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Congress.

MR. GASTON'S SPEECH.

On the bill authorising a loan of \$25,000,000. CONTINUED.

But this war, say its advocates, nearly one and all, was declared to protect our seamen against impressment—in fashionable phrase, for "Sailors' Rights." There is no doubt, sir, that the conflicting claims of the two countries on the subject of seamen, and the occasional abuse of the practice of search for British seamen on board of American merchantmen, had excited serious dissatisfaction in America—yet I hazard nothing by the assertion, that the question of seamen was not a cause of this war. I remember full well the characteristic special pleading of the gentleman from Tennessee on this subject, at the last session, "that he really could not tell whether, if the orders in council had been repealed, we should 'have gone to war about seamen or not'—but, sir, I consider this as little more or less than adherence to a cautious form, as a protestando by way of excluding a conclusion, or in the nature of the commencement of an answer to a bill in chancery, in which the defendant takes care to save to himself now, and at all times hereafter, all, and all manner of benefit of exception to the errors that may be discovered in complainant's allegations. I am aware, too, of the very conspicuous blazon which is given to our sailors, wrongs in the president's war-message, and in the manifesto of the committee of foreign relations. But this proves no more, than that when war was determined on, it was deemed advisable to make out as strong a case as possible, either to excite the sympathy of the world, or to rouse the indignation of our own citizens. The impressment of our seamen was grouped in the picture with the dearly bought Henry plot; the, at least dubious, excitement of Indian hostilities, and the adjusted controversy about constructive blockades.

No, sir, the question of seamen was not a cause of this war. More than five years had passed over since an arrangement on this question perfectly satisfactory to our ministers had been made with Great Britain; but it pleased not the President and was rejected. Yet during the whole period that afterwards elapsed until the declaration of war, no second effort was made to adjust this cause of controversy. From December, 1807, with very short intervals, we waged against Britain a commercial war to coerce her into an observance of the rights we claimed at her hands. In every step of this system, whether embargo, non-intercourse, or non-importation, we avowed the grounds of this contest, and the condition on which it should terminate—the orders in council, and their repeal. In April, 1809, the famous arrangement with Erskine was made, hailed by the well-meaning as a second treaty of amity between the two countries; yet it contained nothing upon the question of seamen. In the President's communication to Congress at the commencement of the war session, November, 1811, enumerating, in no light tone, our controversies with Britain, and recommending preparations for war, the impressment of seamen was not remembered. The secretary of state was earnestly engaged in a correspondence with the British minister, Foster, at the seat of government, until the declaration of war; nay, until after it had passed the house of representatives. The object of the correspondence avowedly was, to bring our differences to an amicable close—But in this correspondence, the question of impressment finds no place, except incidentally, not as a substantive topic of discussion. And in the official communication from our government to our minister in Russia, stating the fact of a war declared against Britain, and alleging its justification, with a view to be communicated to the Russian government—[Mr. Monroe's letter to John Q. Adams, of July, 1812]—this justification is rested solely on the British orders in council. These, then, were emphatically and exclusively the cause of war. And had it not been for very many weighty considerations to be found in the state of the world, in the nature of the war in Europe, out of which proceeded this violation of neutral rights; in the conduct of the other mighty belligerent, her injuries, her menaces and intrigues, and in the peculiar condition of this country, actually growing into unexampled prosperity, under the very state of things of which we complained—had it not been for these, and considerations like these, that trumpet-tongued, warned us from the gulph into which we were about to plunge, the orders in council would have justified the resort to war. At all events, they formed what might be termed a sufficient technical cause of hostilities, much better than the often figure, with conspicuous effect, in the manifestos of princes, under the specious names of justice, independence and violated rights. But, sir, scarcely had the fatal step been taken, and the destinies of our nation risked on the fortune of the sword, when the obnoxious orders were revoked, the cause of war removed, and an honorable opportunity af-

forded of returning to the happy state of peace, commerce, and successful enterprise. How grateful must not the executive of a country, whose policy was fundamentally pacific—how grateful must it not have been for this happy rescue from the horrors of war! How rejoiced, that all had been effected without a struggle, which it was the object to obtain by a bloody and precarious contest! Exulting to show, that when it unsheathed the sword, not passion, but duty urged the reluctant deed, surely it hastened to return the unstained weapon to the scabbard, and extend the blessed olive branch of peace. Was it so?—Sir, I never can think of the conduct of the executive upon this occasion, without mingled feelings of surprise, regret, and anger. It can be accounted for but by an infatuation the most profound—an infatuation which is not yet dissipated, and which should fill every breast with apprehensions of that dreadful result, which, in the wisdom of Providence, is preceded by the "darkened counsels" of rulers.

