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Congress.

MR. PEARSON'S SPEECH,

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

Mr. Chairman, however much this war was justly deprecated, in its origin, however disastrous and hateful it may have become in its progress, I acknowledge, with peculiar satisfaction, that my apprehensions for the existence of my country, its laws and institutions, have greatly subsided. The events in Europe, as unexpected as they have been sudden and glorious, have cleared the ancient horizon of the gloomy despotism which had well nigh overwhelmed and extinguished every ray of freedom in Europe, have dispelled the mist which has so long clouded our atmosphere, and exposed to public view the tendency of our ill-fated policy. Yes, sir, for my country and for the cause of humanity, I do rejoice that the charm of Napoleon's invincibility is broken, that the chains he had prepared for mankind are rent asunder, and that his power is about to become harmless, if not totally annihilated. A new birth has been given to liberty in Europe, and I trust it will be cherished with a holy zeal. With ourselves, I no longer consider the unfortunate contest in which we are engaged, as involving the question of the guillotine; no longer whether we "shall or not be a people." Many valuable lives may yet be lost in the prosecution of this war, the country may be overwhelmed with a debt, which centuries of prosperity will scarcely enable our posterity to pay; much individual suffering and privation may be inflicted, and thousands of corrupt and corrupted sycophants of power may feed and fatten on the public spoils; but the balance of power in Europe restored and preserved, the good sense of this nation must and will rid us of the war—our liberties will out-ride the storm, and our constitution survive the wreck. Suppose the scene to have changed, and Bonaparte at this moment giving law to the whole continent—England, our present enemy, might and probably would fall; she could not long resist the colossal power of the mighty tyrant—what then would be our fate? Is there a virtuous man among us, what lover of his country, whose nerves are so strong as not to tremble at such a prospect? Our own country, the only then remaining nursery for any thing like the great principles of free government, would have fallen a prey to the great spoiler. Our liberty alone would afford a sufficient temptation, and we should soon experience the reality of a tyrant's love.

Some gentlemen of the majority, particularly the honorable member from Louisiana, (Mr. Robertson) shudder at the idea of England's increased power and influence. It would have been well for the country, had those gentlemen calculated differently and more accurately the doctrine of chances, before we were involved in this war. What their calculations on the events of Europe really were, I pretend not to say. The prospect was too big not to have been seen, and ought to have been regarded by all prudent politicians. I well know what were my own fears, and those of my political friends—the very reverse of what has come to pass. It cannot be forgotten, that the storm was gathering on the continent, whilst the clouds were lowering here—it burst upon Russia almost at the same moment it flashed upon us—the legions of France poured into Russia, whilst our forces marched towards Canada. This extraordinary coincidence could not well have been the effect of accident or chance. Gentlemen could not but reflect on the consequences and the effect of our apparent co-operation. If they regret the result of the European contest, they must have desired the success of Bonaparte; they must have prepared themselves to encounter the scenes which I have but so feebly described, and which have filled my mind with so much "secret dread and inward horror."

The present situation and prospects of Europe, so far from threatening the existence of our country, afford to my understanding the animating prospect of returning peace, and ought to stimulate our desires and efforts to restore its blessings. England, it is true, has no less to fear; she may give more efficient protection to her Canada possessions, and increase the annoyance of our exposed sea coast; but her power is not essentially increased, our country is in no danger of being overrun—were this attempted, it would become the holy cause of defence, in which there would be no division—in such a case, even "weakness would become strength." Were it necessary, security against the power of England would be found in those nations who have lately redeemed themselves from the yoke of Bonaparte. Can it be believed, that the spirit which animated the betrayed Spaniard, and armed him with all the energy of despair; the spirit which nerved the arm of the Russian and kindled up a holy flame among the subjected nations of Europe, will be so easily extinguished? That those nations who have

thus successfully thrown off one tyrant, will immediately bend their necks to another?—Sir, I will not believe so meanly of them.

