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Congress of the United States.

HOUSE OF REPRESENTATIVES.

DEBATE.

On the admission of the Territory of Orleans to the Union as a State.

(Mr. Poindeexter's Speech concluded.)

The mind, which once resolves on political suicide, can never be restored to a sense of moral virtue & integrity. And wretched would be the fate of this country, were its destinies committed to those who openly avow that intention. The notorious conspiracy of Aaron Burr, had for its basis the detestable project of dismembering the Union. And what, sir, was the fate of that infatuated individual? Exiled from his native country, in which he once held a distinguished place, not only in the administration of its government but also in the affections of the people; a beggar in Paris, and a fit instrument to be used by foreign courts, to bring distress and ruin on the country, from which his crimes have expelled him. And yet that man did not dare to go the lengths which the gentleman from Massachusetts has been permitted to go within these walls. Did Aaron Burr, in all the ramifications of his treasonable projects ever declare, to an assembly of citizens, that the states were free from their moral obligations? "And that as it will be the right of all, so it will be the duty of some to prepare definitely for a separation, peaceably if they can, violently if they must?" No, sir. Had such expressions been established, by the evidence on his trial, I hazard an opinion, that it would have produced a very different result. Perhaps, sir, instead of exile, he would have been consigned to a gibbet. For it cannot be concealed that the language of the gentleman from Massachusetts, if accompanied by an overt act, to carry the threat which it contains into execution, would amount to treason, according to its literal and technical definition in the constitution and laws of the United States. The fate of Aaron Burr ought to be a salutary warning against treasonable machinations—and if others, having the same views, do not share a similar fate, it will not be because they do not deserve it. Sir, the gentleman from Massachusetts, unfortunately for himself, has referred to the opinions of the present minister in Russia. Comparisons are indeed odious—but on this occasion the gentleman has invited the contrast. In the memorable discussion on the Louisiana treaty, Mr. Adams said, "I consider the object as of the highest advantage to us; and the gentleman from Kentucky himself,* who has displayed with so much eloquence the immense importance to this union of the possession of the cold country, cannot carry his ideas on that subject farther than I do." And on a subsequent occasion, when called upon to decide the delicate question whether a member of the Senate of the United States should be expelled from that body for treason and misdemeanor, with which he was charged, Mr. Adams in his able report to the Senate on that subject uses the following strong and perspicuous language:—"If the ingenuity of a demon were tasked to weave into one composition all the great moral and political evils, which could be inflicted on the people of these states, it would produce nothing more than a texture of war, dismemberment and despotism." These are the sentiments and feelings of that distinguished citizen who is now our minister at the court of St. Petersburg. They breathe the spirit of an American who cherishes the constitution under which we are assembled as the chief stay of his hope; as the light which is destined to gladden his own day by the prospect it sheds over his children." Let us examine whether the gentleman from Massachusetts falls "not behind him in such sentiments." The inhabitants of the country which our minister in Russia declared to be of such immense importance to this union are about to be admitted to a participation of those rights which belong to every American citizen, and the country itself incorporated into the United States. Compare, I beseech you, sir, the language of the gentleman from Massachusetts, with that used by the Russian minister. "If this bill passes, (says the gentleman) it will justify a revolution in this country—The union will be virtually dissolved—Civil war will become sanctified as a matter of right in each of the states; if they are not permitted to separate peaceably." Political jealousy is inculcated between the Eastern and Western states—Every circumstance which is calculated in the remotest degree to excite discord and division, is studiously adverted to. The inhabitants of Louisiana are represented as wild and uncivilized in the woods, and dependent on the Eastern states for clothes to cover their nakedness—they are called at one time the wild men of Missouri, and at another the Anglo-Hispano Gallo Americans, who bask on the sands in the mouth of the Mississippi; and to cap the climax we are alarmed with the apprehension, that six new states are to be formed in the West, which are to swallow up the power of the original partners to the constitution, and control the nation. Are these the suggestions of a mind which yields to none in its attachments to the constitution? Sir, they are the ebullitions of political drunkenness, designed to produce internal "war, dismemberment and despotism." I do not think the gentleman from Massachusetts has any reason to congratulate himself on the reference which he made to the opinions of the Russian minister.

