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Mr. Pearson's Speech

ON WEBBERS RESOLUTIONS.

Mr. Speaker, I rise to address you under circumstances not the most favorable to myself; can I indulge the expectation of obtaining the patient attention of the house at this late hour of the day, and after a discussion, on the part of some gentlemen at least, so able and so interesting. But, sir, impelled by a sense of positive duty to myself, and to those good men who have placed me here as their representative, I cannot for a moment hesitate to forgive all considerations of personal convenience, to do that which every gentleman of the minority, in the habit of reading, ought to do, *protest* against the abominable, the absurd doctrine advanced, and rejected, the changes and insinuations made by the mean and factitious Tennessee. (Mr. Grundy.) It is not, however, my purpose solely to notice the remarks of the member from Tennessee; nor shall I trouble either gentlemen through all their windings and turnings, in the wild, wide range they have taken in this debate. The proposition before us, demands some attention. It is plain, simple and distinct—it is an enquiry for "the truth, the whole truth, and nothing but the truth," in relation to a subject deemed vitally interesting to us as a people—*involving the reputation* of our administration and its agents, or that *Being* and *ex*-agents, who tell us *he loves us*, and whom we are doomed to call *ourselves*. To gentlemen sit—apology. Indged our late minister in France, as the hon. member from Kentucky. (Mr. (Barlow) from his own shewing, disdained not to become the *apologist* of France, for acts of the executive last session on this subject, and the result of that call—to some gentlemen who have just taken their seats in this house for the first time the resolutions under consideration may appear unreasonably definite and inquisitorial. They may well imagine, that a general resolution in ordinary form, would bring forth all the information now desired. The reasonableness of this opinion proves, incontestably, the propriety and necessity of the course now proposed. A general call, such as that proposed by the gentleman from Kentucky, was made near the close of the last session of congress—The terms of that resolution were sufficiently broad and comprehensive to authorize the expectation, that the information sought, could be obtained. What was the fact? In the night, and at the last hour of the session, a confidential message was received from the president containing those *garbled* *ex*-agents which have excited so much suspicion and irritation, which entirely left a *tail* behind, when it is our purpose and our duty to unfold. It is a fact also, not unworthy of remembrance, that in reply to a call of the senate on this same subject, the like extracts were given under the impression of secrecy. Is not a theme for examination, to know what high and weighty considerations of state rendered necessary a judge of *secrecy* on the part of both branches of the legislature, at the condition on which those *secret* extracts should be made known to them; and what sudden change of policy should have induced the members of this house from the principle of *secrecy*, which had for several weeks been imposed on the senate? What was the real motive for keeping those papers from the public eye? Is it to the unknown; and I trust, other considerations, than the mere convenience of the *agents*, authorized their public disclosure.

Mr. Speaker—In a government like this, where the only freedom, but publicity of debate is guaranteed by the character of our rights; where the people have the right to know, not only what is done, but how and by whom; all transactions should be made known to them; and what sudden change of policy should have induced the members of this house from the principle of *secrecy*, which had for several weeks been imposed on the senate? What was the real motive for keeping those papers from the public eye? Is it to the unknown; and I trust, other considerations, than the mere convenience of the *agents*, authorized their public disclosure. This will continue inseparable from our government, while a *right* of liberty remains. It is not characteristic of freedom which distinguishes the *agents* of the slaves and *sycophants* of power. Here let me tell—gentlemen, whatever may be their opinions, however honest and unbounded may be their confidence, there does exist no such impression among many of our best and most worthiest, that all is not right, in the relations of this country with the government of France. Whether this impression be well or ill founded, is not for me to say; but when we reflect upon this mass pile of documents, with which your tables are loaden, and your shelves the greater, where pages are to be found in reams, in *confidential* *concerning* with France, bound by one entire letter to be seen, and no where to be discerned a bold, dignified and spirited tone of language, denouncing the monstrous wrongs and sufferings of the *agents* who rules that *despotism*. When it is recollect that there has, probably, been a due of *agents* in the course of the session, whose contents, though of great moment, have not yet seen the light, and of whose importance many gentlemen of this house can bear testimony, particularly the *agent* from Massachusetts. (Mr. Pickering) who but lately, whilst a member of the house, underwent a sort of ordeal for *leaving* *imprisoned*, or *inadvertently*, brought to the light one of those hidden offsprings of French intrigue, still too tender for exposure. When all these things come upon our recollection, and when it is evident, as has been shown by my honorable friend from Maryland. (Mr. Hanson) from the written testimony of yourself, Secretary of State, (a man high in your confidence,) and for a sufficient *alarm* against his veracity, the ma-

