lina and other gentlemen who hear me, if the course to be pursued by us, a free, sovereign and independent nation, for the purpose of coercing all the rest of the world, is that which it became the colonies to take in order to coerce the *mother country, possessing the monopoly of their commerce*. Sir, I feel that it is impossible for me—the intimations which I have from within of my own weakness convince me that it is impossible for me to go over the ground which I intended to occupy in this discussion. I must throw out my ideas rather by way of innendo than in any regular system. Is this nation, I ask, to pursue that course, in order to coerce all the nations of the world, which might have been a proper weapon for the coercion of the mother country who held the exclusive monopoly of our commerce? There is no analogy, either between the state of the rest of the world then and now, or between that of these U. S. then and now—between the relative situations of the parties, one of which undertakes to act on the other by this new-invented political machine. What is now the state of Spanish and Portuguese America, and what was it then?—What is now the relative situation of France and G. Britain, and what was it then? Totally changed. What is our condition? Entirely altered. We have now to fulfil the engagements which we have made—to pay the price of our independence. We were then free from debt, at least from public debt; and we freed ourselves from private debt by a confiscation of what we owed across the water. We might then do without revenue, because we had not the purposes to which revenue must necessarily be applied. With your marine, with your army, with your palaces on this hill, and on that, a profuse expenditure of money in at least every civil department of the government—and here let me not be understood as making charges against those who have now the conduct of the public affairs—it is an excrescence, an abuse growing out of such governments as this—will you, with all these objects of expenditure, dispense with your revenue? If not, whence is it to be derived, if you declare that you will not suffer your produce to go abroad, nor hold any intercourse with the rest of the world? You must look at home for it; there is nothing left but direct taxation and excise duties.

I confess for one that I was mortified at seeing the proceedings of the first continental Congress resorted to, to justify the proceedings of independent America. In the year 1774, when we were yet provinces, loyal and submissive petitions were addressed to his majesty, and addresses made to the people of Great Britain, Ireland and Jamaica, one of which was read by the gentleman of Massachusetts, (Mr. Bacon) in his place. There the old Congress say to the people of Jamaica, you have nothing more to do than to convert a little sugar land into provision ground, and our measures will not hurt you in the least; and this, sir, was introduced to shew our power of affecting the West-India Islands, by withholding our supplies. We know that the West-India planters have already profited of the advice we gave them in 1774. [Here Mr. Bacon asked leave to explain]—Mr. Randolph said that he yielded the floor with pleasure to the gentleman from Massachusetts, for he found himself scarce able to proceed—and but that he thought he perceived in the house a disposition to force the question—[Here Mr. Randolph was interrupted by Mr. Love, who said that with the consent of the gentleman from Virginia he would move to adjourn, which was agreed to.]

DECEMBER 5.

The consideration of the unfinished business being resumed, the Speaker said that the gentleman from Virginia was entitled to the floor. After a short pause—

Mr. RANDOLPH rose and observed that it would argue a degree of insensibility, which he trusted was wholly foreign from his nature, were he not penetrated with the polite deference paid to him by the House on Saturday last. He was sincerely grateful for that instance of their liberal and generous attention, but he feared he had exposed them to needless trouble—that the same incapacity which prevented him from going on them, still existed in a degree that would disable him from doing to the subject even that feeble justice which his powers in their best state might have enabled him to render it.

He entered into a recapitulation of some of his former remarks—he considered the country as standing in an awful and momentous condition: that we were about to make a virtual sacrifice of that very independence, which *in words* we proposed to assert—and stood on the verge of a mighty revolution in our own political institutions. In this apprehension he might be mistaken—he hoped in God he was—but if he did not conscientiously entertain it, he would no obtrude himself upon their attention. The powers of the general government growing out of foreign relations and out of commerce, when these were cut off, and the source from which alone revenue was derived dried up, the general government must act on the citizen through the medium of excise and direct taxation. The burthen of this government and that of the state governments would be beyond the capacity of our citizens to bear. The necessary effect must be the doing away the state governments and directing the operation of the general government to matters of municipal and local concern. Was he not justified in drawing these conclusions from past experience and from circumstances within the knowledge of every man who heard him? Was it not proposed at that very moment to extend the sphere of action of the general government at the expence of the state governments—was it not then a question whether the power of the state governments should be materially diminished and that of the general government proportionably augmented? Unquestionably it was. The federal government might be (he did not aver that it was not) eminently calculated for federal purposes, but considered as a consolidated government it was highly objectionable. He could not but feel alarmed when he saw that the person who was to preside over our future destinies had been from the very beginning of the federal constitution inimical to the existence of the state governments. He was impressed with the deepest apprehension for the existence of these institutions—His fears might be unfounded, but they were sincere.

