

its habits, and encounter the difficulties of war. Such a nation ought to seldom go to war.— When it does, it should be for clear and essential rights alone, and it should firmly resolve to exert its hazards, their recognition. The war of a revolution is an example of a war begun for one object and prosecuted for another. It was waged, in its commencement, for the right asserted by the parent country to tax the colonies. Then no absolute independence. The idea of independence was repelled. But the British Government would have relinquished the right of taxation. The founders of the republic saw, however, that there was no other short of independence, and they secured our independence. When nations engaged in war, those rights in controversy which are not acknowledged by the treaty of peace are abandoned. And who is prepared to say that American seamen shall be rendered, the victims to the British principle of impressment? And, sir, what is this principle? She contends that she has a right to the services of her own subjects; that, in the exercise of this right, she may lawfully impress them, even although she finds them in our vessels, upon the high seas, without her jurisdiction. Now, I deny that she has any right, without her jurisdiction, to come on board our vessels, upon the high seas, for any other purpose but in pursuit of enemies, or their goods, or goods contraband of war.— But she further contends that her subjects cannot renounce their allegiance to her and contract a new obligation to other sovereigns. I do not mean to go into the general question of the right of expatriation. If, as is contended, all nations deny it, all nations at the same time admit and practice the right of naturalization. Great Britain herself does. G. Britain, in the very case of foreign seamen, imposes, perhaps, fewer restraints upon naturalization than any other nation. Then, if subjects cannot break their original allegiance, they may, according to universal usage, contract a new allegiance. What is the effect of this double obligation? Undoubtedly, that the sovereign, having the possession of the subject, would have the right to the services of the subject. If he return to the jurisdiction of his primitive sovereign, he may resume his right to his services, of which the subject, by his own act, could not divest himself. But his primitive sovereign can have no right to go in quest of him, out of his own jurisdiction, into the jurisdiction of another sovereign, or upon the high seas, where there exists either no jurisdiction, or it belongs to the nation owing the ship navigating them. But, sir, this discussion is altogether useless. It is not to the British principle, objectionable as it is, that we are alone to look—it is to her practice—no matter what guise she puts on. It is in vain to assert the inviolability of the obligation of allegiance. It is in vain to set up the plea of necessity, and to allege that she cannot exist without the impressment of HER seamen. The naked truth is, she comes, by her press-gangs, on board of our vessels, seizes OUR native seamen, as well as naturalized, and drags them into her service. It is the case, then, of the assertion of an erroneous principle—and a practice not conformable to the principle—a principle which, if it were theoretically right, must be forever practically wrong. We are told by gentlemen in the opposition, that government has not done all that was incumbent on it to do to avoid just cause of complaint on the part of Great Britain—that, in particular, the certificates of protection, authorized by the act of 1797, are fraudulently used. Sir, government has done too much in granting those paper protections. I can never think of them without being shocked; they resemble the passess which the master grants to his negro slave. "Let the bearer, Mungo, pass and re-pass without molestation." What do they imply? That Great Britain has a right to take all who are not provided. From their very nature they must be liable to abuse on both sides. If G. Britain desires a mark by which she can know her own subjects, let her give them an ear mark. The colors that float from the mast head should be the credentials of our seamen. There is no safety to us, and the gentlemen have shewn it, but in the rule that all who sail under the flag (not being enemies) are protected by the flag. It is impossible that this country should abandon the gallant tars, who have won for us such splendid trophies. Let me suppose that the genius of Columbia should visit one of them in his oppressor's prison, and attempt to reconcile him to his wretched condition. She would say to him, in the language of gentlemen on the other, "Great Britain intends you no harm; she did not mean to impress you, but one of her own subjects; having taken you by mistake, I will remonstrate, and try to prevail upon her, by peaceable means, to release you, but I cannot, ray son, fight for you." If he did not consider this mockery, he would address her judgment and say, "You owe me, my country protection; I owe you, in return obedience. I am no British subject, I am a native of old Massachusetts, where live my aged father, my wife, my children. I have faithfully discharged my duty. Will you refuse to do yours?" Appealing to her passions he would continue, "I lost this eye in fighting under Truxton, with the Insurgente; I got his scar before Tripoli; I broke this leg on board the Constitution, when the Guerriere struck." If she remained still unmoved, he would break