On the one hand, we discern nothing but patriotism and union, and on the other political jealousy, revolution, disunion, and the inseparable associate of these, despotism.

But, Mr. Speaker, the people of the Eastern States will never give their assent to a dissolution of the Union. They are bound to the western country by the inseparable ties of nature and of interest. The hardy and adventurous sons of New England will, in a short time, compose a large proportion of the population on the waters of the Mississippi, & I undertake to assure the gentleman from Massachusetts, that they will never return to the "break into his house, or the houses of his friends, to slich their children's clothes in order to cover their nakedness." In that new and fertile region, the hand of industry is rewarded with a rich return of the comforts of life, which the liberality of its inhabitants distributes with benevolence and hospitality. Besides these natural bonds which are every day increasing between the Eastern and Western portions of the United States, there is a reciprocal advantage in the intercourse which is preserved between them.—The western country is peculiarly adapted to the pursuits of agriculture, and the river Mississippi is the great high way thro' which their bulky articles are conveyed to a suitable and profitable market.

The Eastern States have long been and will long continue to be the carriers of these surplus products, to the seaport cities of the United States, to the West Indies and Europe. Is it not then the interest of those who are engaged in the carrying trade to give encouragement to agriculture? There are mutual benefits in this interchange of labor which tends to promote the welfare of each section of the Union. No collision of interest can ever exist between the growers of hemp, flour, cotton, tobacco and sugar, and the carrier who finds employment in their transportation to the countries in which they are consumed. If any advantage could be derived from a separation to these states, it would be found to preponderate in favor of the Western division. We should at once become possessed of the public lands which are said to be a fund on which the nation may rely for revenue to an incalculable amount.

These lands have been acquired at the national expense and it would therefore be unreasonable and unjust, to confer them wholly on the Western states. But if the deleterious consequences which have been predicted by the gentleman from Massachusetts should be realized, such will be the inevitable effect in relation to the territory belonging to the United States.

Surely, sir, there is patriotism enough even in the city of Boston to counteract the deteriorating principles of that gentleman.—Let us adhere to the maxims of wisdom, and by union of sentiment and action convince the nations of Europe that we are too powerful to be conquered, and too happy to be seduced from the allegiance we owe to the government of our choice.

DEBATE ON FOREIGN RELATIONS.

House of Representatives,

Saturday, February 2.

Mr. Eppes moved to discharge the committee of the whole from the further consideration of the bill supplementary to the act concerning commercial intercourse, &c. for the purpose of recommending the bill to the committee who reported it.

Mr. Goldsborough wished the gentleman to state the reasons which urged him to move a recommendation of the bill. It was usual in such cases to state the grounds of the motion.

Mr. Eppes said he had no objection to state the reasons which operated with him. The bill contained various provisions respecting enforcing the law of May last. The non-intercourse system went into operation to-day. It had been considered by the committee of foreign relations, that, in the present aspect of our affairs, it would be better to provide for the relief of our own citizens and suspend the passage of the law for enforcing the non-intercourse until the doubts hanging over our foreign relations were dissipated. Under these impressions, the committee had thought it proper that a distinct bill should be reported to admit to entry all vessels sailing from Great-Britain after the 2d of February.

Mr. Randolph wished to know whether it was in order to make a motion amendatory of the motion for recommitment?

The Speaker replied in the affirmative.

Mr. Randolph said he had attended the house with great anxiety yesterday with a view to make the motion which he was now about to submit as an amendment to that under consideration; but could not procure the floor. The amendment which he wished to propose, Mr. R. said, was one which he should have wished to have offered in the shape of a separate resolution, and which he came down to the house to-day prepared to offer. He should make "but few prefatory remarks on this subject. Time was short, was precious; and, above all, he should wish the House to act with promptitude, in whatsoever manner it might decide on this question. It would be remembered—and really nothing was farther from his wish; nothing was farther from his policy, than a desire to create an unpleasant sensation or reflection in the mind of any member of the house—it would be recollected, he said, that we had made a sort of retreat from the embargo to the old non-intercourse law. Among the objections which then suggest-

ed themselves to the friends as well as the opponents of that law, the ingenious one which has been taken in France never once occurred: it was not contended, he believed, that it would give to that government a plea for heavy retaliation on us. Such, however, was the fact. The sequestrations and confiscations of American property in France have been made avowedly in retaliation of the non-intercourse law No. 1. From that law, however, we escaped to another position—changed our front, and took post on the act—he forgot the title of it—concerning commercial intercourse and so forth—the act of last session. And now, Mr. R. said, it seemed they were to have a modification of the law, in some parts it was to be repealed away, weakened like some parts of this building; in others buttressed and supported, no matter at what expence of public prosperity or happiness—one half the building in a state of magnificent repair; the other leaky and unfit for the residence of human beings.

