

THE MINERVA.

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Congress.

HOUSE OF REPRESENTATIVES,

FRIDAY, February 3.

On raising the Embargo, and authorising Letters of Marque and Reprisal.

MR. RANDOLPH'S SPEECH CONCLUDED.

Will you then submit? Say gentlemen—do you not recorded a vote that you will submit? Unquestionably I have, and I submit.

What is submission, and resistance? By submission I understand a formal renunciation of the thing in question, or a passive acquiescence in the claims of an adversary.

When you say that you will submit, what do you mean? That you will make the best resistance that you can—when we have made this determination, to the great question of expediency, what is that best resistance? Now, if you will let the merchantmen to arm in their defence, and not tell the British minister what you mean to do next year, and go and fight the English and French, until they revoke their orders and decrees—what do you mean? Why, sir, you not only make resistance, but you do it in the most honorable, and effectual way, and therefore in the most direct way to a restoration of peace—not to a good understanding, for that we shall never have, but to your system, sir, of "hands off." Can Great Britain undertake for a moment to consider a war upon her, which she requires of us in order to maintain our fair neutrality: to resist the decrees of Berlin, Milan, Bayonne, or any where else; non-resistance to which is the plea for her orders in war? What offence can it be to her? sir; and yet to all the piratical, benevolent effects of war, such a system would be as efficient as any you can devise—as war it is.

Can France; although indeed there be a system within a system there, which is not very well understood—can France that your resistance to what she calls the right of the seas, justifies her in taking any steps against you, supposing it to be in your power? Unquestionably not. France has the power to issue certain decrees on ground of England's having usurped the right of the ocean. You resist that usurpation. These decrees then, are not, in any respect, applicable to you; for I understand non-resistance to be the sole alleged cause of these decrees. England retaliates the system—Why? Because (as she says) you do resist it. France issues her decrees because you do not resist (as she alleges) the British orders; England issues her orders because you do not resist the French decrees, I would resist both; and if either country that resistance (which they have both upon you to make) into war, and do, understanding, capture your armed ships. Then, sir, you have nothing left but to be taken by them by every means in your power. Will they be who make the war and not yourself; and that circumstance will unite heart and hand, throughout the country, in your cause. But, sir, I believe (although we are not so much confident as some gentlemen have in the wisdom of these nations) they have rather too much good sense to act—thus to drive you into the arms of the other party. Let your merchants then, and arm in defence of their lawful trade against French decrees, British orders in counter, and any thing else of a similar stamp, and the nation which by force shall attempt to subvert them, know that it is war. Your resistance, according to their own shewing, is null; they have called for it—the withholding has been the pretext for their aggression—and the first gun fired on you, when so long, is actual, flagrant, maritime war—then throw the onus on them. You shew people that it was not within the power of man, wisdom to have devised a mode of getting out of war with them—that the very things which they required of our fair neutrality (resistance to each other's monstrous pretensions) have provoked their hostility; that there was no alternative but war or embargo—and who knows, sir, but the embargo may hereby become so popular a measure, that it may put it on never to be pulled off again; and like our winding sheet we shall be buried in it.

To the course which I propose, one of the strongest objections has been taken, that human ingenuity could have devised; "that it will authorize the merchant vessels to arm and make resistance, they will not arm;" (which I have said there is no occasion for arming of any sort)—or, that they will arm and yet go to England and take licenses—pay tribute."

A reason of this kind is to govern us, as we are fitted out the navy, the best use that I know of it will be to fight the merchantmen, make them fight the French and English—suppose you issue letters of marque and reprisal, or declare war and commission privateers—the same thing may be said, that they will not fight; that they will go to London

