was taken on the resolution, and CARRIED NEM. CON.

The second resolution having been read in the following words:

Resolved, that it is expedient to prohibit, by law, the admission into the ports of the U. States of all public or private, armed or unarmed ships or vessels belonging to Great Britain or France, or to any other of the belligerent powers having in force orders or decrees violating the lawful commerce and neutral rights of the United States;—and also the importation of any goods, wares or merchandize, the growth, produce or manufacture of the dominions of any of the said powers, or imported from any place in the possession of either.

Mr. *Randolph* called for a division of the resolution, taking the question on each clause of it separately.

The question was taken on the first clause, ending with the words "U. S."—CARRIED without opposition.

The second clause was AGREED TO by the committee, EIGHTY-FOUR to TWENTY-ONE.

The third resolution, in the following words, having been read:

Resolved, that measures ought to be immediately taken for placing the country in a more complete state of defence.

The resolution was AGREED TO without opposition.

The committee then rose and reported the resolutions to the house.

The first resolution was read. Mr. *Dana* moved to insert between the words *to* and *the* in the third line of the resolution the words "abandon the navigation of the ocean in consequence of the."—Negatived, by Yeas and Nays, 96 to 26. A discussion arose on a point of order, which occupied the house till 4 o'clock, when they adjourned. [Details hereafter.]

ERRATA.—In Monday's proceedings, in our last, in Mr. G. W. Campbell's observations, instead of "Those reasons had been deemed sufficient by the committee to justify them in *recommending a continuance of the embargo*, &c."—read "Those reasons had been deemed sufficient by the committee to justify them in *presenting these resolutions to the house*, &c."

In Tuesday's proceedings, it is stated that Mr. Randolph had said that some gentlemen *who might wish to deliver their sentiments on the subject* had already left the house, &c. We have been informed that Mr. R. did not make use of the words in *italic*, nor any to that effect.

MARRIED on Tuesday last by the Rev. Mr. M'Cormick, *Joseph Ferdinand Wingate*, Esq. to Miss *Margaret Gay Tingey*, daughter of Thomas Tingey, Esq. Commandant of the Navy Yard.

The Rev. Mr. [illegible] will preach in the Capitol on Sunday next, with the permission of the Speaker.

THE UNION VOLUNTEER
LIGHT INFANTRY
Will *Parade* at the Bank on Saturday next at Half past 3 o'clock, P. M.
By order,
JOHN SMITH, 1st [illegible]

For conclusion of Proposals [illegible] the Mail see 1st page.