out, in the accents of mingled distress and despair, "Hard, hard, is my fate! once I freedom enjoyed, Was as happy as happy could be! Oh! how hard is my fate, how palling these chains! I will not imagine the dreadful catastrophe to which he would be driven by an abandonment of him to his oppressor, it will not be, it cannot be, that his country will refuse him protection." It is said, that G. B. has been always willing to make a satisfactory arrangement of the subject of impressment; and that Mr. King had nearly concluded one prior to his departure from that country. Let us hear what that minister says upon his return to America. In his letter dated at N. York in July, 1803, after giving an account of his attempt to form an arrangement for the protection of our seamen, and his interviews to this end with Lords Hawkesbury and St. Vincent; and stating that when he had supposed the terms of a convention were agreed upon, a new pretention was set up (the *mare clatum*.) he concludes: I regret not to have been able to put this business on a satisfactory footing, knowing as I do, its very great importance to both parties; but I flatter myself that I have not misjudged the interests of our own country, in refusing to sanction a principle that might be productive of more extensive evils than those it was our aim to prevent." The sequel of his negotiation, on this affair, is more fully given in the recent conversation between Mr. Russell and Lord Castlereagh, communicated to Congress during its present session. Lord Castlereagh says to Mr. Russell:— "Indeed, there has evidently been much misapprehension on this subject, and an erroneous belief entertained that an arrangement in regard to it has been nearer an accomplishment than the facts will warrant. Even our friends in Congress, I mean those who were opposed to going to war with us, have been so confident in this mistake, that they have ascribed the failure of such an arrangement solely to the misconduct of the American government.— This error probably originated with Mr. King, for being much esteemed here, and always well received by the persons in power, he seems to have misconstrued their readiness to listen to his representations, and their warm professions of a disposition to remove the complaints of America in relation to impressment, into a supposed conviction on their part of the propriety of adopting the plan which he had proposed. But Lord St. Vincent, whom he might have thought he had brought over to his opinions, appears never for a moment to have ceased to regard all arrangement on the subject to be attended with formidable, if not insurmountable obstacles. This is obvious from a letter which his Lordship addressed to Sir William Scott at the time." Here Lord Castlereagh read a letter, contained in the records before him, in which Lord St. Vincent states to Sir Wm. Scott the zeal with which Mr. King had assailed him on the subject of impressment, confesses his own perplexity and total incompetency to discover any practicable project for the safe discontinuance of that practice, and asks for counsel and advice.— "Thus you see (proceeded Lord Castlereagh) that the confidence of Mr. King on this subject was entirely unfounded." Thus it is apparent, that, at no time, has the enemy been willing to place this subject on a satisfactory footing: I will speak hereafter of the overtures made of administration since the war. The Hon. Gentleman from New-York (Mr. Bleeker) in the very sensible speech with which he favored the committee, made one observation that did not comport with his usual liberal and enlarged views. It was that those who are most interested against the practice of impressment did not desire a continuance of the war on account of it, whilst those (the southern and western members) who had no interest in it, were the zealous advocate of the American seamen. It was a provincial sentiment unworthy of that gentleman. It was one which, in a change of condition, he would not express, because I know he could not feel it. Does not that gentleman feel for the unhappy victims of the tomahawk in the Western country, although his quarter of the union may be exempted from similar barbarities? I am sure he does. If there be a description of rights which, more than any other, should unite all parties in quarters of the Union, it is unquestionably the rights of the person. No matter what his vocation; whether he seeks subsistence amidst the dangers of the deep, or draws it from the bowels of the earth, or from the humblest occupations of mechanic life; whenever the sacred rights of an American freeman are assailed, all hearts ought to unite and every arm should be braced to vindicate his cause. The gentleman from Delaware sees in Canada no object worthy of conquest. According to him, it is a cold, sterile, and inhospitable region. And yet, such are the allurements which it offers, that the same gentleman apprehends that, if it be annexed to the United States, already too much weakened by an extension of territory, the New-Englanders will rush over the line and depopulate that section of the Union! That gentleman considers it honest to hold Canada as a kind of hostage to regard it as a sort of bond, for the good behaviour of the enemy. But he will not enforce the bond. The actual conquest of that country would, according to him, make no impression upon the enemy, and yet the very apprehension only of such a conquest would

