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IN SENATE

NOVEMBER 22.

DEBATE ON THE REPEAL OF THE EMBARGO—*Continued.*

MR. MOORE said he was not a little surprised to hear insinuations of the disaffection of any portion of the people of the United States; but the Senate was now called upon to beware how they drove the people of the Eastern states to rebellion. The councils of the U. States were not to be inflamed by these suggestions; he could not believe them to be well founded; he could not believe that the citizens who in our revolution exhibited such incontestible marks of patriotism, under the privations which the peculiar situation of our country rendered necessary, would now revolt against the government which they themselves had constituted. He held no such opinion. On the contrary he believed that they would unite with their fellow-citizens who were sufferers in the common cause with themselves, and unite every effort to maintain that independence they had assisted to gain.

The gentleman from Connecticut had asked had the embargo been productive of the consequences expected to result from it when passed? Had it not been more injurious to the United States than to foreign nations? It is certainly true, (said Mr. M.) that it has not been productive of all the effects expected by those who were its advocates when it passed, but it has not had a fair experiment. The law has been violated, and an illicit commerce carried on, by which the belligerents have received such supplies as to have partially prevented its good effects.

The publications throughout the United States, and thence in England, that the embargo could not be maintained, have induced the belligerents to believe that we wanted energy, and that we are too fluctuating in our councils to persevere in a measure which requires privations from the people. Under these circumstances it appears to me that the embargo has not had a fair trial. I have ever been of opinion that the only warfare which we could ever carry to advantage, must be commercial; and but for evasions and miscalculations on our weakness, we should before this have been suffered to pursue our accustomed trade.

It has been asked whether the embargo has not operated more on the United States than on the European powers? In estimating this it will be proper to take into consideration the evils prevented as well as the injury done by the embargo. If the embargo had not passed, is it not certain that the whole produce of the United States would have invited attack and afforded a bait to the rapacity of the belligerent cruisers? If a few have accidentally escaped them, it is no evidence that, if the embargo had not been laid, the whole would not have been in the hands of the belligerents. That both belligerents have manifested hostilities by edicts which prostrated our commerce will not be denied by any gentleman. Great Britain on a former occasion passed an order, sent it out secretly, and before our minister was officially notified it was in full operation. Their late orders included all our commerce which was afloat. Was it not to be expected that such would have been the policy of Great Britain in this case, and such our proportionate loss, if the embargo had not been laid, and snatched this valuable commerce from their grasp?

Great inconveniences are apprehended from this measure, giving another direction to commerce & from our losing that to which we have been accustomed. I have no such apprehensions. If on the contrary we tamely acquiesce—I will not say in paying tribute, for every one seems to disclaim it. Great Britain however, having excluded us from the continent, if we tamely acquiesce, have we reason to expect that she will not, as long as she is a nation, exercise the same policy. Suppose it even to be policy, adopted in time of war, if we calculate the number of years she is in war in proportion to the number of years she is at peace, and suppose such a regulation to exist during all her wars, I conceive that we have lost our independence, if we submit to it. It appears to me that for many years Great Britain has adopted new regulations and added new principles to the established law of nations, to the subversion of lawful neutral commerce. It cannot be doubted then, that if it be in her power she will totally destroy it.

I am not competent to enter into an examination of the precise evils or benefits resulting to commerce from the measure of the embargo. But I will state a point which in my mind is all important in this case. When the revolutionary war commenced, it was not merely the paying a small duty on tea which was the subject of contest, for it was considered as unimportant; but it was the right of Great Britain to impose a tax without our consent. This is the question now in contest, affecting our independence as, in former times it affected our rights. It is a question affecting our very existence as a nation. If this embargo be removed, and that is the only question now under consideration, no gentleman in the opposition has stated what he would wish in its room. Therefore I shall take the question on the ground of acquiescence on the part of the U. States in the orders of council. Then, I ask, will the United States so far abandon their independence as to subject themselves to the regulations of Great Britain and France, and be dictatorially told that they shall trade to such and such places only? Shall we admit the right of foreign powers to restrict us? If we do, with what propriety can we at any future day contest the principle? In my mind this is the important point; and I still remain to form my opinion whether the embargo is the very best measure that could be adopted. Yet, to shew to the world that I will not surrender my rights, that I will struggle for our independence, I shall certainly vote against this resolution, till I see whether any thing else can with propriety take its place.

