

Carolina Sentinel.

VOL. IX.

NEWBERN, N. C. SATURDAY, FEBRUARY 27, 1827.

NO. 465.

PUBLISHED WEEKLY, BY
WATSON & MACHEN,
At \$3 per annum—half payable in advance.

SPEECH OF MR. WEBSTER,

On the bill for the relief of the surviving officers of the revolutionary army; the question being on the amendment proposed by Mr. Tucker, which, under pretence of including the militia who served during the war, was, in fact, intended to defeat the original bill.

I am reluctant to trouble the House on this occasion, Mr. Speaker, and would by no means do so, if I were not fearful that I shall have no future opportunity of expressing my opinion on the subject; and I assure the House, that never in my life was I more than I now am, induced to speak from a pure and unmixed sense of public duty. If the present motion prevail, and the bill be re-committed, the whole measure is inevitably lost. Every member who hears me must be well aware of this, and it is highly expedient that the applicants themselves should understand, and that the whole country should understand, that the success of this nation, if it do succeed, will destroy the bill.

The question, and at this moment the only question, is, whether there be any thing in the claim of the officers of the Revolutionary Army, which entitles them to have that claim considered distinctly, and by itself, and to have that claim decided upon its own merits. Being persuaded myself, that that claim rests on solid foundations, I hope the House will meet it and consider it—that we shall not shun it, and unworthily give it the go-by; let us not evade it as if we feared it; let us not smooth it as if its distinct shape and features were not agreeable to us; if we fear to grant it, let us not at least fear to refuse it. Let us sustain the responsibility that belongs to our stations; and meeting this claim as it is presented, let us judge of its merits, and decide upon it as our own consciences may prescribe.

Within the last fifteen years, the subject has been repeatedly before the House, and different committees have at different times reported upon it. In the mean while, those who are to be benefited, or to be disappointed at the result of our votes, are fast following each other to the grave. If we mean to do any thing, we cannot do it too soon; if we mean to do nothing, we cannot too soon say we will do nothing. As yet, there is a little remnant surviving; they still live, to witness, I would fondly hope, the success, but I strongly fear the failure, of this application to the justice of the country. I now see, that this measure, on which all their hopes are embarked, is apparently hurrying and rushing into absolute downfall, and irrecoverable prostration, by this attempt to overwhelm it, by connecting with it a proposition, which, as I should suppose, every gentleman must know is wholly impracticable. I would fain stay this downward course, if I may, and again invoke the House to give a candid consideration to the merits of the claim; if I may not do that, I would yet seize the occasion, while yet it remains a topic of discussion, to express my own opinions. I feel that the claim is just; that the honor of the country is connected with it; and now, while it seems in the utmost peril, I cannot be silent, but must proclaim to this House, and to the nation, the convictions which inhabit my breast.

I will not address myself to the sympathy of this House; I seek to create no excitement; I ask for no partial, or highly favorable consideration of the claim. If gentlemen say they do not feel at liberty to be generous, be it so; if their sense of public duty restrains them from the exercise of liberality, be it so; if they think, even that gratitude be not a virtue stern enough for their official stations, let them dismiss it. But, they will hear to justice; they will decide, I

should hope, in this matter, on the common rules of equity and fair dealing, and nothing more need be asked.

Sir, I agree entirely with what was stated, and so well proved, by the gentleman (Mr. Drayton) from South-Carolina yesterday; that if this were a judicial enquiry between man and man, the right and equity of it would be found with the officers. I say without hesitation, as a lawyer, in a character in which, if I put any value on my own opinions, I have the most respect for them, that the claim of these officers, under the resolutions of 1780, and 1783, is a claim not yet satisfied; and which would recommend itself for compensation and payment, to the conscience of any chancellor in the civilized world. I say, that if the United States could be made subject to suit, and the officers of the Revolutionary Army could bring them before a competent tribunal, they would find no advocate of standing and character, who would advise them that they had a defence; but there is no such tribunal; they have no such remedy; and their appeal, therefore, is to the party itself against whom the claim lies. Stated in the shortest manner, the case is this:

By the resolve of Congress, October 1780, every officer of the Continental Army who should continue in service to the end of the war, was to receive half pay for life. By the resolution of 1783, they were requested to give up this claim for half pay for life, and in lieu thereof, they were promised five years full pay, with interest at six per cent. till paid. These express and solemn promises, thus made to the defenders of the country, in the hour of their suffering, and of our peril, have never been performed. Disguise it, cover it, evade it, as we will, the truth still is, that this plighted faith has never been redeemed. Have they received the half pay for life? They have not. Have they received the five years full pay? They have not. No, Sir, they are our creditors. I do not content myself by saying they are our benefactors. And if the little remnant of them draw out their lives in penury, and lay their aged heads in the grave at last, with neither cheering nor consolation from us; they yet live as our creditors; and they die as our creditors; and they leave a charge upon the country, which, I fear, that future generations, however just, or however generous, can hardly be relieved from. Let us beware, then, that we are not trifling with our own reputation, and with that which is of infinitely more importance, the reputation and honor of the country.

