

but a most striking difference between the two—we must take into view the situation of the two countries, Great Britain and America, at the time the first session of the 9th congress commenced, in the beginning of the winter of 1805, that unhappy year of seclusion. Were those orders then in force which Mr. Canning has withdrawn? No, sir. What was then the language of gentlemen in this house? That something must be done—and that unhappy opinion that something must be done, that so no medicine must be taken, has destroyed many a patient, political as well as individual—that something turned out to be the old non-importation act. After that, the disease instead of yielding to the remedy, only became exasperated by it. Something more must be done. What was that, sir? The embargo.—When that was laid, was the existence of the British orders in council known? It was not—and I take the opportunity of saying so here, because I see it has been asserted in the British parliament, by a gentleman of the first respectability for talents and character, that they were known here. They were not as was in my opinion unequivocally demonstrated on Saturday night the 17th and Sunday the 18th December last—although that debate has been suppressed. I say they were not. The embargo was laid on the receipt of the documents expressing the determination of the French government to enforce the Berlin decree and the copy of the proclamation of the king of England, which last was cut out of a newspaper. I again repeat what I said and repeated that night, unknowing whether it will go to the public or not that in my opinion the President of the United States acted with perfect propriety in sending us that newspaper information; that though it was unofficial, it was proper to have been laid before this House as a guide to its decision—and it is an irrefragable proof, the President having sent us that paper, that he did not possess information official or unofficial on the subject of the orders in council when he recommended and we received the proposition of the embargo. It cannot be gotten over, unless gentlemen are willing to admit, which I, *totis viribus*, deny, that the President of the United States was deficient in his duty, or that the newspapers of this place have earlier and more correct information on the subject of our foreign relations than our government. I say that by a recurrence to that message of the President of the United States it will be found that there was no knowledge in the cabinet of the existence of these orders in council—for, although we received the British proclamation, we did not receive any information of those orders in council, though I presume that something might have been apprehended without distinctly knowing what it was. The non-importation act was passed previous to the orders in council, and consequently did not grow out of them; and the embargo, though posterior, was recommended and received by this House before they were known either to the President or to this House, as the journal and a comparison of that file of the National Intelligencer brought into this House on a former occasion will show. The non-importation and embargo acts were passed. They no longer exist—the one no longer exists at all; the other no longer exists as to Great Britain—and the removal of these obstructions was the alleged and true reason of the revocation of the orders in council which were not the moving consideration to passing the non-importation act or laying the embargo.—This is the truth. The withdrawal of the orders in council, out of which the non-importation and the embargo did not arise may be considered as the cause of doing away both the non-importation and the embargo, and the non-intercourse act besides—for the non-intercourse act did grow out of the orders in council and the affair of the Chesapeake—there is no doubt about that—or more properly speaking sir, the non-intercourse act grew out of the embargo; for, really, smarting under the tortures of that most wretched measure, this house and the nation were goaded to that pitch of madness, that a declaration of war from any quarter would by many have been considered better than our then situation. We were in a situation, in which if something be not administered to the suffering patient, he must die—and we took the non-intercourse act. We rejected, and (thank God for it!) not without some little of my instrumentality, the proposition to issue letters of marque and reprisal, which, if adopted, I leave to you and the house to decide whether we should have met in our present agreeable situation. Yes, sir, with the embargo like a blister-plaster upon our backs, we were in such a situation that the committee of foreign relations said, and we affirmed their decree, we must be disgraced or fight all the nations of the earth—fight all, fight nobly, fight like demi-gods. A worthy gentleman from South Carolina (Mr. D. R. Williams) now not a member of this house, also thought that we must fight every body—but he thought better of it, and was content to fight one, and to choose his antagonist. Gentlemen in the other house were of the same opinion; and as they alleged they could not get at France, they chose to fight Great Britain. This was the situation in which we were placed by the operation of the embargo on the public mind. Sir, if we were not quite cool, like Sir Anthony Absolute who has been quoted on the floor of the British house of commons as the prototype of the British minister, we were something like honest Bob Acres—fighting Bob, who was not sensible, till he was put to the pinch, how little he liked, really liked fighting—our fighting disposition, like his, oozed out of our finger ends, or rather our tongues' ends—and we are at peace. After all our friskings and curvetings, we have come back to the same point. All my fear is, sir, lest the cure be not complete—lest some political wizard should discover that, inasmuch as in 1805, prior to the existence of the orders in council, we stood in need of the non-importation act, and as in 1807-8, prior to a knowledge of the orders in council, we stood in need of an embargo, for the same reasons we now stand in need of some other substitute—not the same, sir; for I undertake to say that we never shall have another embargo without limitation of time—it was indeed a horse medicine, but it has worked a complete cure. Really, sir, if we could have been brought to believe in 1805-6, that we could do as well without a non-importation as we can now; in 1807-8 that we could have dispensed with the embargo as well as we can now—and, more especially, if we could have been brought to accept the treaty negotiated by our commissioners at London, which treaty, to say the worst of it, that its enemies ever pretended to allege, was only deficient as containing no express stipulation on the subject of impressment, and redundant as containing this note by way of rider, the object of which I have explained to the house, and which has been accomplished already, by undoing the non-intercourse, withdrawing the prohibition of our waters to British ships, and repealing the old non-importation act—if we had consented at that time to accept the treaty, we should not only have saved ourselves the price of the embargo—(how many hundred millions our secretary of the treasury himself, great a financier and able a calculator as he is, cannot tell; I do not believe he could come within an hundred)—but have avoided other disagreeable consequences.