MR. S. SMITH said he did not rise to go into the discussion, for he had already taken his share in it, but to answer one observation of the gentleman from Delaware. It would be recollected that the gentleman had some days ago called for all the orders and decrees of the belligerents affecting neutral commerce; it would be recollected that the subject had been pressed upon the Senate yesterday before these documents could have been received; that at the request of a gentleman from Massachusetts, the gentleman from Vermont (Mr. Bradley) had withdrawn his motion for postponement; that the gentleman from Massachusetts had then spoken, and that he (Mr. Smith) had replied to him. I stated facts as they occurred to me, (said Mr. S.) without paper or document, and asked the opinion of legal gentlemen on the subject of the operation of the orders of council on Spain and Portugal. The gentleman from Delaware has undertaken to decide the question according to common sense. Common sense is my guide, sir; and permit me to say that nine times out of ten it is the best guide to follow; and though I have heard the opinion of the gentleman from Delaware, I have not changed my opinion on the subject. I believe that the British will now exclude our commerce from these ports, because the act of Parliament making *permanent* these orders, authorises the king to modify them, as to his majesty may appear proper. I asked yesterday whether a proclamation to this effect had been issued by the king of Great Britain? The gentleman says common sense will give the orders the construction for which he contends. I take the answer of Mr. Canning to the committee of merchants, and bottom my assertion on it. Will the gentleman deny that before the orders in council were issued, we could, under certain restrictions, trade to these countries? Yet Mr. Canning answers, when asked by these three respectable merchants who must have had doubts on the subject or they would not have applied for information, "with *American produce* they may go." If they were, as the gentleman contends, as free to go now as prior to the orders in council, why did not Mr. Canning answer that they might go without restriction, instead of limiting the commerce to the carriage of American produce?

NOVEMBER 23

MR. CRAWFORD said that one of the objects of the gentleman from Connecticut was, no doubt, to obtain information of the effects of the embargo system from every part of the U. States. This information was very desirable at the present time, to assist the councils of the nation in forming an opinion of the course proper to be pursued in relation to it. A government founded, like ours, on the principle of the will of the nation, which subsisted but by it, should be attentive as far as possible to the feelings and wishes of the people over whom they presided. He did not say that the Representatives of a free people ought to yield implicit obedience to any portion of the people who may believe them to act erroneously; but their will, when fairly expressed, ought to have great weight on a government like ours. The Senate had received several descriptions of the effects produced by the embargo in the eastern section of the union. As the representative of another extreme of this nation, Mr. C. said he conceived it his duty to give a fair, faithful and candid representation of the sentiments of the people whom he had the honor to represent. It was always the duty of a representative to examine whether the effects expected from any given measure had or had not been produced. If this were a general duty, how much more imperiously was it their duty at this time. Every one admitted that considerable sufferings have been undergone, and much more was now to be borne.

Gentlemen have considered this subject generally in a two fold view (said Mr. C.) as to its effects on ourselves, and as to its effects on foreign nations. I think this a proper and correct division of the subject, because we are certainly more interested in the effects of this measure on ourselves than on other nations. I shall therefore thus pursue the subject.

It is in vain to deny that this is not a prosperous time in the U. States; that our situation is neither promising or flattering. It is impossible to say that we have suffered no privations in the year 1808, or that there is a general spirit of content throughout the U. States; but I am very far from believing that there is a general spirit of discontent. Whenever the measures of the government immediately affect the interest of any considerable portion of its citizens, discontents will arise, however great the benefits which are expected from such measures. One discontented man excites more attention than a thousand contented men, and hence the number of discontented is always over-rated. In the country which I represent I believe no measure is more applauded or more cheerfully submitted to than the embargo. It has been viewed there as the only alternative to avoid war. It is a measure which is enforced in that country at every sacrifice. At the same time that I make this declaration I am justified in asserting that there is no section of the union, whose interests are more immediately affected by the measure than the southern states—than the state of Georgia.