with cotton; and pay tribute. You must then invent some mode of making them fight. Sir, there is no mode of making men fight against their will; there has been none yet ever devised, nor ever will be. Do gentlemen know so little of mankind? Are they so ignorant of the character and composition of that mixed assemblage, a nation; so little read in the history of our revolution, as not to know that when the crisis—(Sir, this is a poor worn out word, I hope to be pardoned for using it—it shall be the last time) was over, the American patriots began to trade with the British at N. York, and elsewhere. It is an established fact, that they engaged in what was well known as the *London trade*, men too, who fought and bled, and gained renown in the battles of their country. No sooner was all prospect of subjugation over—they did not wait for preliminary articles of peace—than they traded with the English—and they will do it now, even if you go to war, except it be a part of the system that they shall not trade at all, not even among themselves. Another strange objection is made to this system. It is said that American vessels will go to St. Bartholomew's or Gottenburgh, no matter where, so all they want is an *entrepot*, no matter who the buyers or sellers—that at this place of deposit your produce will be lodged—that the English will buy it—that France having no navy, will come in for no part of the trade, and that therefore it will operate partially, against her. We have carried our ideas of impartiality to strange lengths, sir. We must fight *impartially*, and trade *ditto*. But the substance of the objection is this—that because one of your enemies, against whom you are making resistance, (such as it is) has not a powerful navy to take her share of your trade from neutral ports, you ought not to trade at all. If France were our friend, ally, benefactor, gentlemen could state this, and it might have some weight. But to offer it as a reason for abstaining from all trade that a power—assumed to be your enemy, and against whom you profess to make such resistance, lamenting that it is in your power to do so little—"wish very much, sir, that Florida belonged to her, or that she had some province on our frontier—very sorry indeed, that she presents no vulnerable point to us—but that's not our fault"—that we should abstain from all trade, because this power cannot reap an advantage from it, is a novel argument indeed. So be it. It then seems, sir, that by a strange derangement of intellect, by some strange sort of logic, which I do not understand, and hope I never shall—when you are reduced to such a situation, in which you cannot injure a powerful foe, you are bound to render her all the benefit you can; and her not receiving her full and *impartial* share of all the benefits which may incidentally accrue from any of your measures, taken purely with a view to your own advantage, is to be a good and valid reason why you should forego those measures! That you must continue to suffer, because, if you get relief, one of your greatest foes will derive no benefit from it! This cannot be too much insisted on, it should, if possible, be driven into the skull of every head in the country.

But this plan, it seems, does not suit the ideas of some gentlemen, who think very highly of the point of honor, who think that we must fight; that we must draw a little blood from the sword arm to gratify this punctilious itching; that one of two courses must be taken; either that we must set too to drawing it from our own citizens, or march forthwith to Canada. This, sir, was the only part, as I could apprehend it, of my worthy colleague's argument, the other day, that did not precisely suit my conception of the true interests of the country; and if he would permit me, I would observe, that supposing his statement to be true, he did, most unquestionably demonstrate that the embargo would have been a wise, an efficient and salutary measure by way of *ridiculus* to the reduction of Canada; that if we had first of all overrun Canada, stormed Quebec, reduced the provinces of Nova-Scotia and Brunswick, and then laid an embargo, it would have had a very salutary operation. Having, however, thus unluckily put the cart before the horse, the embargo before the conquest of Canada, before we go to mending the broken gear, and making preparation for a new set out, a little rest and some consideration would not be amiss—I am willing to take up some of the ideas, I could almost say all, which fell from the gentleman from Massachusetts, and my colleague.

[Mr. Burwell said that Mr. R. had misunderstood his argument he presumed. I endeavored (said Mr. B.) to give my opinion that it would not be proper to go to war to take possession of Canada; but if we were forced to go to war, there are other considerations connected with the means of coercing the enemy to do us justice which would make it expedient to take the British provinces; and my argument in relation to Canada was in reply to an observation of a gentleman from Connecticut, that Canada had obviated much of the effect of our embargo; if so, it

would be important, were we to go to war, that we should take possession of it, though I do not precisely admit his position.] My colleague (said Mr. Randolph) is mistaken. I think I have not misunderstood him, even though his argument was addressed to the gentleman from Connecticut, by way of reply. The embargo has not been operative, through the intervention of Canada. Whether by furnishing supplies of her own production or as the instrument of drawing them from us, is immaterial—Canada is the cause. The embargo would have operated, it is said, but for the British having possession of Canada.—Therefore, sir, the taking of Canada ought (by the statement) to have preceded the embargo, as I trust in God it will precede the next that is laid.

