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HOUSE OF REPRESENTATIVES.

NOVEMBER 29.

DEBATE ON FOREIGN RELATIONS.

[CONTINUED.]

Mr. SLOAN said he should not, in asking the attention of the committee to the remarks which he was about to make, attempt to follow the observations of the gentleman from Massachusetts who had preceded him, and he hoped that his honest confession that he neither arrogated to himself the eloquence or information of that gentleman would be an excuse for his blundering along in that manner of which he was capable. He first observed that he had waited with great anxiety and much impatience to hear the commencement of a debate, which from the importance of the subject and the suffering situation of his beloved country, he had expected would have been commenced in the first week of this important session. He had been rejoiced therefore to hear the resolution early brought forward by his worthy friend from Vermont, but was sorry that at that time observations had been made calculated to rouse into action all the angry passions which are so injurious to free discussion. This being his opinion and having always entertained the opinion that more advantage was to be gained by discussing cooly than in retorting with virulence and pursuing with precision the arguments of others, he should make but little no or allusion to the observations of gentlemen who had preceded him. Mr. S. said he should

1st. Briefly notice an observation of his friend from Massachusetts (Mr. Quincy.)

2dly. He should state his objections to the embargo laws as they now stood.

3dly. He should give his opinion of the effect of these laws on foreign nations.

4thly. He would consider their operation on ourselves; and

5thly. and lastly, conclude with a few miscellaneous observations.

First, my friend from Massachusetts, (said Mr. Sloan) observed that when one cheek had been slapped by G. Britain we have turned the other. Hearing this observation I was induced to look minutely into the message of the President of the United States to see wether this be true or not; and having done so I beg leave to dissent from his opinion. The President says:

"Under a continuance of the belligerent measures which in defiance of laws which consecrate the rights of neutrals overspread the ocean with danger, it will rest with the wisdom of Congress to decide on the course best adapted to such a state of things; and bringing with them, as they do, from every part of the union, the sentiment of our constituents, my confidence is strengthened that in forming this decision, they will, with an unerring regard to the essential rights and interests of the nation, weigh and compare the painful alternatives out of which a choice is to be made."

Now sir, permit me to say that this sentence does not warrant the construction put upon it; for I understand the President as having made no decision but as having left the subject wholly to the Representatives.

It has been argued that there is no alternative at this time but embargo or war. Did I believe this to be the fact, I should be of an opinion very different from that which I now entertain. But I do not believe that war will necessarily follow a removal of the embargo. I find by reference to the 4th vol. of the laws of the U. States that matters were carried to such a height between this country & France ten years ago, that the vessels of the U. States were permitted to arm for their protection. What was the consequence of this? Did war ensue? In my apprehension it did not; I say in *my apprehension*, because I recollect at the last session the House was divided in opinion as to the meaning of the word "war;" for some said we were at war last session, and others said we were not. In my opinion, therefore, as war did not follow the arming our merchant vessels; neither will it follow the removal of the embargo.

I will now state my constitutional objection to the law. In the constitution I find a power given to the Congress of the United States "to regulate commerce." This is the only section from which the power of laying an embargo is derived. Now I address myself to the plain understanding of every member in the House, and ask whether the power to regulate be a power to annihilate? Expressing myself in my unlearned way, suppose I employ a man a number of days to regulate my orchard, do I authorize him to cut it down? Certainly not. There is a power given to commissioners of this city to regulate the markets; have they therefore a right to prohibit them? I contend not; they are appointed to keep them in order and improve them. I would not be understood as saying that Congress have not a power to lay an embargo for a short time; but I do contend that they have no power to pass a law without limitation. I voted for the first embargo law and for two supplements. Many members can bear me witness that I opposed the third; and could I have voted upon the whole at that time, I would rather have voted against them than have voted for that supplementary law, which I considered oppressive and ruinous to the citizens of the U. States. I considered it as acting unequally, and therefore unjustly; as much so as if Congress were to pass a law prohibiting a citizen of the U. States from the interior of Pennsylvania or New-York, from taking their produce from their field or garden to carry it to market. And if any member in this House can satisfy me that there is any substantial difference between this and prohibiting persons who had laid out their all in purchasing coasting vessels from carrying produce from one port to another, then I may be convinced that the third supplement was proper. I was willing to apply constitutional power to prevent our citizens from exporting to a foreign market; but I would not prevent them from carrying produce to any place they conceived most convenient and ready, when the embargo should be raised, to make the most of it.