We have been told by an honorable gentleman who has declaimed with great force and eloquence against this measure, that great part of the produce of the eastern country has found its way into market; that new ways have been cut open, and produce has found its way out. Not so with us; we raise no provisions, except a small quantity of rice, for exportation. The production of our land lies on our hands. We have suffered and now suffer; yet we have not complained.

The fears of the Southern states particularly have been addressed by the gentleman from Connecticut, by a declaration that G. Britain, whose fleets cover the ocean, will certainly find a source from which to procure supplies of those raw materials which she has heretofore been in the habit of receiving from us; and that having thus found another market, when we have found the evil of our ways, she will turn a deaf ear to us. By way of exemplification, the gentleman cited a familiar example of a man buying butter from his neighbors. It did not appear to me that this butter story received a very happy elucidation. In the country in which he lives there are so many buyers and so many sellers of butter, that no difficulty results from a change of purchasers or customers. Not so with our raw material. Admitting that Britain can find other markets with ease, there is, still a great distinction between this and the gentleman's butter case. When a man sells butter he receives money or supplies in payment for it. His wants & wishes and those of his purchasers are so reciprocal, that no difficulty can ever arise. But G. Britain must always purchase raw materials of those who purchase her manufactures. It is not to oblige us that she takes our raw materials, but it is because we take her manufactures in exchange. So long as this state of things continues, so long they will continue to resort to our market. There is no danger then of our losing our market. I have considered the gentleman's argument on this point as applied to the feelings of the southern country. No one article exported from the U. States equals cotton in amount. If then we are willing to run the risk, I trust no other part of the United States will hesitate on this subject.

Another reason offered by the gentleman from Connecticut, and a substantial one if true, is, that this measure cannot be executed. If this be the case, it is certainly in vain to persevere in it, for the non-execution of any public law must have a bad tendency on the morals of the people. But the facility with which the gentleman represents these laws to have been evaded, proves that the morals of the evaders could not have been very sound when the measure was adopted; for a man trained to virtue will not, whatever facility exists, on that account, step into the paths of error and vice.

Although I believe myself that this measure has not been properly executed, nor in that way in which the situation of our country might reasonably have induced us to expect, yet it has been so far executed as to produce some good effect. So far as the orders and decrees remain in full force, so far it has failed of the effect hoped from it: but it has produced a considerable effect, as I shall attempt to shew hereafter.

In commenting on this part of the gentleman's observations, it becomes proper to notice not an insinuation, but a positive declaration that the secret intention of laying the embargo was to destroy commerce; and was in a state of hostility to the avowed intention. This certainly is a heavy charge. In a government like this, we should act openly, honestly and candidly; the people ought to know their situation and the views of those who conduct their affairs. It is the worst of political dishonesty to adopt a measure, and offer that reason as a motive for it which is not the true and substantial one. The true and substantial reason for the embargo, the gentleman says he believes was to destroy commerce and on its ruins to raise up domestic manufactures. This idea, I think though not expressly combated by the observations of the gentleman from Delaware, (Mr. White) was substantially refuted by him. That gentleman, with great elegance and something of sarcasm, applied to the House to know how the treasury would be filled in the next year; and observed that the present "incumbent of the Presidential palace" would not dare to resort to a direct tax, because a former administration had done so and felt the effects of it, insinuating that the present administration did not possess courage enough to attempt it. Now, I ask, if they dare not resort to a direct tax, excise laws and stamp acts, where will they obtain money? In what way will the public coffers be filled? The gentleman must acknowledge that all our present revenue is derived from commerce and must continue to be so, except resort be had to a direct tax, and the gentleman says, we have not courage enough for that. The gentleman from Connecticut must suppose, if the gentleman from Delaware be correct, that the administration seeks its own destruction. We must have revenue, and yet are told that we wish to destroy the only way in which it can be had, except by direct tax, a resort to which it is asserted would drive us from the public service.