Yes, sir; as to the note attached to that treaty, the object of that has been attained. The state of the two countries is materially changed for the better, as it regards England; and for the worse as it respects France. We should then have had the colonial trade placed in a most eligible situation—our East India trade placed on a better basis than our commissioners were instructed to have it placed upon, viz. on the footing of the most favored nations. For, if Great Britain be, as we have heard, at war with Sweden, what are the terms on which the most favoured nation is admitted? No terms at all. The terms obtained therefore were unquestionably better than the footing of the most favoured nation. We should also have had an excellent stipulation as to the sea-line; but above all a practical arrangement of the great question of Impressment. It now remains to be seen whether we shall get better terms in relation to impressment than that informal understanding. It now remains to be seen whether we shall obtain better terms from the Portland and Canning administration, than we have heretofore been unwilling to accept from the Grenvilles and the Foxes.

This subject which I have opened in regard to the renewal of intercourse with one of the belligerents, which I hope in time to see renewed with the other—and then, sir, we shall have choice whether we will begin again the cotillion of non-importation, embargo and non-intercourse, or reap the rich harvest of neutrality like men of sense; or whether we shall put the interests of the nation at stake, for the purpose of making very grand and warlike speeches on this floor)—this change on which I most cordially congratulate the nation, is a subject which I should not have opened at this time and in this manner if gentlemen had been willing to take my motion for what it is worth—if my motion had been taken at its current and actual value, I should have waited until I could have presented the points which I have endeavoured to enforce in a more condensed form—for I have not even a note—and nothing but the manner in which this motion has been received has compelled me to endeavour to shew that the motion ought not to be indefinitely postponed, to shew that there does exist a difference of opinion in the nation and in the house in relation to that proclamation and the construction of the non-intercourse law, and to shew the means resorted to and very ingeniously too to smother that difference of opinion.

Mr. Holland said he had no doubt that the President had done his duty in the case referred to in the proposition under consideration; and as he had entertained no doubt but the President would on this and every other occasion do his duty, he said he felt no excessive joy on the occasion. It was only an ordinary act of duty well performed, and therefore he was not willing to distinguish it from those numerous acts which he trusted would be, as they had heretofore been performed by the Executive.—What would be inferred from this procedure?—Why, that it is so seldom our Presidents have done their duty, that in the very first instance in which they have done it, the House of Representatives had discovered and applauded it. If the gentleman thinks so, I wholly disagree with him. If our officers do their duty properly, they will receive the thanks of the nation—and where is the propriety of singling out for approbation or disapprobation this particular act? I see none. It is asked, will you leave the President of the United States to grope in the dark, and not let him know whether he has received our approbation or not. And is the President to judge from the thanks of the House that he has done his duty? How is he to know that they have expressed their sense of his conduct from proper motives? Would he not be right to suspect those who vote for and more especially those who bring forward such a proposition, of improper motives? He would be left still worse to grope in the dark.