They have an interest in the proper limitations of power—they have an interest in commerce and in the ocean—they have an interest in our friendship and our prosperity. These considerations, whilst they tend to lessen the imagined power of England, offer additional inducements for us to desire peace; they imperatively demand that we should repeal the embargo, and the whole black catalogue of restrictions on commerce, which serve only to impoverish our citizens and make sport for your enemies. All imaginable inducements for continuing your suicidal restrictions are now at an end—all the ports of the continent are now open to us and to Great Britain, she can neither be starved by our embargo or thrown into insurrection by our non-intercourse—repeat then your embargo—let our industry find its reward in the hungry markets of Europe; this will give enterprise to seamen, and raise the drooping spirits of the laborer.

In reviewing the leading policy of the administration for the last six or seven years, the mind is struck with the peculiar tendency (whatever may have been the motives) of that policy, to a direct and unequivocal co-operation with the avowed objects of France. What has been the great and primary object of France? The destruction of England—despairing of effecting his purpose by invasion, or the chances of ordinary combat, the tyrant of France conceived the gigantic project of accomplishing the destruction of Great Britain, by a total interdiction of her commerce with all other nations. All the great powers on the continent of Europe, were either compelled or seduced into a co-operation with this great continental system, which, in the language of Bonaparte, in order to be effectual, must be complete.—The history of the various decrees and regulations by which this system was to bind up the commerce of the world, and the practical conformity of this government by its embargoes, non-intercourses, non-importations, &c. has been so fully and clearly stated by an hon. gentleman from Massachusetts, (Mr. Bigelow) as to forbid even an attempt at repetition.—That hon. gentleman, however, seemed to think, that whilst France demanded and enforced compliance from the nations on the continent, in the most public, official and dictatorial style, there was no official document to prove that a similar demand was made on the government of the United States.

It is true, sir, the public have not been peculiarly favored with official knowledge of our relations with France, and as Congress only get such scraps and extracts as the executive deems fit to communicate, and some of those most secret and confidential; it is not a matter of surprise, that such a record as the gentleman speaks of, should not be found on our tables in *haec verba*—but, sir, we are not without evidence, and that too of the most public and positive character, given by Bonaparte and his ministers on this very point. Turn to the Berlin decree of 1806, and the Milan decree of 1807: there you will find all nations, without exception, required to conform to the maritime code of France, and denunciations, threatening the enraged vengeance of France, to alight on those who refuse or neglect to comply. When the American minister at Paris, humbly asked, whether the treaty which then existed between this country and France, was thus to be violated by including America in the scope of those decrees; the answer was at first a little equivocal, but soon became certain by the capture and condemnations of our vessels, and the explicit declaration of Champagny, "that the law was general, and admitted of no exceptions." What demand could have been more public than those decrees—what more explicit than their practical operation on our commerce, and what more official than the written declaration of the minister of foreign affairs? I ask gentlemen, what better testimony could we have given, of prompt and ready acquiescence, than by our embargo of December 1807; the recommendation of which was the immediate consequence of dispatches from France, and not a knowledge of the orders in council of G. Britain. This self-destructing measure met the smiles and approbation of Bonaparte; he pronounced it a magnanimous resistance to the maritime tyranny of Great Britain.—Whilst this measure was continued and enforced with rigour, it was applauded by the great author of the continental system. Whenever the sufferings and clamors of our own oppressed citizens caused a temporary relaxation, we were denounced and punished for disobedience. I will not tax you, sir, with the disgusting recital of the multiplied and uniform declarations of the Emperor of France, and the language of all his state papers, shewing the character of his continental system, and proving the estimate placed by him on our compliance. Those decrees are declared to be the fundamental law of his empire—the flag is to be considered an extension of territory, and the nation which suffers it to be violated, forfeits its neutrality. In March, 1811, (previous to a knowledge of our unfortunate non-intercourse law of that month) the emperor in an address to his council of commerce, thus expresses himself: "The fate of American commerce will soon be decided—I will favour it if the United States conform themselves to these decrees. In a contrary case their vessels will be driven from my empire. The commercial relations with England must cease." Thus, sir, we are not left to conjecture to know what was the judgment of Bo-

naparte on those who refused to give full effect to his continental system. In what light he considered our restrictive system, and particularly the law of March, 1811, may be collected from the following extract from the *Mercure de France*, a Parisian journal of high authority, published in April, 1811; after speaking of the measures adopted against England, by the European allies of France—"The Americans," says this Journal, "on their part, are establishing in the new world, another continental system, which draws still closer the blockade to which England has subjected herself by menacing France, &c." The French Gazettes all hold a similar language, and take it for granted that we have become members of the *Imperial League*—these opinions emanate from the emperor himself.