But it is entirely a mistake, says the gentleman from Pennsylvania. The orders in council never were revoked; they were indeed withdrawn, but under a declaration, asserting the right to re-enact them, should the violence of France, acquiesced in by America, renew the necessity for them. Will the administration, sir, bring forward this excuse? Will they take this ground? No, sir, they cannot, they dare not. The President has told the nation, that the revocation of the orders was substantially satisfactory—in his peculiar phraseology, "The repeal of the orders in council, was susceptible of explanations meeting the just views of this government." How could he do otherwise, after his proclamation of the 2d November, 1810, declaring the French edicts so revoked as to cease to be injurious to our rights; a proclamation founded solely on the letter of the duke de Cadore, of the 6th August, promising a revocation. Does the gentleman recollect the celebrated "Bien entendu," or proviso annexed to this letter: "Provided, that in consequence of this declaration the British government shall revoke their orders in council, and renounce their new principles of blockade, or America shall cause her rights to be respected, conformably to the act which you have communicated?" Does the gentleman remember the tortuous and labored efforts of Mr. secretary Monroe to explain this proviso into a condition subsequent? To prove that it was designed only to assert the right of France to re-enact these decrees if Britain should persist in her orders, and we forbear from resisting them? Such a condition subsequent annexed to a promised revocation of the French decrees, had no effect to impair its force—but the same annexed in terms to the actual revocation of the British orders renders it entirely null!—No, sir, the executive cannot take this ground—his discreet friends will not take it for him. In the emphatic language of the eloquent Junius, this would indeed "resemble the tergiversant chastity of a prude, who prosecutes one lover for a rape, while she solicits the lewd embraces of another."

But can it be urged, says the gentleman, that the revocation of the orders in council removed all our causes of complaint, and left us nothing more to demand of the enemy? No, sir, this is not urged—But it is contended that as the revocation of the orders in council removed the cause of war, hostilities should instantly have been suspended and a fair manly effort made to settle by negotiation all unadjusted differences which had caused the war. A question of much importance and delicacy remained to be settled in relation to the search for British seamen on board our merchant vessels, and the occasional impressment of Americans. Under every administration of our country this question had excited great interest and been attended with much difficulty. Of late, indeed, it had in some degree lost its interest, and partly because of the comparatively rare occurrence of the practice. The restrictive anti-commercial system had expelled native and foreign seamen in vast numbers from our country, and almost removed the temptations to an exercise of what the British claimed as a maritime right—For five years before the war, the dispute had, in fact slept—Subjects more important pressed themselves on our notice, and while these pressed that was postponed as a matter for future arrangement. But out of these new subjects a controversy arose which issued in war—It had scarcely been declared before the matter in controversy was arranged to our satisfaction by the voluntary act of the enemy. What was our plain obvious course—the course of duty and of policy?—Sheath the sword until it is ascertained whether the dispute which had been laid aside for future arrangement, and which, in consequence of the adjustment of more pressing concerns, is now properly presented to notice, can or cannot be amicably settled. Even tyrants pronounce war the "ultima ratio regum" the last resort of princes. Nothing can justify the exercise of force but the inability to obtain right by other means. You had not supposed your just claims on the subject of seamen unattainable by negotiation, or you would not have reserved them for years as a subject for negotiation—And if they be thus attainable, how will ye answer to God and the country for the blood and treasure uselessly—criminally expended?—This mode of thinking, sir, seems to me very straight, and quite in accordance with the good old notions of practical morality—Besides it is the incumbent duty of him who seeks justice, first to render it. Whatever our claims on Great Britain might have been in relation to seamen, she was not without her claims on us. At a time when her floating bulwarks were her