He must again repeat his regret, that the only system of coercion upon Europe, generally, which the wisdom of that House had been able to discover, was that system which, in a state of colonial weakness and dependence thirty-four years ago, we were obliged to have recourse to in order to obtain a boon from the mother country. They had heard much in that debate of the spirit of seventy-sixty. What was that spirit. It was this—"*touch the soil and you touch the life-blood of every man upon it.*" And yet, sir, this soil has been violated without exciting scarcely a sensation in the heart which pulsates here and distributes life and heat to every extremity of the body politic. Let us not talk of the spirit of '76, if this be the only demonstration which we can give of that spirit being alive. We were not up to the colonial spirit of 1774-5. The old Congress at the very moment when they asked for justice had taken more vigorous measures to enforce and secure it, than the United States had yet done. Long before *their* declaration of independence, Montgomery had bled under the walls of Quebec.

But what was our present system of coercion? One which told Europe in the plainest language, attested by solemn public acts of the individual states, that its first operation on ourselves was such as obliged us to shut up our courts of justice. That sort of popularity derived to a great national measure from suspending the execution of justice between man and man, from the virtual exoneration of men from the payment of their just and lawful debts, was a species of popularity which he never wished to see in this country. A system which was compelled to resort to such means for its support might well be said, in the new-fangled language of the times, to go to the demoralization of society, to strike at the very root of common honesty. This new invented system of coercion which was to bring all Europe to our feet, had gone across the Atlantic, accompanied with declarations of Georgia and Virginia, (and their example promised to be generally followed) that the distress occasioned by it among ourselves was such as to render it immediately necessary to obstruct the natural course of the great stream of justice. What kind of respect would the belligerents pay to a measure whose operation we confessed to be thus destructive to ourselves. It would, if persevered in, end, not only in shutting up the courts of justice, but the exchequer also. It was not possible to derive from any source but commerce, a revenue adequate to the support of the general government. The state governments were supported, generally, by direct taxes—but if the supply from commerce be taken away, the general government must resort to the same mode of taxation—and what would be the consequence?—A conflict between the sheriff and the marshal for the property of the citizen, and when that was exhausted, for his person; which, he supposed, like the child in the judgment of Solomon, must be divided between the two claimants. This was a state of things which could not long exist. He asked gentlemen to calculate the indispensible annual revenue required for the support of this government, and then say whether they can derive it from direct taxation and excises—to say nothing of the sums necessary for the support of the state institutions. If the operation of our embargo abroad was such as it had been at home, it might well have been boasted of as a measure of coercion. He would have been the last man to have denied its efficacy, or to have wished its repeal, if he could see it bringing such distress on Great Britain as that the court of King's Bench should be compelled to suspend its proceedings, whilst her every source of revenue was at the same time cut off. But when he saw its actual operation upon us and its operation on our enemies, on France and Great Britain, at least questionable, if not altogether imaginary, he could not consent to continue it at such an expence of privation as the people must incur in consequence of it.

It had unfortunately happened that during the whole course of the discussion there had been an extreme want of precision with respect to the object in view. They had had enough, and more than enough, of the aggressions of foreign powers. They did not want a history of the disease, but the remedy to be indicated. Not a word had been uttered that went to shew that a suspension of intercourse with the belligerents, would have any effectual operation on them. His friend from North Carolina, (Mr. Macon) had indeed told them that if we ventured to sea, if we meant to have any sort of foreign commerce we must be prepared to contend with the British navy—that our foreign commerce was dependent on the will of England, and therefore we must do it away altogether. To what would this lead? Suppose the belligerents to interrupt our coasting trade. To capture our vessels bound from Charleston to New-York. Must we therefore prohibit it? Suppose a British fleet lying in Hampton Roads, and the communication between Norfolk & Baltimore, enjoyed purely by sufferance. Should we pass a law to prevent Deagle's packet from clearing out for Baltimore by way of remedy for the mischief, and style it a system of coercion and retaliation. Would any man dream of coercing the enemy by such a device? This mode of cutting our throats to save our lives, Mr. R. could not understand. To what extent did the argument go? Fully to this—that in proportion as the belligerents pressed upon us we must recede—and so promptly and rapidly too as never to come in contact with them. This was certainly an admirable recipe for avoiding war; one by which the swift-footed Achilles himself might have kept out of the combat, since he had only to take his distance from the enemy and keep it. He did not expect to have heard, because any branch of our commerce was annoyed by the belligerents, that we should therefore annoy it ourselves to a yet greater degree; that because it was liable to partial attack, we should annihilate it.