Nothing was further from his wish, Mr. R. said, than to enter into a detailed exposition of our foreign relations. But he asked all sides of the House to lay their hands on their hearts and ask themselves what benefit had accrued from the non-intercourse law No. 1, and that of the last session, No. 2. Why did they continue on the statute book these acts? Why were these measures, totally inadequate as relates to foreign powers, altogether inadequate to coercion on them, suffered to remain in existence? Let us suppose a Liverpool ship, containing the cotton and tobacco of the Southern states, arriving in England, was confiscated, and the proceeds paid into the British exchequer, on the plea of retaliation to that non-intercourse law, which unquestionably did affect Great Britain as much as it affected France. Let us suppose, in consequence of the passage of the law relating to commercial intercourse, the Marquis Wellesley writes to Mr. Pinkney a very polite note, informing him that inasmuch as we are disposed to withdraw our measure, so hostile, the edicts under which our property had been sequestered should be suspended conditionally—that Mr. Pinkney in rejoinder writes a very civil note to know what is to be done with the money, the proceeds of sequestered American cargoes, locked up in the Treasury vaults, and that the Marquis should reply—Why, as to that affair, the principles of reprisal will govern it! I will say nothing of the seamen lying in the dungeons of France—not that I feel less for the rights of man than for the rights of property, but because that subject does not appear to have been touched in the notes from our minister to the minister of France—or, if squinted at, not deemed to be noticed by that minister in reply. The President of the United States (said Mr. R. continuing his hypothesis) on the day on which the promissary note becomes payable, issues a proclamation in which he suspends this act respecting commercial intercourse. I will suppose that on the first of January a vessel leaves Liverpool conveying a note from Mr. Pinkney, from our consul Mr. Maury, from any agent however low in the diplomatic scale, stating that all the vessels on whom these decrees could operate had been put in a state of sequestration—say on the 8th December. Would it be possible for us, however well disposed, to gloss over this vile conduct, to believe that official advice had not been received at London in time for an order to arrive there before the first of January? But in the case in question our agent did not reside at a distant port, but at Paris; so that there was an interval between the 8th of December and 1st of January, in which to send an order for the release of those vessels to Bourdeaux. I will suppose in addition to all this, that an American frigate, attempting to enter the ports of Great Britain, when in this act of amity is treated with indignity and compelled to perform quarantine. I ask you, sir, if the proceeds of the cotton and tobacco of the Southern planters, instead of being deposited in their pockets, was locked up in the British Treasury, and they were told that it was a retaliatory measure, and must be settled by the law of reprisal—I ask whether we should not have war against that country in four and twenty hours? Unquestionably we would.

But, Mr. R. said, his object was not to make war. His experience of the temper of the House, however strong his inclination might be that way, had certainly operated a preventive cure upon any disposition he might find within himself to turn knight errant. All he would wish to press upon the House was the propriety of relieving the President of the United States from the dilemma in which he must now stand, in consequence of his proclamation, by an immediate repeal of that law of commercial intercourse to which this new bill from the committee of foreign relations is supplementary. Mr. R. therefore moved, by way of amendment, that the committee of foreign relations be instructed to bring in a bill respecting commercial intercourse between the United States and Great Britain and France and their dependencies. "I make you this motion, said Mr. R.—and for God's sake let us once more have clear stays."

