

The RALEIGH MINERVA.

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THURSDAY, JANUARY 18, 1810.

No. 720.

Congress.

HOUSE OF REPRESENTATIVES.

Saturday, January 6.

Letter from the Secretary of the Treasury giving an account of the expenditures of the year, proceeding the 1st of September, Ordered to be printed, and referred to the committee of ways and means.

Report from the committee of ways and means reported a bill for reviving the act and continuing it until 1811, laying an additional duty of ten per cent. commonly called the Mediterranean. Read twice and referred to a committee of the whole house on Monday.

Report from the committee on naval armaments, reported in part the following resolutions:

That the hulls of the frigates now in service, ought to be immediately repaired, and that \$1,000,000 be appropriated for that purpose. Resolved, That a committee of the whole house on the subject be appointed.

Mr. Ross called for the order of the day. The committee appointed to draft rules of the house—Mr. Pickin in the chair. Mr. Livermore's motion to strike out under consideration.

Mr. Bladale spoke against the rule. Mr. Gardenier spoke also at considerable length against the rule. His speech, as usual, was clear, and argumentative. He protested against taking away the privilege of speech in any way whatever.

Mr. Bacon spoke against the rule. He thought the rule incorrect; and though he did not think it probable that the rule would be abused, yet he did not wish as one of the members to have any such power put into his hands. He did not desire to be led into temptation. He declared that he did not much like free resolutions in any shape; yet in the way the matter stood he should not object to it; the broad shape it now appeared he should resist.

Mr. Ross spoke again very loud; but we must repeat it, though it may again offend him, we speak with very little judgment.

Mr. Kee also spoke in favor of the rule. He proceeded with some severe remarks on Mr. Livermore's conduct in a late debate, when he was ordered by Mr. Gardenier. Mr. Gardenier proceeded to state the words to which he objected when he was called to order by Mr. John. Some objectionable words not being written, Mr. Gardenier wrote the words, they were read. Mr. Kee explained, and the chairman decided, that the rule should go on. He went on and concluded his remarks.

Quarter before three, the question on Mr. Livermore's amendment to strike out the rule was put, and lost, 47 rising in the affirmative, and 57 in the negative.

Mr. Quincy moved to strike out the alterations inserted in such words as shall make this rule the same as the rule formerly adopted. Lost. Mr. Quincy made a motion to insert a sentence which would ensure the right of every member who may wish to speak at least once.

Mr. Fallmadge spoke with great force of argument in favor of the amendment and against the rule. The committee rose and reported progress.

Monday, January 8.

Mr. Livermore moved a resolution to request the Secretary of the Treasury to cause to be laid before this House a copy of any instructions which may have been issued to the several collectors of the United States, relative to refusing to receive private armed vessels of the United States. Adopted.

Mr. Nelson, from the committee on the militia, reported the bill for the establishment of the United States, on the message of the third instant, reported the following resolution:

That provision be made by law immediately to raise 20,000 volunteers to be enlisted from the time of their enrollment. Referred to a committee of the whole house tomorrow.

AMERICAN NAVIGATION ACT.

Mr. Macon, the House resolved to refer to a committee of the whole, Mr. Debauch's bill "respecting the commerce between the United States and Great Britain and France, and for other purposes." The chairman had read through the third section which interdicts the entrance into the States of all vessels sailing under the flags of Great Britain or France.

Mr. Livermore made some objections. Mr. Sawyer was against the bill altogether; he thought the committee to rise for the purpose of reporting the bill to sometime in February next.

Mr. Macon adverted to the opposite reasons of the two gentlemen who preceded him in proposing the bill. The gentleman from Massachusetts thought it was so strong that it would be drawing upon us countervailing acts; his colleague thought its weakness would only invite further aggression on us. The committee on Foreign Relations, he said, had been of the opinion that the situation in which they were placed was a pacific one. It had been understood on all hands, that the non-intercourse law was totally useless. It was necessary

that something should be done; and the committee had agreed to report this bill. The gentleman from Massachusetts had told the House that if they adopted this bill, and Great Britain and France should countervail its provisions, the United States would suffer. At present, Mr. Macon said they captured and condemned our vessels, and they could not injure us much more in that way. The real question was, whether, as the President in his message had shewn a disposition for further negotiation, Congress should lend him their aid in it. Suppose Great Britain did countervail, and say that our ships should not go to her dominions, then the bill had provided that neither America, Halifax, or any other intermediate port shall be a place of deposit. But as our exports were the most bulky, if it were to be agreed that each nation should carry its own products, we should carry fifteen or twenty times as much as Great Britain would, and the advantage would be greatly on our side.