sole safe guard against slavery, she could not view without alarm and resentment the warriors who should have manned those bulwarks pursuing a more peaceful occupation in American vessels. Our merchant ships were crowded with British seamen; most of them deserters from their ships of war, and all furnished with fraudulent protections to prove them American. To us they were not necessary—they ate the bread and bid down the wages of native seamen whom it was our first duty to foster and encourage. To their own country they were necessary, essentially necessary. They were wanted for her defence in a moment of unprecedented peril. Ought we not then while seeking to protect our own seamen from forced British service, to have removed from her seamen the temptation to desert their country and to supplant ours at home?—Why need I ask the question? Your seamen's bill, as it is called, enacted into a law since the war, is an acknowledgment that this ought to have been done—However deceptive some of its provisions may appear, its very principle is to restore to Britain her seamen, and save our own from her service. Unless you believed this principle right it was the meanest of degradations at such a time to pass such a law—And if it was right, then you had justice to render, as well as to seek. Had you pursued this plain path of right, had you suspended hostilities, you would have consulted also the true policy of your country. An unconditional proposition for an armistice upon the revocation of the orders, or an unconditional acceptance of the offer for an armistice would have passed for magnanimity. The disgraces which have since foully distinguished our military character were not then anticipated. The world would have believed, your enemy would have believed, that you suspended your career of conquest because the war had owed its origin not to ambition, but to duty—because you sought not territory, but justice—because you preferred an honest peace to the most splendid victory. With the reputation of having commanded, by your attitude of armour, a repeal of the offensive orders, you would have evinced a moderation which must have secured the most beneficial arrangements on the question of seamen.

But, sir, this was not done. No armistice could obtain the approbation of the executive, unless it was preceded by an abandonment, formal, of the British claim to search for their seamen on board our merchant vessels. As an evidence of this abandonment, the exercise of the claim must, by stipulation, be suspended during the armistice, and this suspension was to be the price of its purchase. Even without an armistice, no "arrangement" was to be deemed an fit subject for negotiation which should not be predicated on "the basis" of an exclusion from our vessels, by our laws, of their seamen; and an absolute prohibition of search to their officers. This, sir, was taking very lofty ground; but at that moment the Canada fever raged high, and the delirium of foreign conquest was at its acme. In a few weeks the American flag was to wave triumphant on the ramparts of Quebec—The proposition for an armistice from the governor of Canada was utterly inadmissible. In the language of our secretary of state, it wanted reciprocity—"The proposition is not reciprocal, because it retains the United States from acting where their power is greatest, and leaves Great Britain at liberty, and gives her time to augment her forces in our neighborhood."

Mr. Russell did condescend to offer an armistice to the enemy, upon the condition of yielding as preliminary, even to a suspension of arms, all that could be extorted by the most triumphant war. But even he, in his pacific proposition, could not refrain from exulting at the glorious conquests that would inevitably be made, if submission was refused or delayed.

"Your lordship is aware of the difficulties with which a prosecution of the war, even for a short period, must necessarily embarrass all future attempts at accommodation. Passions exasperated by injuries; alliances, or conquest on terms which forbid their abandonment, will inevitably hereafter embitter and protract a contest which might now be so easily and happily terminated."

I cannot forbear, sir, from one remark at the "awful squinting" in this letter at an alliance with France. Gentlemen are sensitive when the possibility of such a connection is intimated. The very suspicion of such a design in the cabinet is viewed as a calumny. Here the accredited agent of the American executive proclaims such a connection, such an alliance as inevitable—proclaims it in an official communication to the public enemy. The declaration is laid before Congress and the people by the President, unaccompanied by any disavowal—The minister is not censured—For his very conduct in this employment he is raised to the highest grade of foreign Ministers; and in spite of the reluctance of the Senate to confirm his nomination, he is pressed upon them by the President until their assent to his appointment is extorted. I dwell not upon this topic, for I confess to you the honest fears which once concealed my heart are now dissipated. The sun of national freedom has burst forth from behind the portentous eclipse that "with fear of change" had perplexed the darkened world. Napoleon, no longer invincible, stripped of the false glare which splendid crime threw around his character, is no longer enulogised as "super-eminent" but denounced by the champions of administration as an "usurper." No one courts the friendship of a fallen tyrant!—It is not for me to say in what manner the dispute about seamen is to be settled. On this