Mr. J. G. Jackson. I think the House have nobler duties to perform than passing abstract resolutions, out of which no legislative act is contemplated, merely for the purpose of pouring the oil of adulation upon the head of the chief magistrate; and, according to my conception, the gentleman from Virginia has made an attack on the principles he professes, and upon the independence of this House, which will, as a precedent, be productive of lasting injury. If the course he proposes be a correct one, and we are to pass votes of approbation upon all the leading measures of the Executive, who among us, that may happen hereafter to disapprove any, will we are to oppose, without endangering his standing with the people? I take a wide distinction between the propriety of approving, and the right of condemning. But we are already met with a charge that we condemn the accommodation, and are afraid to meet the question. I repeat sir, I am not inimical to it, for I am highly pleased—and the friends of administration derive a triumph from it—that the spirit of accommodation, which has at no time been intermitted on the part of our government, was met at last by a correspondent disposition on the part of Great Britain.

It is asserted by the gentleman, that the recent arrangement is entered into by Great Britain on very different terms from those offered last summer thro' our minister at London—because, 1st. the non-importation law is now repealed—and 2dly, that having prohibited British ships alone by the proclamation of the President from entering our ports, it was highly offensive to Great Britain, and we have done away the discrimination which existed between them and French vessels. I contend, sir, that the gentleman is wrong in his position, and that the offer made to Great Britain, and rejected, was not worse, but better, as regards her pride or interest, than that now accepted; and the offer of Mr. Pinckney, by order of the President, was of itself a strong proof of the spirit of accommodation which has been evinced by the government.

DEBATE

On Mr. Stanford's motion to remunerate sufferers under the Sedition Law.  
Mr. Renss, of Pennsylvania, moved to amend the Resolution so that enquiry be made whether any and

if any what compensation and remuneration be made to persons punished under the law, to lay a direct tax.—It was a fact, he said, well known in almost every part of the United States, that the people in the district from which he had just been returned, had suffered as much in the cause of democracy as that of any other; that they had presented as firm a barrier to federal oppression, and perhaps had as just claims as any other people in the United States to remuneration for losses in the cause. It was well known that at the time that high-handed measures were taken in this country, an insurrection had taken place in Pennsylvania, commonly known by the name of the hot water insurrection; that it occurred in consequence of the oppression of the law for the collection of a direct tax. Many persons who had opposed the law, under the idea of its being unconstitutional, were prosecuted, punished, and some of them in consequence of those prosecutions and the sentence resulting from them, expired in prison. To some who remained after the aspect of the affairs of the country was changed, mercy was extended by the Executive of the United States; but to those whose prosecutions & convictions were of an earlier date; lenity was not extended; they were compelled to pay their fines before they could be released from imprisonment.

Mr. Gardiner. I beg leave to suggest that if those men who suffered in the hot water insurrection are to be remunerated, it is no more than fair that those should be remunerated who have quietly paid this tax. They were at least respectful to the laws. The committee therefore ought to be instructed to enquire into the propriety of repaying to the several contributors in the various states the direct tax, collected from them; unless there be something so admirable, so lovely, so worthy of encouragement in insurrection, that those concerned in it have peculiar claims to encouragement by government.

Mr. Potter declared himself at a loss to know whether the House was sitting here as a branch of the legislature to pass laws, or as a body to remunerate those concerned in the violation of them. The house sat here to make laws and not to encourage those who resisted them; but if they determined to give premiums for the violations of laws, they had better depart home at once.

(To be continued.)

Thursday, June 1.

DOMESTIC MANUFACTURES.

Mr. Lyon offered a resolution, that additional duties be laid on the importation of various enumerated articles of Foreign manufactures, in order to encourage the manufactures in the U. States.

Mr. Minor observed that this resolution contemplated a duty on what was not at present and probably could not be manufactured in this country. He had no objection to Congress pursuing such measures as might judiciously encourage manufactures; but it was a subject which required serious consideration. He believed that among the *manias* to which the gentleman himself had alluded the other day, the mania for encouraging manufactures might also arise to a dangerous degree. The gentleman contemplated a duty on all cloths above 6s sterling a square yard. Mr. M. said it was well known that in this country, although the coarser cloths were manufactured to a great extent in domestic circles, we could not get into the manufacture of fine cloths. There were not materials for it. He was happy to have seen a disposition to improve the breed of sheep; but at this time the country was not competent to the manufacture of these articles. He had no objection to seeing manufactures encouraged by a determination in gentlemen to wear domestic fabric, even at a greater expence, in preference to any other; but he would not encourage them by law. Manufactures had already been commenced in the Eastern states before the embargo, and which, without any additional duties, had grown to a considerable extent. They were establishments in which a great number of hands were employed at low wages, the emoluments of the business going into the pockets of a few individuals, who were already enriched by them; and the laying an additional duty would only throw so much money into the pockets of those individuals, who alone would benefit by it.