I will now give my opinion of the effect which this law has had upon foreign nations. I will not dwell upon the causes which produced it or the motives which induce others now to wish a continuance of it; for I believe the Representatives of the people never to have any other object in view than the public good. I conceive, however, that this measure has been pleasing to the British government, for the reason that that government has always been jealous of our commercial prosperity. The glorious luminary of Heaven is not more obvious to my view, than that that measure is giving them all that they wish. Methinks I hear them facilitating themselves on the arrival of the blessed time which they should not only occupy every sea, but become the carriers of the whole world. The embargo I consider as calculated to favor their purpose. Spain is nobly contending for her rights, and this I say because I think every nation under Heaven is entitled to a choice of its government; and the embargo prohibits our furnishing them with supplies. It also prohits the export to St. Domingo and other places against which we have no cause of complaint, and which Napoleon the emperor is endeavoring to subjugate. Therefore I also consider it perfectly congenial at this time to the will of the emperor of the French, whilst England is at the same time enjoying that trade to St. Domingo and elsewhere which would be extremely beneficial to us.

Now as to its effects on ourselves, I consider it as acting partially and unequally upon different parts of the country, and that it must in a short time, if continued, reduce to distress a large portion of the industrious part of the community. I mean those who have purchased land which they cannot pay for, those whose whole dependence and usual occupation is fishing, those who are solely employed in the coasting trade, and the seamen employed in conveying produce; as much they will be distressed as if Congress were to pass a law that the farmer or planter should farm or plant no more. In making these observations I conceive that I am fully justified by sentiments which I have gathered from a large portion of citizens, particularly in the city of Philadelphia, which ranks as one of the first in the union. I live near them, and think it my duty to inform the House that for months before I left home, I was wearied with the cries of those suffering from the embargo, and hoping that something might be done for them. One woman says "my husband has been out of employ so long, the family is starving, the embargo has ruined us; we cannot live over the winter." These cries Mr. Sloan said met his ears, and he always hoped to be sensible to the sufferings of the weak, and to be able to plead their cause.

Mr. S. adverted to the late elections in Pennsylvania, which he said were no proof of the approbation by the people of the embargo. He said that whatever he might be considered elsewhere he was in the city of Philadelphia considered a democratic republican, and that the republicans there said to him "if not to others, "we will support our principles; but we hope something will be done for us, for we cannot support the embargo." Mr. S. deprecated the making this a question of party. Did he come here to legislate for Democratic Republicans only? No; and it would hurt his feelings as much to hear the cries of the wife of a poor suffering federalist as of the wife of a democratic republican.

Mr. Sloan concluded with miscellaneous remarks of some length. He exhorted the representatives not to take a partial view; each of them ought to look widely around him in the performance of his legislative duty; to resemble him, according to the poet,

"Who sees with equal eye, as God of all,
"A hero perish or a sparrow fall."

He alluded again to the distress in Philadelphia and elsewhere; spoke of the enormous and usurious interest he had of late known to be paid on money; stated the evil consequences of permitting the dishonest violators of the laws to make fortunes at the expence of honest citizens, and its tendency to promote evasion of revenue laws hereafter. He hinted at the danger of opposition to the laws from citizens with arms in their hands, and finally observed that he wished the embargo laws wholly repealed; though he might be induced to vote for any measure which should be thought proper to supply their place.

Mr. *Smilie* said he just rose to express his feelings at the fatherly regard the gentleman (Mr. Sloan) had manifested for the people of Pennsylvania. He had expected, however, that he would have furnished the House with an account of the state of the people in his own district. It was a little strange that the city of Philadelphia which had two representatives on the floor, should have chosen the gentleman from N. Jersey as the organ for communicating their complaints to the House. From them there had been no complaint. Indeed there had been no petition or remonstrance from the state of Pennsylvania respecting the embargo. Perhaps the reason the gentleman from New Jersey was applied to was, the great weight which it was known he had in the House. But with respect to Pennsylvania the government might be easy: He pledged himself that that state would support government in all constitutional and necessary measures, notwithstanding what had been said by the gentleman from New Jersey.