If further evidence, of the demands of Bonaparte on this country, to conform to his system, were necessary to prove that nothing short of unconditional compliance, or war with England, would appease him, I would refer to the correspondence of Mr. Barlow, our late minister to France—when this gentleman submitted his project for negotiation, and placed (as he says) our relations in a point of view both novel and impressive, the emperor did not know how he could reconcile the provisions to the principles of his great continental system. But, sir, in the absence of all other testimony on this subject, I have a document before me, the authenticity and official character of which is now no longer to be denied or questioned, which proves the most unequivocal and formal demand on our government to accede to the *maritime confederation*. I allude to the celebrated letter of Gen. Turreau, late minister of France, to Robert Smith, Esq. late Secretary of State, dated 14th June, 1809.—Among the least of the abominations contained in this letter is the following paragraph:—"I have thought it was not incompatible with my duty to submit to the wisdom of your government, the new chances, which the changes brought about in Europe, offer to the commercial interests of the United States, and the inconveniences which may result from their refusal to accede formally to the principles of the maritime confederation." That we have been formally and officially required to conform to the views and policy of France, I think I have fully established—how far we have yielded to those views and that policy, by our restrictive systems, and how far embraced them by our war, I leave to history to decide, and the impartial world to judge.

Mr. Chairman—It is time we should pause—it is time we should seriously reflect, whether any, and what essential, practical, attainable good is to result from the prosecution of this war—the great object for which it was declared, the orders in council, has now ceased to exist. The question of impressment alone remains—this question I do believe can be so arranged as to exempt our native seamen from a-buse, and give to Great Britain reasonable security against the employment of her seamen on board our public and private vessels. The right asserted by Great Britain, to impress her subjects from on board our merchant vessels may remain undecided. The abuses of which we complain, have arisen in a great degree from the troubled state of the European world, and the peculiar inducements which our merchant service held out for the employment of foreign seamen; and not solely from the assertion of an abstract principle—a principle, which I may be permitted to say, is recognized, and practised on by France and every maritime nation of Europe. But, sir, if the right is denied, if the claim, set up by Great Britain, to impress her own subjects, is totally unfounded, have we the power of compelling her to abandon it? Is there a gentleman in this house—is there an intelligent man in the nation, who does, or can believe that the abandonment of this right is to be extorted by the war in which we are engaged? I believe not, sir.

It is not a little remarkable, that we should now be at war for an object which did not produce the declaration of war—for a principle which was never even attempted to be adjusted by the present administration, previous to the commencement of hostilities, and which was totally overlooked or disregarded in the arrangement made with Mr. Erskine in 1809, and is not named in any of the conditions to our restrictive laws, by which commerce and intercourse were to be restored with Great Britain. This perhaps exhibits a phenomenon in the history of wars and politics. Believing the question of impressment susceptible of practical arrangement, I have always deemed it unfortunate, that the instructions given to Messrs. Monroe and Pinkney, in the attempted negotiation, during the administration of Mr. Jefferson, required an absolute abandonment of the right, instead of leaving a discretion with the commissioners, or devising some equivalent by which the abstract right might have remained untouched, and reasonable security afforded against the complaints of both parties. To shew that our government, in their negotiations on the subject of impressment, uniformly stickled for the abandonment of the right, instead of attempting to regulate its exercise, I will refer to the instructions of Mr. Monroe in 1804, and the correspondence which terminated in a treaty with Great Britain, signed by our commissioners, Monroe and Pinkney, and an arrangement on the subject of impressment, which those gentlemen declared to be both safe and honorable to the U. States.—But all of which, unfortunately, were rejected by Mr. Jefferson.