Mr. Macon said he was opposed to referring this motion to the committee of commerce and manufactures, except the house should think proper to refer it as an instruction, for he believed that the committee would not report this session. In the country in which he lived, the people wanted no protecting duties to encourage domestic manufactures; the only way to encourage them was for our great people, for instance the President and Heads of Departments, to make them fashionable. Until domestic manufacture was thus encouraged, it would not thrive; laying a tax on Foreign goods would but tax the many for the benefit of the few. He had no idea of laying taxes to induce men to work in iron, leather or any other article. He wished not to refer this resolution, because he wished to meet the question. Let it be referred, and it would be claimed as the commencement of a system, and as an earnest of what was to be done. When the merchants of this country had too much capital to employ it in the commerce of the U. States, they would either employ it in the improvement of the country, or convert it into manufactures; and until this was the case, men of capital would not employ it in manufactures. All that could be done in manufactures in this country, Mr. Macon said was already done in the domestic way. Before there is a surplus of capital, you cannot go to manufactures. Any attempt to do it before that time, would be like an attempt to raise vegetables in a hot house. The people who were in favour of the embargo, did not look upon it as the gentleman did, as an encouragement to manufacturing; they avowed the object which they had in view, and that was not the encouragement of manufactures. Of what advantage was it to the community to tax themselves to make the articles mentioned in the resolution? So long as there were so many other ways of making a living, people would not go into manufacturing houses. Whilst the present constitution remained to the United States, Mr. Macon said it was utterly impossible for the U. States to become a manufacturing nation. The government must be materially changed before it could succeed; laws must be passed to prevent workmen from conspiring to raise their wages; and all the laws on this subject in existence in England, would become necessary here. Since the tax had been laid on leather manufactures imported, the price of articles of leather had nearly doubled in this country, and the quality was not as good as before.—Going into this system he feared would encourage smuggling—what then would become of manufactures? They would be destroyed. Mr. Macon concluded his observations by expressing his wish that a decision should now be made on the subject.

Mr. Pickman followed Mr. Macon on the same side of the question. We ought also to consider (said he) that we now hold out considerable encouragement to manufactures, for almost all the revenue of the United States is derived from imposts on foreign manufactures, the duties on which already average thirty per cent. and that is surely sufficient. Mr. P. said he was much alarmed when he found this motion predicated on the old non-importation act, which he considered the most absurd and impolitic measure that had ever been enacted. It had prohibited such goods as, if not necessary of life, habit and long usage had made necessary for comfort—and what was the consequence? The articles had risen to most enormous prices—and what resulted from this? The goods had been smuggled into the country, and instead of paying money to the Treasury had been paying it to unprincipled smugglers. It was not perfectly true in political arithmetic that two and two make four; for by doubling the duty they would not double the revenue, but very probably much diminish it.

Mr. Holland thought very differently from his colleague (Mr. Macon) on this subject. He thought manufactures

ought to be encouraged, and that this nation was not yet completely independent till they were furnished with revenue to other systems. The gentleman had said that good was to be derived from the establishment of manufactures. Mr. H. said he would never see that it would place the government in a state of independence of the casualties of the ocean and of external commerce, should not then be consulted by the states of Europe. He thought not; he said, to encourage foreign enterprise, with the same enterprise at home we could equally supply and less subject to disasters. From external commerce arises all our difficulties; from that source we demand all our navy and army bills. We should comparatively stand in need of no revenue if we were to turn our attention to the cultivation of our own resources.

The question for reference to the committee was lost, 49 to 49.



Papers presented to the House of Commons upon the subject of the war IN SPAIN AND PORTUGAL.

Extract of a letter from Lieut. General Sir John Moore to Viscount Castlereagh, dated SALAMANCA, Nov. 24, 1808.

The information which your lordship must already be in possession of renders it perhaps less necessary for me to dwell upon the state of affairs in Spain, so different from that which was to be expected. Had the real strength and composition of the Spanish armies been known, and the defenceless state of the country, I conceive that Cadiz, and not Coruna, would have been chosen for the disembarkation of the troops from England; and Seville or Cordova, not Salamanca, would have been selected as the proper place for assembling of this army.