With his friend from Georgia (Mr. Troup) he was not willing to kneel at the footstool of the throne of the Gallic or British sovereign and beg for commerce. He considered this observation as rather unfortunate for the argument of his friend from Georgia. If it applied any where it must be to our own proposition to raise the embargo if Great Britain would withdraw her orders in council. It was somewhat curious that gentlemen should have exhausted their lungs, as well as their ingenuity, in pourtraying the humiliating situation in which commerce was placed previous to the embargo, when we had offered to raise the embargo, and put the trade of the U. States on that very footing which it had been said no American would accept. There appeared to have been a very gross mistake amongst the members of that body, in relation to the causes out of which the embargo grew. In order to ascertain the point he would call for the reading of the President's message recommending the measure. [It was read by the clerk—as follows.]

"*To the Senate and House of Representatives of the U. S.*

"The communications now made shewing the great and increasing dangers with which our vessels, our seamen, and merchandize are threatened on the high seas and elsewhere, from the belligerent powers of Europe, and it being of the greatest importance to keep in safety these essential resources, I deem it my duty to recommend the subject to the consideration of Congress who will doubtless perceive all the advantages which may be expected from an inhibition of the departure of our own vessels from the ports of the U. S. Their wisdom will also see the necessity of making every preparation for whatever events may grow out of the present crisis. TH: JEFFERSON.

Dec. 1808."

Mr. R. proceeded—The House could not fail to recollect that "*the communications then made*" consisted of information from Paris that the Berlin decree was executed to the full extent of the letter of it, and the proclamation of the British king calling home his native subjects, of which we had not an official copy, but one cut out of a newspaper. The orders of council, although in existence, were not known even unofficially, or the House would have been apprised of them. To offer to withdraw the embargo, then, on the withdrawal of the orders in council was to acknowledge, if not that the measure was laid without cause, at least that that state of commerce was desirable on our part, which had been described on that floor as the most degrading and injurious that could be conceived. It was to leave our *resources* [our *seamen especially*, about whom so much had been said] exposed to the very dangers against which the embargo had been adopted to guard.

Here Mr. Randolph observed that he really felt a physical incapacity to present his ideas on the subject in a condensed, and he feared he might add, an intelligible form. He had never when attempting to address the chair labored under it in an equal degree. He asked the indulgence of the House for the length and want of connection of his remarks.

But it had been said since the belligerents would not consent to give their aid in ridding us of the embargo, we must pass stronger laws to enforce it and cut off all intercourse with them. There was a wide difference between an open and hostile resistance to a law, and a clandestine evasion of it. The powers of the government were unquestionably adequate to suppress the first, and he would be amongst the foremost to direct the sword of justice against that man, who should openly put the laws of his country at defiance—but it was not in the power of the government to prevent clandestine evasions, and when he heard intimations of an intention to cut off the coasting trade, and river navigation, by way of enforcing the embargo, he was seized with horror and consternation. But the embargo had kept up the price of produce. This one of its merits was matter of very late and prodigious discovery. To what was the embargo price of tobacco owing? To the home consumption?—Certainly not. To men of capital investing their money in it by way of speculation, calculating on a great profit when the embargo shall be raised. As to the embargo price of flour—to what was that to be ascribed? Not to the consumption at home, but to the fact that the flour, the embargo laws to the contrary notwithstanding, had found its way out of the country—and for whose benefit? The growers were choused out of 50 per cent. of the produce of their land & labor to make fortunes for dishonest daring mercantile adventurers, who bought at home at half price and sold abroad for three or four prices. Was such a state of shings desirable? That our sole measure of action against the belligerents should only re-act upon ourselves and amongst ourselves with peculiar, nay, almost exclusive severity on the honest part of the community, whilst the dishonest were reaping enormous profit from it. Was it to be expected that the honest men of the country would bear such a system when they should come to understand it? They would not—they would (as they had done before) change their representatives, if they would not change the law. It was not the Shylocks of the country (as his friend from Georgia supposed) who were opposed to the embargo. As far as his knowledge went men of that character were among its most distinguished advocates—and wherefore? The nominal market price of almost every article, except those from which the landed interest drew their supplies, had either remained stationary or had increased. Produce was down, land and slaves fallen—every thing except the product of the land and labor of the country was either up to the old rate, or had risen to an alarming height. What was the consequence? that Shylock with *one* dollar—with a single ducat, can now make as great a profit out of the suffering planter, can purchase as much actual property, as before he could with *two*. The value of his commodity—money—was doubled, that of his neighbor sunk in the same proportion—could that be displeasing to him? And accordingly in Virginia the dealers in deeds of trust and mortgages and your five per cent. per month men were warm advocates of the embargo. They either had money, or could get it by bank accommodation, and thus (to use a vulgar but expressive phrase) could *shave* their neighbors on their own terms and get rich to an incalculable extent.