mation, in relation to the views and intentions of the French government; which had it been disclosed, would or ought to have been all essential to the deliberations of this house, and ought, of itself to have prevented the enactment of that unwarantable and fatal law of March 24, 1811. The fact is this. That on the 22d of February, 1811, previous to the passage of the law of March, and whilst it was under consideration in the house of representatives, the French government did, formally and officially, through their minister, Mr. Serrurier, make known their determination not to restore the property which had been seized and condemned in the ports of France.

It will be recollect, by the construction which the President himself gave to his own powers under the law of May 1810, as expressed by the letters from the department of state to the American minister in France, of 5th June and July, 1810, that the restoration, or satisfactory assurances of indemnity for the immense amount of American property unjustly seized and condemned in France, was made an indispensable pre-requisite—the *sine qua non*, to the enforcement of the importation against England, and the contrary to France. With this declaration before us and before the world, was it just—was it fair—was it consistent to withhold from the legislature of this nation, the knowledge of the fact that the property of our citizens would not be restored—that this indispensable pre-requisite would not be complied with; could we with a knowledge of this fact have passed the law of March 1811—would we have done a deed so pregnant with mischief, and which has brought forth the calamities we now endure?

Mr. Speaker, will it be said that the evidence of your late secretary of state, has lost its conclusive authority with many of his former admirers—he it so—the facts, however here stated, never having been denied—they are susceptible of proof, and you are pointed to the witness.

The statement receives additional confirmation to my mind, from having been told by a gentleman of unquestionable veracity about the time of the present French minister's arrival in this city—that the late secretary of state informed him, that he intended to relieve congress and the nation from the suspense and doubt, which existed in relation to the repeal of the French decrees, by being very explicit and decisive with the new French minister, on the subject—or words to this effect. Sir, the note he prepared was explicit and decisive; but it was explicitly and decisively refused to be sent by the higher authority. Well do I remember the history of those times, and although I never for a moment believed in the fair and *bona fide* repeal of the French decrees, I participated in the general satisfaction expressed on hearing of the arrival of the French minister at Norfolk—believing the period was then at hand, when all doubt, all embarrassment on the question of the pretended repeal would be removed, and the real state of our relations with France made *bare* to the nation. The dubious, unfixed and tardy course of the committee of foreign relations at that period cannot be forgotten—even their labors were suspended for the event. Sir, the minister arrived, but our fond expectations were blasted—not a word, not a whisper of intelligence reached this house; we were left still to grapple in the dark—the committee of foreign relations hurried through the law of March 1811, the effects of which are now scouring this land. What our disappointment was on this occasion, can well be imagined; but what our indignation ought to have been, when made acquainted with the cause of this disappointment, cannot be expressed.

One word more, sir, on this hated subject of French decrees. I have stated, at the time of issuing the President's proclamation, and passing the law of March, 1811, I did not believe in their repeal; and here I will take occasion to remark, that independent of other evidence, the testimony of Mr. Jonathan Russell, then our agent in France, in his letters to the department of state during the winter of 1810-11, tended strongly to confirm this opinion; the facts he relates in relation to the seizure of the New-Orleans Packet, the schooner Friendship, and others; and his reasoning on those facts are not only conclusive as to the continued operation of those decrees, but that he knew they were not repealed. This gentleman however, seems subsequently to have changed his opinions, and yielding perhaps to an *infatuous* not to be resisted, labour to prove that we were not *shuffled into the lead*, where *national honor* and the *law required us to follow*. As this gentleman is one of the persons implicated in the subject of the present enquiry, let me say whilst I remember it, that so far from having the terms of those resolutions narrowed, or the enquiry more limited, I would suggest to the honorable mover, the propriety of adding an interrogatory to this effect—whether Mr. Russell has by any *public* *official communication* denied or admitted the charge made by the Duke of Bassano, that the decree of 28th April, 1811 was communicated to him at or about the time of its date. No *private* or *verbal declarations* on the subject ought to satisfy us.