at all times have a powerful operation upon him! Other gentlemen consider the invasion of that country as wicked and unjustifiable.— Its inhabitants are represented as unoffending, connected with those of the bordering states by a thousand tender ties, interchanging acts of kindness, and all the offices of good neighborhood. Canada, said Mr. C. innocent! Canada unoffending! Is it not in Canada that the tomahawk of the savage has been moulded into its death like form? From Canadian magazines, Malden and others, that those supplies have been issued which nourish and sustain the Indian hostilities? Supplies which have enabled the savage hordes to butcher the garrison of Chicago, and to commit other horrible murders? Was it not by the joint co-operation of Canadians and Indians that a remote American fort, Michilimackinac, was fallen upon and reduced, in ignorance of a state of war? But, sir, how soon have the opposition changed. When administration was striving, by the operation of peaceful measures, to bring Great Britain back to a sense of justice, they were for old fashioned war, and now that they have got old fashioned war, their sensibilities are cruelly shocked, and all their sympathies are lavished upon the harmless inhabitants of the adjoining provinces. What does a state of war present? The united energies of one people arrayed against the combined energies of another—a conflict in which each party aims to inflict all the injuries it can, by sea and land, upon the territories, property and citizens of the other, subject only to the rules of mitigated war practised by civilized nations. The gentleman would not touch the continental provinces of the enemy, nor I presume, for the same reason, her possessions in the West-Indies.— The same humane spirit would spare the seamen and soldiers of the enemy. The sacred person of his Majesty must not be attacked, for the learned gentlemen, on the other side, are quite familiar with the maxim, that the king can do no wrong. Indeed, sir, I know of no person on whom we may make war, upon the principles of the honorable gentleman, but Mr. Stephens, the celebrated author of the orders in council, or the board of admiralty, who authorise and regulate the practice of impressment! The disasters of the war admonish us, we are told, of the necessity of terminating the contest. If our achievements upon the land have been less splendid than those of our intrepid seamen, it is not because the American soldier is less brave. On the one element organization, discipline, and a thorough knowledge of their duties exist, on the part of the officers and their men. On the other, almost every thing is yet to be acquired. We have however the consolation, that our country abounds with the richest materials, and that in no instance, when engaged in action, have our arms been tarnished. At Brownstown and Queenstown the valor of veterans was displayed, and acts of the noblest heroism were performed. It is true, that the disgrace of Detroit remained to be wiped off. This is a subject on which I cannot trust my feelings, it is not fitting I should speak. But this much I will say, it was an event which no human foresight could have anticipated & for which administration cannot be justly censured.— It was the parent of all the misfortunes we have experienced on land. But for it, the Indian war would have been in a great measure prevented or terminated; the ascendancy on lake Erie acquired, and the war pushed perhaps to Montreal. With the exception of that event, the war, even upon the land, has been attended by a series of the most brilliant exploits, which, whatever interest they may inspire on this side of the mountains, have given the greatest pleasure on the other. The expedition under the command of governor Edwards and col. Russell to lake Piort on the Illinois, was completely successful. So was that of capt. Craig, who, it is said, ascended that river still higher. General Hopkins destroyed the Prophet's town. We have just received intelligence of the gallant enterprise of col. Campbell. In short, sir, the Indian towns have been swept from the mouth to the source of the Wabash, and a hostile country has been penetrated far beyond the most daring incursions of any campaign during the former Indian war. None was more cool, deliberate and bravely displayed, than that by Newman's party from Georgia. And the capture of the Detroit, and the destruction of the Caledonia (whether placed to our maritime or land account) for judgment, skill and courage on the part of Lieutenant Elliott, has never been surpassed. It is alleged that the elections in England are in favor of the ministry, and that those in this country are against the war. If in such a cause (saying nothing of the impurity of their elections) the people of that country have rallied around their government, it affords a salutary lesson to the people here, who at all hazards ought to support theirs, struggling as it is to maintain our just rights. But the people here have not been false to themselves, a great majority approve the war, as is evinced by the recent re-election of the chief magistrate.— Suppose it were even true, that an entire section of the Union were opposed to the war, that section being a minority, is the will of the majority to be relinquished? In that section, the real strength of the opposition had been greatly exaggerated. Vermont has, by two successive expressions of her opinion, approved the declaration of war. In New-Hampshire,