Mr. Eppes said it was not his intention on the present occasion to take a tedious view of our foreign relations. It was sufficient for him to observe that the Executive had complied with the law of the last session; the Berlin and Milan decrees having been withdrawn, and these being the only decrees "violating the neutral commerce of the United States," in consequence of that withdrawal the President had issued the proclamation required by law. With regard to the injuries we had received from each belligerent, Mr. E. would not pass through the chap-

ter of wrongs. On an occasion similar to that given by France, a similar arrangement was entered into with Great Britain, carried into effect and communication restored with her. What had been their situation? Had they not mediated our commerce, impressed our seamen, and heaped upon the nation every wrong which insolence and power combined could produce? Yet in that arrangement these injuries were left for future adjustment, and the agreement under the law in that case, as in the present, was considered a mere arrangement for the purposes of commerce. No man felt more sensible than Mr. Eppes as to the deprivations of France; no man would further her interests than he would. But in the present posture of the affairs of this country, he could not consent to do an act which would go to violate the faith of this nation, pledged under the sanction of legislative authority. The proposition was distinctly made in the law, was accepted by one belligerent, the evidence furnished as required by our own law of the revocation of her decrees; and now, when they did not know of a single case on which the decrees had since operated, he was not disposed to annul the whole proceeding. Gentlemen would recollect that the arrangement had been made in August; and from that time until the arrival of the Essex, no circumstance had occurred to give to France a certainty that the United States had complied with the engagements into which they had entered. The case of the vessel seized at Bourdeaux was not that of a vessel from the United States but from Gibraltar. It was not known of what her cargo was composed, or what the circumstances which induced her seizure. These circumstances were all unknown; and although as an individual, said Mr. E. I am not disposed at the present moment, until I know certainly that they are withdrawn, to take measures to enforce the non-intercourse act; before I vote for its repeal, I must possess unequivocal evidence that France has violated the faith pledged to this nation.

The arrangement with France stands precisely on the same footing as with Great Britain. In both cases the Executive accepted the faith of the nation, pledged through their minister; and if it should turn out that we have been deceived by both, it will prove that there has been always on the part of the Executive of the United States a sincere disposition to have peace with these nations. On the subject of the spoliation of commerce by France, and her seizures and confiscations, it would be found that in every letter addressed by our minister to that government the restoration of that property has been considered as making an essential part of the arrangement. The circumstance of the minister being obliged to return from France, at a period perhaps rather unfavorable, might have prevented that part of the arrangement from receiving that decided character which it ought to possess. Mr. E. said his colleague was mistaken as to the alleged cause of the seizures in France; it was not a retaliation for the non-intercourse law, but for the supposed seizure of property in American ports. He believed, that it was a fact that no such seizure of property had taken place; and if the law of reprisal was to govern in this case, if any thing like justice could be relied on from France, the property would be promptly restored. Mr. E. concluded by suggesting to his colleague the propriety of offering his proposition separately from the present motion. There were considerations which ought to induce the house immediately to pass regulations for the relief of our citizens.

Mr. Randolph said it would give him great pleasure to comply with the request of his colleague, were it not for the circumstance that this non-importation went into operation to-day. The truth was, if there were to be in point of fact any operation at all; if the medicine were to work; if it were to have any practical effect, he would let it pass. But although in point of fact it would do the belligerents no harm, and unquestionably do us no good, it would be made an engine for sinking the value of the property of his constituents. Mr. R. said he was opposed to this sort of legislative quakery; it went to the impairing our own health, without affecting our enemies. He thought the gentleman had stated that there had been no case in which the Berlin and Milan decrees had been applied to our property since the 1st of November. In the name of common sense, said Mr. R. of what consequence is it to us, if we are plundered and robbed, whether it be under one decree or another. Will the gentleman say that there is no case in which our property has been robbed, and the proceeds put in the French treasury? It is of no manner of consequence to us, whether we are murdered or robbed on the highway, or the rights of hospitality be disregarded and we murdered in our beds under the protection of our host? As relates to us, the question is altogether immaterial. There is a deeper die of depravity in one case than in the other, as relates to the offender; not a shade of difference as relates to the party offended. It seems, sir, that we attend to much of late to mode and so little to substance, that if we are not robbed and plundered after this particular manner, we may be robbed and plundered to our heart's content after another fashion. The question with us is whether we are robbed and plundered. It may be matter at Paris, whether there is so much in the mode, but to us old-fashioned people it is no matter, so as we lose our money, how it is taken.

Mr. R. said he should have been extremely glad to have submitted this proposition in the shape of a resolution, and discussed it in the committee

* Mr. Beckwith.