Mr. Speaker I profess no peculiar solicitude for the personal honor of the executive, or any of his agents who have been figuring at foreign courts—much less do I profess or feel for the Tyrant of France or his minions who have shared in the disgraceful transaction which forms the subject of this inquiry. Nor, sir, do I assert any peculiar claims to these stern virtues which dis-

tinguished the enlightened statesman and patriot—all I profess is a just respect for the constituted authorities—confidence in constitutional laws—love for my native country, and the character of an honest man. It is perfectly immaterial to me, what is the object of the mover of these resolutions, or what use may be made of the information when obtained—for me it is enough to know, that *guilt* of the most damning kind does exist, whether at the Palace, the Tuilleries, or among the sub agents, ought to be *hated*, and the just vengeance of an injured, indignant people right on the guilty head. As one of the people and as the representative of thousands, I demand this information as a right, as an act of justice.

This member from Tennessee (Mr. Grundy) has I presume, for the purpose of justifying the declaration of war against G. Britain, and lessening the effect of our representations of French *énormités*, reminded us of the result of a motion made by a gentleman from Kentucky (Mr. McKee) to include France in the declaration of war. This is not the first time that circumstance has been alluded to, with an emphasis and air of triumph ill becoming so poor a victory, and had indeed must be that cause which boasts of such success. Had I not been a member of this house long enough to have learnt, not to be surprised at any thing done or said here, my astonishment would have been excited at the bare mention of the motion of the gentleman from Kentucky, by any member of the majority acquainted with the result and the circumstances under which it was made. Had not every measure of that session, every syllable which fell from the lips of the majority, and every act of the executive pointed to G. Britain alone as the object of the war? Had we not been told, that the return of France to a sense of justice, demanded our resistance to Great Britain?—Nay—Were we not amused with the prospect of early negotiation and strict amity with that nation, down to the moment of plunging into this war, and indeed ever since, as far as amusement was to be found in such prospects and such representations? Had not the message of the president, recommending an immediate declaration of war been received; and were we not in committee of the whole, with closed doors, on the declaration of war itself, when the motion of the gentleman from Kentucky was made? Who supposed that motion bore a serious aspect, or had been made the subject of previous deliberation? Who voted for it? Substantially nobody. Some 8 or 10 members on both sides of the house rose on the question. No discussion took place, except a few remarks from the mover, and no decision was even asked for by the house—if this motion ought to have been adopted, whose fault was it that it was not? The majority—they alone had the power. If it was properly rejected, why exhibit it now as a charge against the minority? The truth is, the motion was considered as calculated, if not intended, to commit the minority. It was known they professed themselves the friends of peace; they would not vote for the declaration of war. Suppose then, they had voted to include France, and ultimately, as they did do, voted against the war, what would have been your language—how much more splendid your triumph? Then would you have flaunted with more *malodorous* *traitorous* friends to the fast anchored Isle.

Such was the nakedness of your preparations, and the poverty of your finances, that I deemed any war, except a *defensive* one against the encroachments of the savages on your frontier, as little short of infatuation, of perfect madness.

Under such *austices* and such *commanders*, I shrank from involving my country in the horrors of such a contest. The issue thus far, has but too fatally realised my fears.

Mr. Speaker—The member from Tennessee (Mr. Grundy) in reply to opinions advanced by gentlemen on this side of the house, that the orders in council were the great leading cause of the war and a knowledge of their repeal, would have prevented the declaration—has asked for the evidence on which those opinions are founded. Sir, in the absence of those voluminous of testimony which do exist and are to be found in almost every page of the correspondence between the two governments, down to the very moment of the declaring the war, and without recurring to the speeches of that gentleman and his friends during the war session, sufficient evidence is furnished by the gentleman himself to his own question. He says it is *uncertain*, no man can tell whether war would have been declared, if the Orders in Council had been repealed. What does this prove? That neither the gentleman himself, or any other member of the committee of foreign relations deemed it of sufficient importance, or took the trouble to ascertain their own, or the sentiments of others on the question of impressment, the sole acknowledged object for now continuing the war. Can it be, that the gentleman in his zeal to ascertain who would vote for the war, did not stop to enquire, why and wherefore they would thus involve their country? I cannot suppose the committee of foreign relations thus negligent, or the other members who voted for the war, so fatally benighted. In addition to this, declarations of gentlemen on this floor, and in private conversation on this subject, render the conclusion irresistible that the war would not have been declared had the Orders in Council been repealed. Unless, indeed we had become so infuriated as not to be appeased, but by this feast of blood.

Mr. Speaker, whether the promulgation, of the French repealing decree, of April 1811, at the

(concluded in our last page)