The bill had been reported in such a form, Mr. Macon said, as that such parts as should not be agreeable to the House should be struck out. His colleague had thought the bill too weak. If Congress were to adopt the bill, did it prevent them from adopting more energetic measures? Certainly not. This bill differed wholly in its nature from the non-intercourse law, because it took off the restrictions from ourselves and put them on our assailants. It appeared to him, under the present situation of the country, that the committee must have been unfortunate indeed if it had reported a bill for issuing letters of marque and reprisal; for, last winter, when matters stood much the same as they did now, the question had been tried in this House with perhaps a few votes as any thing ever received which had been talked so much about. When the question had been stated on issuing letters of marque and reprisal forthwith, instead of at a distant day, where then had been the energy called for? A reference to the Yeas and Nays on that vote would shew how few had voted in the affirmative.

Mr. M. said it was evident from the whole tenor of the bill that its object was to take the restrictions from our own nation and lay them on Great Britain and France; and it was an object worthy of consideration in the passage of this bill, that it was such a one as the nation could stand to for any length of time. If the committee were to strike out every clause in the bill but that which repealed the non-intercourse law, he should be opposed to rising till they agreed to that one. At every place in the nation where even a boat could come, the people were satisfied that the non-intercourse law could not be enforced. If it was a mere dead letter, it should be repealed, and should thus put every man in the nation on the same footing.

As he did with his colleague think this a very weak bill, neither did he with the other gentleman think it a very energetic bill. He said he should have liked to have heard this talk of energy when the Chesapeake was attacked, and when the celebrated orders in council were issued; but the time for it had passed. They could not all it seemed, get warm at the same time. It was best to take such measures now as the nation could stand to, and as would enable the President to settle our disputes with one or both belligerents; and this bill was calculated for that purpose. Whether the bill would satisfy the people or not, he was totally ignorant. He himself could never tell here what would satisfy those whom he represented, and all that he could do was to act as he thought right and depend on such conduct for their approbation. Last winter the measures which his colleague now called paper measures were too strong for him, for he wanted to open a gate to go to the West India Islands. This bill was different from the non-intercourse law as it opened the world to the commerce of the United States, and shut their ports to the vessels of Great Britain and France. Mr. M. said he had hardly expected a complaint against the bill from the East, though he had thought from another part of the nation there might be a complaint. He cared very little what was done, so that there was not too much energy in it. He was not for a declaration of a war just now, and he took this opportunity of saying so. The nation was not so much prepared now for war as it had been last winter, or as it had been when the Chesapeake was attacked. As to the petty quarrel between Mr. Smith and Mr. Jackson, he did not think that it changed the state of affairs one iota.

Mr. Pickman expressed his hope that the motion for the rising of the committee would not prevail. He considered the bill as a very important one, and sincerely hoped that it would meet that cool and deliberate discussion to which its importance and the respectability of the committee who reported it entitled it. There were some parts of the bill which met his cordial approbation; there were other parts to which he could not give his assent till his objections to them were removed. The first section of the bill (interdicting the entrance of our waters to the public armed ships of Great Britain and France) he approved. He said it would be recollected that at the last session of Congress he had voted for the motion for excluding the armed ships of both Great Britain and France. He had done it because he thought it a disgrace to admit into our waters armed ships sailing under orders to capture our vessels; and he hoped they never would be admitted under such circumstances. With respect to the third section he confessed that he had not entirely made up his mind. He did not think, however, that it would authorise either Great Britain or France to pass such a decree as his colleague seemed to think

they would do; for it would not essentially change our commercial relations with them, as they are now prohibited from carrying on commerce with our ports, and our vessels are prohibited from going to theirs.