parties are so nearly equipoised that out of 35,000 votes, those, who approved and were for supporting it, lost the election by only 1000 or 1500 votes. In Massachusetts alone have they obtained any considerable accession. If we come to New York, we shall find that other local causes have influenced her elections. What cause, Sir, which existed for declaring the war has been removed? We sought indemnity for the past and security for the future. The orders in council are suspended, not revoked; no compensation for spoliation, Indian hostilities, which were before secretly instigated, now openly encouraged; and the practice of impressment unremittingly preserved in and insisted upon. Yet administration has given the strongest demonstrations of its love of peace. On the 29th June, less than ten days after the declaration of war, the Secretary of State writes to Mr. Russell, authorising him to agree to an armistice, upon two conditions only, and what are they? That the orders in council should be repealed and the practice of impressing American seamen cease, those already impressed being released. The proposition was for nothing more than a REAL truce; that the war should in fact cease on BOTH sides. Again on the 27th July, one month later, anticipating a possible objection to terms, reasonable as they are Mr. Monroe empowers Mr. Russell to stipulate in general terms for an armistice, having only an informal understanding on those points. In return, the enemy is offered a prohibition of the employment of his seamen in our service, thus removing entirely all pretext for the practice of impressment.— The very proposition which the gentleman from Connecticut (Mr. Pitkin) contends ought to be made has been made. How are these pacific advances met by the other party? Rejected as absolutely inadmissible, cavils are indulged about the inadequacy of Mr. Russell's powers, and the want of an act of congress is intimated. And yet the constant usage of nations, I believe, is, where the legislation of one party is necessary to carry into effect a given stipulation, to leave it to the contracting party to provide the requisite laws. If he fail to do so, it is a breach of good faith and a subject of subsequent remonstrances by the injured party. When Mr. Russell renews the overture, in what was intended as a more agreeable form to the British government, Lord Castlereagh is not content with a simple rejection, but clothes it in the language of insult. Afterwards in conversation with Mr. Russell, the moderation of our government is misinterpreted and made the occasion of a sneer, that we are tired of the war. The proposition of Admiral Warren is submitted in a spirit not more pacific. He is instructed, he tells us, to propose that the government of the U. Shall instantly recal their letters of marque and reprisal against British ships, together with all orders and instructions for any acts of hostility whatever against the territories of his majesty, or the persons or property of his subjects.— That small affair being settled, he is further authorised to arrange as to the revocation of the laws which interdict the commerce and ships of war of his majesty from the harbors and waters of the U. States. This messenger of peace comes with one qualified concession in his pocket not made to the justice of our demands, and is fully empowered to receive our homage, the continued retraction of all our measures adopted against his master! And in default, he does not fail to assure us, the orders in council are to be forthwith revived. Administration, still anxious to terminate the war, suppresses the indignation which such a proposal ought to have created, and in its answer concludes by informing Admiral Warren, "that if there be no objection to an accommodation of the difference relating to impressment, in the mode proposed, other than the suspension of the British claim to impressment during the armistice, there can be none to proceeding, without the armistice, to an immediate discussion and arrangement of an article on that subject." Thus it has left the door of negotiation unclosed, and it remains to be seen if the enemy will except the invitation tendered to him. The honorable gentleman from N. Carolina (Mr. Pearson) supposes, that if Congress would pass a law prohibiting the employment of British seamen in our service, upon condition of a like prohibition on their part, and repeal the act of non-importation, peace would immediately follow. Sir, I have no doubt if such a law were passed, with all the requisite solemnities, and the repeal to take place, Lord Castlereagh would laugh at our simplicity. No, sir, administration has erred in the steps which it has taken to restore peace, but its error has been not in doing too little but in betraying too great a solicitude for that event. An honorable peace is attainable only by an efficient war. My plan would be, to call out the ample resources of the country, give them a judicious direction, prosecute the war with the utmost vigour, strike wherever we can reach the enemy, at sea or land, and negotiate the terms of a peace at Quebec or Halifax. We are told that England is a proud and lofty nation, that disdaining to wait for danger, meets it half way. Haughty as she is, we once triumphed over her, and, if we do not listen to the councils of timidity and despair, we shall again prevail. In such a cause, with the aid of Providence, we must come out crowned with success; but if we fail, let us fall like men, lash ourselves to our gallant tars, and expire together in our common struggle, fighting for "SEAMEN'S RIGHTS AND FREE TRADE."