There was another & important view of this subject. No sooner did the resolution for cutting off all intercourse with the two great belligerents pass through the committee of the whole house, than the vast capital which exists principally to the North and East, set itself in motion. This fluid, which in a healthy state of the system had been employed in the great and salutary work of circulation, had been pent up in the body politic until it had acquired an acrimonious quality. It had hitherto been active in carrying off our redundant products and bringing back such as we wanted in exchange; but the embargo denying it a free vent it had become morbid by stagnation & was corroding the system which it had once nourished & exhilirated. Immediately on the passage of that resolution the spirit of monopoly stalked abroad—the great capitalists had dashed into the market and purchased up every article which nature and habit have rendered necessary to us—they had bought up salt, dry goods, every thing that they could lay their hands upon, gutting the very shops of the petty retailers. At whose cost were they to be reimbursed? At the cost of the public—of the great consuming body. If things were restored to the old channel, the loss, if any, would fall upon those best able to bear it, upon the men of great capital; although it would not be difficult to shew that, in such a case, they might re-export their purchases at a profit. If the system were continued it must grind the people down to a state of the most abject poverty and depression. It was a system which might suit Asiatics, but was never adapted to the American spirit. It might do for the Chinese, but even granting it to be the best policy eventually for us, no man who pretended to the character of a practical statesman would attempt to make a total change of the habits of a nation in one night. Great changes to be beneficial must be gradual, not forced upon the people. Nature might be coaxed, but she would not be coerced with impunity.

His friend and colleague (Mr. Burwell) had said that to expose the pressure of the embargo on ourselves was to encourage the enemy, inciting him as it were to persevere in his measures. He had compared our situation to that of a besieged town, and asked if we ought to apprize the besiegers that we were nearly out of provisions, that we could not hold out another week? Mr. Randolph accepted the comparison. Under such circumstances suppose a council of war to be held—he would not hesitate to say to his compatriots and fellow soldiers that it was better to perish in a glorious sally, than die by inches in the trenches of disease and famine. He should not be deterred by the fear that the enemy would take advantage of their deliberations. In the present case they had the most authentic intelligence of our real situation—it was upon record in acts of assembly of states the most zealous in support of administration, and in the proposals of government itself. He feared that without some change the public spirit would become so completely broken, so entirely paralised that we might almost as well be over-run by an enemy as reduced to so torpid and degraded a condition.

The capital, which we would not suffer to employ itself in a natural and salutary direction, had, to use the expression, turned its arms against the state. It was engaged in monopolizing salt and every article of the first necessity, to be resold at the most exorbitant advance, because we would not suffer it to take our cotton, tobacco, fish, &c. abroad, and bring us returns for it at the most reasonable rate. During the whole discussion it appeared, that gentlemen had indulged themselves in begging the question. As a planter he could not conceive how he husbanded his own resources by suffering his crop to perish on his hands, instead of paying his debts or purchasing necessaries with its proceeds; nor how he assisted the belligerents by exchanging a superfluity even for another—for the wines and brandies of France, for example. How did we impair the resources of the European powers or aid our own by the destruction of the whole product of our country? But to return to the effect of the embargo on the price of produce, which had nearly escaped him. His friend from Carolina (Mr. Macon) had said, that if all our produce were pent up in England, the price would be lower even than it then was. Was there any necessity for its being pent up in Great Britain? Could gentlemen devise no other vent for it? Was it not notorious that Sweden, an independent kingdom, having no orders or decrees against us, was open to its reception? and was it not equally well known that if we could get our produce to Gottenburg, that it would find its way to the rest of the continent, as heretofore it had done from Hamburg and Bremen. There was a common sense view of this subject, that settled the question. When it is understood out of the house that the embargo is to be continued, produce falls—with a whisper that it is to be taken off produce rises. The mere motion of a colleague (Mr. Sawyer) of his friend from Carolina to open a trade to the West-Indies, had a sensible effect on the Baltimore market. There was not a merchant who would not give more for a barrel of flour, or a hogshead of tobacco, on condition that the embargo was to be raised. To contend then that the embargo kept up the price of produce was absurd. Go into the market, and the theory vanished when you come to practice.—It was in vain to oppose argument however ingenious against fact and experience. It was matter of notoriety—Let us not attempt to cheat our senses in this thing. Produce was bought with no other view than to its exportation. Prohibition of export could not enhance its price. If this position be not true, words had lost their meaning.

During the course of the debate, recurrence had been had to past transactions—For one he could have wished that they might have been passed