In 1780, as I have said, Congress promised them, if they would continue in the Army to the end of the war, that they should have half-pay for life. They did continue in the service. They fought the struggle through. They sheathed the sword only after peace had gleamed upon it. And what followed? Was the half pay for life given them, principal or interest? When has it been paid? How has it been paid?

But, look a moment at the circumstances of the country, when this promise was made. The cause of Liberty was threatened with immediate ruin. General Lincoln had been captured at Charleston; Gates defeated at Camden; and the Southern States overrun by the enemy. The British had been strongly reinforced in New-York; Arnold's defection had recently taken place; and Gen. Washington had scarcely five thousand ill-armed, unpaid, un-fed, and ill-clothed troops, under his command. Continental money, at the same time had completely run down; the Government was destitute of resources; and, the literal truth is, the whole Army was on the point of dissolution. To keep the Army together—to uphold, yet longer, the fainting cause of the country—to supply by promises, for the future, that which there were no means to furnish—Gen. Washington recommended to Congress, to make to the officers promise of half-pay for

life. Never was public faith pledged more solemnly, nor for better cause. We could not now, for any purpose obligate ourselves in a more binding contract; and never can we make one for a more meritorious, I had almost said for a more sacred, consideration. The officers risked all upon the issue of the contest. Even this half-pay, which their country promised them, they were to earn by their swords. If the Colonial subjugation were re-established, it was not compensation or reward that they looked for, but flight, or exile, or at the best, an undisturbed and hopeless poverty and obscurity. I will not rehearse their sufferings or services, but I will say, that never Army in the civilized State, served better, or suffered more.

But what happened at the approach of peace? Why, sir, when the danger from a foreign foe seemed over, in a country naturally jealous of military power, and at a moment when there were no established Governments to check or control that power, if it should take a direction unfavorable to liberty, some degree of dissatisfaction sprang up at the idea of a half-pay to the officers of the Army for life. And they were accordingly asked to give up what was their clear right, half-pay for life, and take in exchange full pay for five years. I say that they were asked to do this; in truth, their consent was but nominally asked; really, they had no option. And when these commutation certificates were offered to them, the question was, whether they should take them or get nothing?

Let it be remembered, at this time, that the officers then had been a long time, without pay; that they had clothed themselves, and armed themselves, and mounted themselves, at their own expense. That they not only yielded their own services, and hazarded their own lives in the public cause, but expended their own property, and bore heavily on the resources of their friends. Yet five years full pay was no adequate compensation for giving up the half-pay for life. The annuity was clearly worth more, much more. No gentleman has ventured to deny this—and gentlemen will refrain from denying it; for it is capable of clear and unanswerable truth. It was a hard bargain on the part of the officers; they gave up more than they received. The parties did not deal on equal terms. The officers had no power to resist any terms which were proposed, except that power of the sword which no sense of justice could induce them to use, but against the enemies of the country. Here, I say, then, is a hard bargain, unequal in its terms; its acceptance forced upon one party by the necessity of his condition, and it is a bargain, therefore, which any Court of Equity, if it had jurisdiction, would reform and rectify. In this respect then, I say, the officers have a clear claim in equity and in justice.

But again: when the commutation certificates were given to the officers, what did they purport? They promised the absolute payment of the whole sum due with interest at six per cent. Were these certificates paid? Were funds provided for their payment? Was the interest paid or provided for? We know that neither the one nor the other was done. Did they maintain their par value as securities? We know they fell so low that one is ashamed now to mention the point of depression to which the public credit sank. Here again, was an entire failure to comply with what had been promised; and eight or nine years were suffered to expire without payment of half-pay, and without payment of commutation certificates. Here, again, was a case, in regard to which the judicial tribunals would decide that the demands of mere justice had not been complied with. And finally, when the certificates were funded, was the amount funded with an interest of six per cent? Part was; another part was funded at three; and

on a third, all interest was deferred for ten years. In each one of these transactions, there was a gain on the part of the Government, and an equivalent loss on the part of the officers. A settlement of the accounts on the strictest principles, would give to these survivors more than is provided for them in the present bill. Let us not, therefore, flatter ourselves that the question is, whether we shall do ourselves honor by granting a gratuity—it is rather whether we shall not—I hope we may—gladly and cheerfully perform an act of justice.