subject I have no hesitation, however, in giving my general sentiments. It is the duty of this government to protect its seamen (I mean its native seamen) from the forced service of any and every power on earth, so far as the strength of the country can obtain for them protection. True it is, that in my opinion the number of impressed Americans bears no reasonable proportion to the number alleged. I live in a state which, tho' it carries not on an extensive foreign commerce, has many native seamen. At the moment of the declaration of war, the inquiry was made whether a single native seaman of North Carolina was then detained by British impressment. I could hear of none. I know that during our restrictive system many of our sailors entered voluntarily into the British service, and when tired of it, complained that they had been impressed—Instances have actually occurred at Plymouth and at London, of men surrendered as impressed Americans, who afterwards boasted that they had cheated their king. In the battle of the President and the Little Belt, a neighbor of mine now an industrious farmer noticed in the number of the slain one of his own name. He exclaimed, there goes one of my protections. On being asked for an explanation he remarked that in his wild days, when he followed the sea it was an ordinary mode of procuring a little spending money to get a protection from a Notary for a dollar, and sell it to the first foreigner whom it all fitted for fifteen or twenty. The protected alien-assumed, of course, the American name, and if impressed, claimed to be liberated under it. The examinations which have been had before the committee of the Massachusetts legislature, and especially that of William Gray, confirm the belief that the number of impressed Americans has been exaggerated infinitely beyond the truth. But their number has been large enough to render the grievance a serious one—And be they more or less, the right to the protection of their country is sacred and must be regarded. This government would forfeit its claims to the respect and affection of its citizens if it omitted any rational means to secure the rights of American seamen from actual violation. Seek to obtain this security by practical means. If you cannot by substitute obtain an abandonment of the right or practice to search our vessels, regulate it so as to prevent its abuse—waving for the present not relinquishing your objections to the right. Do all that can fairly be asked of you to supersede the necessity of the practice. When this is done, and you should nevertheless fail—when war is rendered necessary to obtain a practical and reasonable security for American seamen against the abuses of impressment, then, sir, that war is just. Whoever may question its expediency, none who admit that wars may ever be justly waged can feel conscientious scruples in yielding it support. This, sir, is no late opinion of mine. It has been long and publicly avowed—not indeed as a pledge to my constituents, as my friend and colleague (Mr. Murphy) has remarked—we do not deal in pledges—but because it is my habit to be frank when no duty commands concealment—Nor is it strange that I should feel attached to the rights of the American sailor. I am a native of the sea board. Many of the playmates of my infancy have become the adventurous ploughmen of the deep. Sea-faring men are among my strongest personal and political friends. And for their true interests—their fair rights, I claim to feel a concern as sincere, and a zeal as fervent as can be boasted by any gentleman from the interior, or from beyond the mountains, who has heard of them, but known them not.

Has the prosecution of your scheme of invasion and conquest against the Canadas a tendency to secure these rights, and advance these interests? This, sir, is a momentous question, on which it is the duty of every man in authority to reflect dispassionately, and with a fixed purpose to the truth. Unless this tendency be manifest, and morally certain, every motive which can be addressed to an honest heart and intelligent mind, forbids its prosecution at the present moment. Make a fair comparison of its certain or probable ill with its possible gains, and then pronounce the sentence which justice, humanity and policy demand; and a suffering nation will bless your decision.

It is not my design to consider the immense expenditure which this scheme has cost, and which a continuance of it will cost to this country. Well worthy is this topic of consideration, especially at a moment when industry is without encouragement, and external revenue is utterly destroyed. But it has been examined with great ability by gentlemen who have preceded me, especially by the gentlemen from Connecticut and Virginia. (Mr. Pitkin and Mr. Sheffey) and contenting myself with an earnest request, that their remarks be not forgotten, and that in your zeal for conquest you do not beggar your people, I hasten to present

—P—SEE FOURTH PAGE.

* It was well remarked by Mr. Pearson, that the constitutional rule of ascertaining the contribution of each individual to the satisfaction of the public debt, was to be collected from the system of direct taxes. Supposing the debt which will have been created by the Canada war by the close of the next campaign to be ninety millions, every man may ascertain how much of his property is mortgaged for its payment, by advertising to his portion of the direct tax. The whole amount of this direct tax is three millions.—Multiplying therefore each man's direct tax by thirty, will give the share of the whole debt, for which he may be considered as liable.