Mr. P. said it would also be recollected by gentlemen that he had spoken against the non-intercourse law at the last session, and did not vote for it because he had believed it totally ineffectual for the purposes for which it was passed. He had thought men, and experience had confirmed the truth of his opinion, that it was totally inefficient; that our citizens could not be restrained from violating it, and that it would operate only on those honest men who were disposed to pay a regard to the laws of their country, although they doubted their expediency. The 5th section of this bill (prohibiting the importation of French or British goods from any other part of the dominions of either than where they were grown or manufactured) he said was liable to some of the same objections as the non-intercourse law. He conceived it utterly impossible thus to prevent the importation of the produce or manufactures of Great Britain and France, as, if prohibited directly, they would be imported circuitously through St. Bartholomews, &c. and our merchants might innocently import the produce or manufacture of these countries, after purchasing them as the produce of the neutral country. At present so numerous and so complicated were the various restrictive laws with respect to our commerce that it was almost impossible for the most honest man to construe them correctly. This information he said he derived from the collector of the port of Salem in Massachusetts, who, he believed, was disposed to give as fair a construction to the laws as any man in the United States. Mr. P. said it was very requisite that this or some such bill should pass, for the reason that it went to take off all the restrictions from our own citizens and throw them upon the subjects of those nations which were pirating on our commerce. He hoped the motion would not prevail for the committee's rising, but that they should go on and give the bill a full and deliberate discussion.

Mr. Taylor said if indeed this bill was as nerveless as it had been represented by the gentleman from North Carolina (Mr. Sawyer) and from other quarters, he believed it would be easy to demonstrate that the course which the gentleman himself had proposed to give this subject was infinitely more nerveless and destitute even of infantine strength. [Mr. Sawyer said he had made no proposition.] Mr. Taylor said he alluded to the proposition for postponing the consideration of the subject till February. Are we, said Mr. T. on a bed of roses? Will the House recollect the situation in which we are? It is true that I was not an admirer of the present project—I did not give it my support in the committee; but nevertheless, when I reflect on the situation in which we shall be if this bill be postponed, I conceive it is necessary to vary our situation. The non-intercourse law has produced the effects foretold. You have given up the carrying trade, the bone of contention, the very object which the gentleman from Pennsylvania (Mr. Milnor) very truly told you excited the jealousy of Great Britain, to your rival. Where are we now, sir? A gentleman, upon whose information I can rely as correct, has slipped upon my table a paper containing the information that there are now at Amelia Island one hundred British merchant vessels ready to take the bread from our merchants, who in fact have only the alternative of coasting along to Amelia Island, whence our produce will be immediately shipped across the Atlantic. Now would it not be nerveless indeed to arrest the consideration of this subject for two or three months when this is the state of things?

I understand that our custom house offices are hermetically sealed; that although British goods are found on the shelves of our merchants, yet, as the non-intercourse law has said that they cannot be imported, they get into the country without the custom house officers receiving a single cent to pay the public berthings. This is precisely the situation in which the gentleman from North Carolina wishes us to continue for six or eight weeks longer. Let this bill be adopted or not, I do not like gentlemen to condemn it in the lump, unless they will be kind enough to make some specified proposition to substitute in the place of the clauses of it, which shall better our situation. We must act on it. We are, as the country now stands, the enemies of the commercial interest; for we are giving foreign nations the entire benefit of our commerce, and depriving our honest citizens of the advantages which this bill will offer to them. If it is of importance that our flag should be unfurled on the ocean as a commercial nation, it is necessary that we should now act. Every commercial town, port and harbor knows the course the thing is taking. The American vessel takes its departure with a cargo of produce, and returns to this country no more unless it has cast away its character of American and become a foreign vessel. It is probable, sir, that among those vessels at Amelia Island are many that were American but are now changed to English.

I am decidedly against the committee's rising. Some parts of the bill may be good, some bad; but there certainly is a clause in the bill which will keep pirates and plunderers from our ports and harbors—and as to energy, I can tell those who talk of it that there is a clause in this bill which may prevent us from being *Cochet-hoened*; that a port may be so well fortified by nature and art combined as to oppose an armed force *approaching*, and yet which may not be competent

to repel it after it has been received in peace and friendship within our ports and harbors.