But we are told with a grave face that a disposition is manifested to make this measure permanent. The states who call themselves commercial states, when compared with the southern states, may emphatically be called manufacturing states. The southern states are not manufacturing states, while the great commercial states are absolutely the manufacturing states. If this embargo system were intended to be permanent, these commercial states would be benefited by the exchange, to the injury of the Southern states. It is impossible for us to find a market for our produce but by foreign commerce; and whenever a change of the kind alluded to is made, that change will operate to the injury of the southern states more than to the injury of the commercial states, so called.

But another secret motive with which the government is charged to have been actuated, is, that this measure was intended and is calculated to promote the interests of France. To be sure none of the gentlemen have expressly said that we are under French influence, but a resort is had to the Expose of the French minister, and a deduction thence made that the embargo was laid at the wish of Bonaparte. The gentleman from Connecticut told us of this expose for this purpose; and the gentleman from Massachusetts appeared to notice it with the same view. Now we are told that there is no danger of war, except it be because we have understood that Bonaparte has said that there shall be no neutrals; and that, if we repeal the embargo, we may expect that he will make war on us. And this is the only source from whence the gentleman could see any danger of war. If this declaration against neutrality which is attributed to the Gallic emperor be true, and it may be so, his Gallic majesty could not pursue a more direct course to effect his own wishes than to declare that our embargo had been adopted under his influence. And unless the British minister had more political sagacity than the gentlemen who offered the evidence of the expose in proof of the charge, it would produce the very end which those gentlemen wished to avoid—a war with G. Britain; for she would commence the attack could she believe this country under the influence of France. I would just as much believe in the sincerity of that expose, as Mr. Canning's sincerity, when he says that his majesty would gladly make any sacrifice to restore to the commerce of the U. S. its wonted activity. No man in the nation is silly enough to be gulled by these declarations; but, from the use made of them, we should be led to think otherwise, were it not for the exercise of our whole stock of charity. Now I cannot believe that any man in this nation does believe in the sincerity of Mr. Canning's expressions, or that Bonaparte believes that the embargo was laid to promote his interest. I cannot believe that there is any man in this nation who does candidly and seriously entertain such an opinion.

When we advance to the second proposition, we are told in the most positive terms by the gentlemen from Delaware and Connecticut, that this measure has produced no effect on foreign nations. The gentleman from Massachusetts barely admits that at first it had excited some small degree of alarm in Great Britain for a short time. I cannot believe that gentlemen wish to be understood literally when they tell us this. It can be nothing more than a figure of rhetoric. It cannot really be meant that the embargo has produced no effect. The gentleman from Massachusetts gets over it by saying that insurrections among her manufacturers, were familiar to him; he had always heard of them. But, sir, I do not recollect to have heard of any insurrection of the kind to which I allude, having taken place. They have at times heretofore been disorderly indeed, but in the late case it was a peaceable assemblage of labourers, not intending to overthrow the government or to resist the laws, but to shew the absolute state of starvation with which they were threatened. There has been nothing of this kind within my recollection before. We have heard of mobs and riotous tumults; but in the present case no movement was made by these unfortunate people to disturb the government. With a degree of facility which excited my astonishment, the gentleman tells us that if 100 principal manufacturers should be reduced to bankruptcy, and 50,000 mechanics should be turned out of employ, this would but strengthen the army and navy of the British nation; that, when you affect Great Britain most seriously, you do her a benefit. Pursuing this argument a little farther, suppose 500,000 should be unemployed, the arm of the nation would be so much the more strengthened, and the more it would enable her to enforce her arbitrary maritime regulations. I see no conclusion to which this argument would lead us, but to this: that as you destroy her manufactures you make her more powerful. If the effect of destroying her manufactures was to be simply that which the gentleman conceives of arming her vessels and filling the ranks of her armies, it possibly might promote her strength. But these people must be clothed and fed, whether in the sea or land service, and must also have a little pay. If all her manufactures are destroyed, where is she to obtain the sum of money necessary to pay, clothe and feed these people. Sir, we affect them vitally by affecting their manufactures; for by the exports only of these and imports on their return, they obtain great part of their revenue. If they export nothing, they can import nothing. This conclusion of the gentleman from Massachusetts cannot therefore be correct.

The gentleman from Massachusetts says it is true that [illegible] alarm was excited in [illegible]