The first article in those instructions requires from G. Britain the renunciation of the "claim to take from on board our vessels, on the high

seas, any person whatever, not in the military service of the enemy." In the observations of Mr. Madison on this article, he says—"Were the right of G. Britain in this case not denied, the abuses flowing from it, would justify the United States, in claiming and expecting a discontinuance of its exercise. But the right is denied, and on the best grounds." In the progress of the discussions on the subject of impressment, we are informed by Monroe and Pinkney "the British commissioners felt the strongest repugnance to a formal renunciation of their claim to take from our vessels, on the high seas, such seamen as should appear to be their own subjects; and they pressed upon us with much zeal, as a substitute for such an abandonment, a provision that the persons composing the crews of our ships, should be furnished with authentic documents of citizenship, the nature and form of which should be settled by treaty; that those documents should completely protect those to whom they related, &c." This proposition was rejected. Our commissioners were asked to state, what equivalent they could offer, for securing to Great Britain the services of her seamen, if the right of impressment were abandoned.

The only proposition in reply, was, that provision might be made for giving the aid of the local authorities of the United States to apprehend and restore deserters from their vessels; and that laws should be passed to be reciprocal, making it penal for the commanders of American vessels to take deserters from the public or private vessels of Great Britain. This proposition only relating to cases of real desertion, was of course not deemed a sufficient equivalent. Had we then thought of going the length of excluding British seamen from on board our vessels (as has been since done by what is called the seamen's bill) the result might have been different. If indeed our administration were disposed, at that time, to accept a treaty on any terms.

The British commissioners having assured Messrs. Monroe and Pinkney that their government was willing to do any thing in its power to satisfy the U. States on the ground of their complaints, which might be done without a relinquishment of their claim. They presented a note containing an arrangement on the subject of impressment, which was acceded to by our commissioners, and of the contents of which they thus speak—"We persuade ourselves that by accepting the invitation which it gives, and proceeding in the negotiation, we shall place the business almost, if not altogether, on as good a footing as we should have done by treaty, had the project we offered them been adopted." This arrangement, (as I before stated) was rejected by our executive, and whether the price of this war will purchase a better arrangement, or give greater security to our seamen, is to my mind extremely problematical.

An hon. gentleman, (Mr. Ingersol) I will not say the "principal representative," but certainly the principal speaking representative from Pennsylvania, in an elaborate speech the other day, passing the orders in council, and scarcely glancing at the question of impressment, in his deep researches, brought forth a new, and hitherto, unforseen cause for the war, and an additional inducement for its continuance.

This discovery is found by that gentleman in the violation of the principle "that free ships make free goods." This principle may be convenient to France, or nations possessing little maritime strength, and who are frequently engaged in wars; but to us, who are capable of being our own carriers, whose interest it is to have our own vessels employed in our own trade, and not in that of other nations; and who are, or may become, a great commercial and maritime power, such a principle cannot be desirable. That it is not the established law of nations, I have no hesitation in asserting. It is unnecessary—it would be worse than idle now to discuss the principle which the gentleman has so much labored. Let it suffice to know, that every administration in this country has practised on the contrary doctrine, and no one of them contended for the doctrine now advanced, as being necessary for the interest of this country, or sanctioned by the law of nations. The treaty made by Mr. Jay with G. Britain in 1794, contained no such principle. The celebrated instructions to Monroe and Pinkney, written by the present executive, and sanctioned by Mr. Jefferson, expressly disclaimed such a principle. For the satisfaction of the gentleman, (Mr. Ingersol) and that only, I might add the authority of Mr. Clay, one of the commissioners entrusted with the negotiation to be opened at Gottenburgh, directly militating against the doctrine "free ships make free goods." Having mentioned the name of one of our negotiators, (Mr. Clay) I may be permitted here to observe, that although I am not without hope and expectation of a favorable termination of the war, bottomed on the propositions of the British government, which have been acceded to by our administration, I confess this hope and expectation is not strengthened by the knowledge I have of the sentiments of the gentleman to whom I have alluded—on the contrary, I do not conceive, that any attainable treaty with G. Britain can be signed by that gentleman, consistently with his declarations publicly uttered in this hall, and afterwards deliberately written and published to the world. That I may be distinctly understood, and avoid doing the least possible injustice, to a gentleman who has his admirers, and who is not present to hear me, I will not trust to my recollection for a recital of his opinions, but refer to a speech delivered by him on this floor, on the 24th