Mr. Livermore declared himself also opposed to the committee's rising. He wished to know what was the extent of trade now carried on with our ports in British bottoms, and what its amount? He said he knew that there was a small trade carried on in small vessels from Nova Scotia to the United States, and which was very beneficial to the citizens of the United States; the stoppage of which, as proposed, would operate very unequally. It was a trade which could not so well be carried on by vessels of the United States. If Congress commenced this business, they might shew Great Britain how she also might lay additional restrictions. Some of the sections of this bill Mr. L. said he thought it would be proper to retain; but there were some that he entirely disapproved. As to the non-intercourse, there was no occasion for repealing it in relation to Great Britain, because it was not in force against her; and this he thought he could demonstrate at a perpetuity.

Mr. Sawyer said if he had as much confidence in the inefficacy of the bill as the gentleman from North Carolina (Mr. Macon) he should make no opposition to it; but he expected nothing from it. He said Mr. S. we take upon ourselves a warlike attitude and evince a disposition to be independent, we shall produce such an embarrassment that the present ministry of Great Britain will have to treat with us or retire from power. But if we do no more than pass such a bill as this, we shall be stripped, by orders in council, one after another of every vestige of commercial rights. What are we afraid of? Can any change be for the worse? Why are we afraid of going to war? Shall we not have to borrow money to pay the current expenses of the year? We should only have to do the same in war. Never was there a more favourable moment for it. By the treaty of Vienna England is left without a chance of gaining a footing on the continent. If we take a manly and independent ground, we shall compel her ministry to respect our rights. Are we to wait for her to declare war first? If we do, we may wait for ever. She will never declare it as long as she can carry it on as she does now without declaring it. Although I am opposed to a navy, yet I am desirous, when we have one, that its powers shall be exerted. If we were to send it to sea and make a bold irruption into Canada, we might produce some effect, but never by such measures as these.

Mr. Sheffield said that not having expected this bill would so soon be called up, he had not given to it that attention which he should otherwise have done; but he had paid sufficient attention to it to conceive it worthy of consideration. It had been observed by a gentleman apparently opposed to it, that it was not sufficiently energetic on the one hand, and on the other that it would embarrass commerce. Taking it for granted, said Mr. S. that we ought to adopt a stronger measure, is that a reason why this bill should not be passed, and remain in force until our present peaceful attitude is changed? If a strong measure were to be brought forward, it would probably supersede this bill. But what, sir, is the energy of which gentlemen talk? If they want war, why do they not come forward and lay a declaration of war on the table? What are energetic measures if this be not what is meant? Let us, if it be deemed expedient, give a right to our merchants to defend themselves against England and France—but do not let us be diverted from the bill. It does not appear to me to be the sentiment of a majority of the House that we ought at this time to change the attitude of the country; it does not appear to be the sentiment of the Chief Magistrate. Prepare for the worst—but go no farther. This is the energy I would recommend. Make preparation, but take no steps of hostility.

Let us consider this question on the objection from the other side of the House. If gentlemen are not willing to go to war, what will they do? Or will they do any thing beyond a preparation for defence? Will they suffer the non-intercourse to remain in force? I see no disposition on any side to do this. We see that the prosperity of agriculture requires commerce. Nothing but the most imperious circumstances operating on a nation can prevent the exportation of certain products of agriculture.—The non-intercourse on this account is not enforced or is evaded. Thus situated, what is its tendency? To corrupt the people. As a measure of coercion, it is certainly a phantom—for what effects does it produce? Are not the manufacturers of England now furnished with the raw materials necessary for their fabrics and with every thing you could give them? You make the farmer and planter pay the exorbitant price for European goods, whilst his produce is reduced, by the want of competition in the market, to the lowest possible price. Under these circumstances the non-intercourse, I presume, is not to be continued.

France and England, Mr. S. said, had granted us no commercial rights; and there was, therefore, no call for liberality towards them. The United States ought to carry on commerce because necessary to the support of agriculture, and they ought to carry it on to the greatest advantage to their own citizens. And what then should be the course pursued? Not to destroy commerce by non-intercourse and non-intercourse acts, but to carry it on so that it should be beneficial to the government in point of revenue, and to those who carried it on. What should Congress do to make it so? They ought to foster the rights of navigation. He said he would ask gentlemen to *WELL*