Mr. *Sloan* said he would just observe that this was the first time that he had ever heard that a member from any particular state could not give his opinion as to any other state in the union.

Mr. RHEA, (T.) said that the report of the committee to whom had been referred that part of the message of the President, which respected our foreign relations, was now out before the sovereign people of the United States—and while their representatives were deliberating concerning it they also were considering and making their opinions of it.

It is desirable (said he) that this first resolution may have the support of every gentleman in this House—& that there may be a concurrence on the reasons which will decide the vote of this committee on this resolution.

This resolution is a proposition deduced from the facts stated in the report—the report is a concise and correct statement of the case between the United States and Great Britain, and between the United States and France, respectively. It virtually is an appeal on behalf of the United States, and a declaration or manifest to all the world. It is not a declaration of independence—but a declaration is implied in the proposition, that is to say, the rights, honor and independence of the United States are violated by the late edicts of Great Britain and France, and the U. States cannot submit to the said edicts. To declare the United States of America free, sovereign and independent, doth not remain to be done. On the fourth day of July, in the year one thousand seven hundred and seventy-six, the United States of America were declared free, sovereign and independent—that declaration was made with the noise of drums, the sound of trumpets, the thunder of artillery, and the shouts of thousands of brave men in arms. The sound of that declaration was loud and strong—it passed over and vibrated on the shores of the Atlantic bounding the nations of Europe. The nations heard the sound, and all, except one, (Great Britain) hailed with welcome the origin and rise of this new nation in the west, and said "let it be perpetual." Great Britain itself, after a bloody seven years war, was compelled to acknowledge, in due form, by solemn treaty, that the United States of America were *free*, sovereign and independent, as they had declared themselves to be, and that declaration is engraved on the tablet of eternity, and will never be erased.

The United States, sovereign and independent, have certain attributes and properties, and rights, without which sovereignty cannot exist. Among these may be numbered—a supreme power of legislation, of ordaining and executing their own government—a right to pursue their own happiness—to cultivate their own fields—to manufacture articles, such as may be deemed proper, and to navigate the ocean, in the exercise of commerce, agreeably to public law and public reason. "In the beginning the ocean was composed of elementary particles, free and voluble, being part of the great donation to the human family, and rolling on the shores of islands and continents, it presents itself for use. The ocean is the right and common property, and great road of all nations who may chuse to use it."

The late edicts of Great Britain and France stated in the report, are the cause of the resolution now under consideration. An object of the resolution is, to pledge every citizen, and every state and territory of the United States, mutually and reciprocally to each other, in the support and maintainance of the rights, honor, and independence of these United States—"for (in the language of the report) the question, for every citizen, now is, whether he will rally round the government of his choice, or enlist under foreign banners, whether he will be for his country or against his country?" An effect of the resolution, if agreed to, will be confidence of the citizens mutually in each other, and they will be, as they are, and ought to be, "a band of brothers." There is reason to believe that various reports, the offspring of discord, and injurious to the United States, have occasionally, by accident or design, reached foreign powers; the resolution, if adopted, will have powerful effect in evidencing the unreasonableness and inconsistency of all such reports.

Mr. Rhea said by the word edicts used in this resolution, he understood all the proclamations, orders of council, acts of parliament and decisions of courts of admiralty of Great Britain—and all the decrees and decisions of the tribunals of France, which violate the rights, the honor and the independence of the United States. If it shall be asked, how are the rights of the United States violated by the edicts? It is answered—the report of the committee states how. Let the thousands of the seafaring citizens of the United States, who, impressed, and separated from their friends, families and country, have been forced on board of British armed vessels, and therein compelled to fight against nations with whom their country is not at war—speak and answer. Property to the amount of many millions of dollars belonging to citizens of the United States engaged in lawful commerce, consistent with the principles of public reason, hath been captured on the ocean, and condemned by courts of admiralty, in pursuance of the same edicts; let that property answer, if it be asked, how is the honor of the United States violated by the edicts? It may be answered, that the United States, intent to preserve peace, and to continue in possession of those blessings, which constitute national happiness, heretofore have not appealed to the sword, but endeavored by friendly negociation to obtain redress for injuries and violencies committed on them, in consequence of the same edicts; and from the same peaceable conduct, cause may be assumed to suppose that the United States will not do what is in their power to do, to obtain satisfaction for injuries received, and to prevent in future the operation of the edicts.