But here I am asked, and it is a proper inquiry whether I am willing, now, to re-state and to settle anew all the accounts of the revolution? Whether I am willing to make good the losses sustained by all other descriptions of public creditors? And if not, how I distinguish the case of the officers from that of others? I frankly admit the pertinency of this inquiry; and I say there are grounds, in my judgment, on which the claims of the officers, being just in themselves, are entitled to attention, altho' it be impossible to be settle all accounts, or do justice to all creditors. And these grounds are, first, the special and repeated promises and assurances of Congress, given in consideration of the indispensable necessity of retaining the services of the officers and as peculiar and extraordinary pledges of the faith of Government. In the next place, there was no speculation in this matter: the certificates were not purchased, otherwise than by laborious and perilous service. But mainly, and to pass over many other considerations among claims all strictly just, those for personal devotion, the hazard of life, and the price of blood, have a preference over those founded on mere property. Especially is it so in revolutionary and civil war. The officers of our army bore, in their property and fortunes, what others bore. No tax, no burden, escaped their shoulders to light on those of others. They were citizens of the country, and as such had their full share in what citizens suffered. But they were soldiers also; and in that character, not only hardships, but dangers, fell to their lot, in which others did not participate. They were put forward to breast the storms where it raged with the greatest fury. They braved also the higher dangers arising from defeat, in civil war the dangers of wronged reputation, of calumniated memory, and of ignominious death. Men of fixed principle, of high honor, and of a steady nerve, are alone equal to such a crisis. Such were the officers of the revolutionary army, and they had been solicited into the service by every consideration which Congress could address to them. Look to the journals. Every page, almost, teems with proof of the earnest and anxious desire of Congress to draw into the service young gentlemen of education and of intellect. This was indispensably necessary. An army was to be formed in a country where there were few officers who had seen service. It was to be kept together, not so much by mercenary means as by patriotism and attachment to the cause; and that cause the officers never deserted till they saw it triumphant.

Mr. Speaker, I advert to but one thing more in the history of this army. It is something so prominent, that though we were to shut our eyes against it, the whole world would yet see it; a monument of their worth so solid that every coming generation may contemplate it. I mean their conduct at the end of the war. I cannot well say how that scene of patriotism, tempted, yet not yielding; of honor, goaded by the sense of injustice, yet bearing itself with unquestioned loyalty; of military power, proud in its victory, yet not seduced by injury, by suffering, by poverty, by real or supposed coldness and neglect, to turn its sword against the parental bosom of the country.

The occurrence stands without a precedent. No other history shows it; and the honor which it confer on our own annals is worth more, far more, than we shall, or indeed, than we could, now bestow. What, sir, was the condition of the country at that moment? A victorious army had rescued her liberties from a foreign foe. But where were they held? There was no settled Government to check or control that army. Victorious as it was, it was unpaid, un-fed, unclothed, unarmed. No!—it had armed itself, and had arms in its hands. It was, at that moment, the arbiter of your fate. And what did it do? Did it demand redress for its own grievances? Did it hold with a significant grasp that sword that had given it victory over the enemy? Did it demand terms? Did it stipulate for pay, before it lost its power by disunion?—Sir, it disbanded itself; it stripped off its armor; it laid down its sword. Unpaid, as it was; unclothed, as it was; unprovided, as it was, for a day's maintenance, it dissolved, at the bidding of that voice of public liberty which had originally formed it; and it left the great and sacred cause of the revolution unstayed by a single instance of military excess.

Sir, we are not of the generation of those who achieved the Revolution. We enjoy the country now that it has the strength of a giant; and these survivors of the Revolution who are around us, were the protectors of its infancy. We are not asked to create fortunes, nor to grant splendid endowments.—We know that, in general, these survivors are in narrow circumstances. We know they have not such means of living, as belonged to their education, their pursuits, and their habits. The provisions of this bill will scatter no riches, but they will disseminate comfort. They will relieve necessity where it presses hardest on men who have seen better days. For one, I feel that I have no option; and, for my constituents, I am sure that if it were left to their choice, they would eagerly seek the occasion to bear any part of the burden which this bill shall impose: they would run to pay any tax which the measure might render necessary. And I may misunderstand the general sense of the community; but, if I do not, the rejection of this claim will not give pleasure to the people of the United States.

The question was then taken on the resolution of Mr. Tucker, and decided in the negative, by yeas and nays, as heretofore published.

[From the Baltimore American]

The Report of the Committee of Commerce in the House of Representatives, (copies of which we have received from our friends at Washington,) contains similar views on the question of the West India trade, to those of the Report of the like Committee in the Senate. We shall not, therefore, advert any farther to this subject, than by noticing those parts of the Report which consider the probable effect of the measures recommended by the Committee, on the trade and interests of the two nations respectively. The statements put forth by the Committee, founded as they are on the best information, may justify us in adopting the conclusions which they draw from them, and in putting ourselves at ease on the subject of the valuable interests involved in the trade, in the direct channels of which Great Britain has thought proper to throw obstacles. On the subject of reciprocity the Report speaks thus:—

"Can it be pretended, that the commerce and navigation of Great Britain, and her possessions abroad, since the 5th July, 1825, have not been placed on the footing of the most favored nation, in the ports of the United States; the footing of exact reciprocity? In the ports of the United States, British vessels and their cargoes, arriving from the British colonies, have been subjected to discriminating duties of tonnage and impost; but in the British colonies and possessions, like discriminating duties have been levied on the vessels of the U. States and their cargoes.

"But upon the construction of the act of Parliament, that British vessels in the United States, were to be placed on the footing of nations enjoying favor