The Spanish government do not seem ever to have contemplated the possibility of a second attack, and are certainly unprepared to meet this, which is now made upon them—their armies all inferior, even in number, to the French; that which Blake commanded, including Romana's corps, did not exceed 37,000 men, a great proportion of them mere peasantry. The armies of Castanos and Palafox united do not now exceed 40,000, and are not, I suspect, of a better description, and until lately they were much weaker. In the provinces no armed force whatever exists, either for immediate protection or to reinforce the armies. The French cavalry from Burgos, in small detachments, are overrunning the province of Leon, raising contributions, to which the inhabitants submit without the least resistance. The enthusiasm of which we have heard so much no where appears; whatever good will there is (and I believe amongst the lower orders there is a great deal) is taken no advantage of.

I am at this moment in no communication with any of the Generals commanding the Spanish armies. I am ignorant of their plans, or those of the government. General Castanos, with whom, after repeated applications, I was desired to communicate, for the purpose of combining the operations of the British army, was deprived of his command at the moment I had begun my correspondence with him. The marquis of Romana, who is appointed his successor, is still at St. Ander. It is difficult for me to form any plan for myself beyond the assembling of the army. I shall then be in a state to undertake something; and if the Spaniards, roused by their misfortunes, assemble round us, and become once more enthusiastic and determined, there may still be hopes of expelling the French. It is my wish to lay before your lordship, for the information of government, things exactly as they are. It answers no good purpose to represent them otherwise, for it is thus that we must meet them.

I feel no despondency myself, nor do I wish to excite any in others, but our situation is likely to become an arduous one. Reverses must be expected, and though I am confident this army will always do its duty, yet ultimate success will depend more upon the Spaniards themselves, and their enthusiastic devotion to their cause, than on the efforts of the British, who, without such aid, are not sufficiently numerous to resist the armies which will be immediately opposed to them.

General Moore's celebrated last Letter, dated CORUNNA, January 13, 1809.

"Situating as this army is at present, it is impossible for me to detail to your lordship the events which have taken place, since I had the honour to address you from Astorga, on the 31st of December: I have therefore determined to send to England brigadier general Charles Stewart, as the officer best qualified to give you every information you can want, both with respect to our actual situation, and the events which have led to it.

"Your lordship knows that if I had followed my own opinion as a military man, I should have retired with the army from Salamanca. The Spanish armies were then beaten; there was no Spanish force to which we could unite, and I was satisfied that no efforts would be made to aid us, or to favour the cause in which they were engaged.

"I was sensible, however, that the apathy and indifference of the Spaniards would never have been believed; that had the British been withdrawn, the loss of the cause would have been imputed to their retreat, and it was necessary to risk this army to convince the people of England, as well as the rest of Europe, that the Spaniards had neither the power nor the inclination to make efforts for themselves. It was for this reason that I made the march to Sahagun. As a diversion, it succeeded; I brought the whole disposable force of the French against this army, and it has been allowed to follow me, without a single movement being made to favour my retreat. The people of the Gallicias, though armed, made no attempt to stop the passage of the French thro' their mountains. They abandoned their dwellings at our approach, drove away their carts, oxen, and every thing that could be of the smallest aid to the army. The consequence has been, that our sick have been left behind; and when our horses or mules failed, which, on such marches, and thro' such a country, was the case to a great extent, baggage, ammunition, stores &c. and even money, were necessarily destroyed or abandoned.

"I am sorry to say, that the army, whose conduct I had such reason to extol on its march through Portugal, and on its arrival in Spain, has totally changed its character since it began to retreat. I can say nothing in its favour, but that when there was a prospect of fighting the enemy, the men were then orderly and seemed pleased and determined to do their duty. In front of Villa Franca, the French came up with the reserve, with which I was covering the retreat of the army; they attacked it at Calcebelos. I retired, covered by the 95th regiment, and marched that night to Herresias and from thence to Nogales and Lago, where I had ordered the different divisions, which preceded to halt and collect. At Lago, the French again came up with us. They attacked our advanced posts on the 6th and 7th, and were repulsed in both attempts, with loss on our side. I heard from the prisoners taken, that three divisions of the French army were come up, commanded by marshal Soult: I therefore expected to be attacked on the morning of the 8th. It was my wish to come to that issue: I had perfect confidence in the valour of the troops, and it was only by crippling the enemy that we could hope either to retreat or to embark unmolested. I made every preparation to receive the attack, and drew out the army in the morning to offer battle. This was not marshal Soult's object—He either did not think himself sufficiently strong or he wished to play a surer game, by attacking us on our march, or during our embarkation. The country was intercepted, and his position too strong for me to attack with an inferior force. The want of provisions would