If it be asked, how is the sovereignty of the U. S. violated by the edicts? It is answered, by the constitution of the U. S. the Congress hath power to establish an uniform rule of naturalization—that several persons, emigrants from the British dominions, have, since the treaty of peace with G. Britain, arrived in the U. S., and in pursuance of laws of naturalization enacted by Congress, have become citizens of the U. S.; notwithstanding which, by a late proclamation of the king of the united Kingdoms of G. Britain and Ireland, all such emigrants are required to return to the dominions of the said king, which requisition, so far as it can, goes to make void and of no effect, the naturalization and citizenship of the same persons—and to contravene and repeal the laws in virtue whereof they became citizens, and to supersede and overthrow the constitution and government and sovereignty of the U. S.

If the edicts of G. Britain and France are submitted to, what rights of the U. S. will be sacrificed? The neutral rights of the U. S. will be destroyed, and the right of navigating on the ocean consistent with the rules of public reason, will be annihilated, and their commerce will be subservient to the rules, regulations and laws of foreign powers.

The U. S. by the ever to be remembered declaration of Independence, took high ground among the nations of the earth. The great men who, on behalf of this nation, signed their names to that declaration—their successors and followers and citizens of every rank, who carried on the mighty work of revolution, and in any manner assisted therein, persevered against all opposition and finally succeeded in the establishment of this nation on the high ground which had been taken and manifested to all the world, in the same declaration of independence. A submission to the edicts will be descending from the high stand taken by the declaration of Independence, and a sacrifice of the honor of the U. S. Mr. Rhea said, let the members of this House read the declaration of Independence—let them read the last paragraph of that declaration—let every citizen of the U. S. read it; and then let every one lay his hand on his breast, and ask himself, am I prepared to depart and descend from the state and situation which the great and good men who effected the revolution placed me on? If there be any one, who will openly say and avow, that he is willing and prepared to descend from that state of national honor, let him say so, let him speak out, that he may be known.

If the edicts are submitted to, how or in what manner will the Independence of the U. S. be sacrificed? Wherever supreme legislative power is, there dwells sovereignty. Whatever nation hath power to impose laws on another is sovereign to that other. If the edicts are submitted to by the U. S. the U. S. will be bound by the proclamations, orders of council, acts of parliament, decrees and decisions of courts of admiralty of foreign powers, in making, enacting and ordaining whereof they, the U. S. had no voice. Where this state of national existence begins, national sovereignty ends, and a species of colonial or territorial, or tributary existence commences.

This proposition, said Mr. Rhea, is a resolution properly, that is a determination—and, when agreed to, will be an expression of the will of this nation; a firm, immovable, irrevocable determination not to submit to the late edicts of G. Britain and France.

Mr. Rhea said, he had no design to offer any amendment to the first resolution reported by the committee; but for argument or illustration would suppose a motion made to amend it, by striking out the syllable "not," in the word "cannot" in the first line of the resolution—so that it might then read—"Resolved, That the U. S. can, without a sacrifice of their rights, honor, and independence, submit to the late edicts of G. Britain and France." And suppose that amendment was agreed to, and this resolution so amended, should, together with the report, go out to the sovereign people of this nation for their inspection and approbation; what would they think? What would they say? What would they do? What would they not do? What would they not inflict on us their representatives for agreeing, on their behalf, to such a dishonorable resolution? They would, and justly too, hurl vengeance on our devoted heads for sacrificing their rights, their honor, and their independence. Let us beware, the never-sleeping eye of the mighty spirit of this injured nation is watching and observing us, is marking and noting down all our conduct. This first resolution, Mr. Rhea said, is a complete text—every word of it is expressive, it is expressive of all the injuries, outrages and oppressions that these U. States have for many years past endured from unjust and overbearing force and power. To add to, or subtract from this resolution would destroy it—and every proposed amendment must have that object in whole or in part in view.

Mr. Rhea said he felt no disposition to please himself in doing justice to the merits of the resolution; that he