But, sir, why take Canada now, when my colleague tells you and when other gentlemen tells you that there is a prospect of re-adjustment; and when, at least, it is demonstrable that the sort of resistance which I propose, viz. the arming of our merchantmen in their own defence, is the kind of resistance not only best calculated to meet the evil against which we would guard, but presents the best possible chance of a re-adjustment of our differences? For if we say that, at any future day, in case the belligerents do not come to our terms, we will let fall on their heads letters of marque and reprisal, as you said by your suspension of the non-importation act and offer to suspend the embargo, you may be sure that such a plan will not procure accommodation, if that be your object. If you injure a man and he exercises his rights as a man and defends himself without overstepping the bounds of defence so as to make him the aggressing party it is much more easy for you to come to an accommodation than if he were to say to you "I will on such a day do so and so if you do not retract." He puts it out of your power to make him an apology when he says that he will fight you on such a day if you do not render him justice. That is not the way that tends to an honorable adjustment of the dispute, or an honorable termination on the field of battle. In fact it has too much the air of a bravado; and as we have been suspected, I hope unjustly, of going into this sort of thing on former occasions; of going at least as far in *words* as in *acts*, it will be best to content ourselves with the exercise of our rights on the ocean. Their orders and decrees conflict with those rights. We will resist them, not going beyond our rights as acknowledged by the laws of nations and even by themselves. If they use force against us in the exercise of those rights, we are at war to all intents and purposes, and they put us at war. This course would be better calculated to produce the result which I have no doubt my colleague has as much at heart as myself. And it is not strange that a difference of opinion should exist in the unsettled state of mind in which we have been for some time past—for if such has not been our situation, how comes it that we have done nothing? Or, if we have, that we have but rescinded to-day what we did yesterday, and to-morrow will perhaps undo what we are doing to-day? I need not speak of the navy bill, sir; the history of that transaction is impressed much more strongly on your memory than it is on mine. I might mention another bill. I think it was between twelve and one o'clock on Saturday and Sunday the 17th or 18th of December that, on the plea that we were sleeping on our posts, on the plea of urgency, the House was forced into a vote on a report of a memorable and honorable committee, (of foreign relations) which subject in the shape of a bill has closed very quietly on your table from that day to this—I speak of the non-intercourse.—It was an expression used by gentlemen that we had been sleeping on our posts—and therefore it was necessary that we should sit up one night for the public good. There are constitutions in this House which have not yet recovered from the shock of that night's session. The non-intercourse bill, the navy bill, the supplementary embargo bill—and how the latter passed is really a curiosity, a novelty in legislation.—The bill came from the Senate—it came from a quarter, sir, from whence, God be praised, we have had all our strong doses, under all administrations—the alien and sedition laws, the suspension of the habeas corpus, the new treason bill, the last supplementary embargo bill, aye, sir, and the first embargo bill too; they all came from the same mint and I liked none of them—and in my capacity as a freeman and a legislator representing a free and enlightened people I shall here and elsewhere, without any sort of reserve, speak of them as I think they merit; extenuating nothing and setting down nought in malice. The bill came to us then from the Senate on Thursday the 22nd of December, and was proposed to be made the order of the day for the next day, Friday and for Saturday—both days were named. Some gentlemen craved only till Monday to consider the numerous and important provisions of such a bill, and nearly the whole day was consumed in debate whether the bill should be the order of the day for Monday or

Saturday; Saturday was carried; the delay till Monday being somewhat sternly refused; even the postponement to Saturday was with difficulty obtained. On Friday this House having consumed the whole of the preceding day in debating that important point, adjourned over to Monday, that very day to which they had refused to postpone the bill, it being like the report of the committee to which I have just alluded, a matter of such urgency that it could not be delayed. Monday came and a motion was made by one of the friends of the bill to discharge the committee of the whole House from its farther consideration. It was rejected, and the House went into committee on it. Next day a similar motion was made and carried, and the bill was referred to a select committee, who reported on the following morning (Wednesday.) The bill, with their amendments, was again referred to a committee of the whole House and made the order of the day for Friday; and the week passed off without any further mention of this urgent business. On Saturday, the last day of the year, the House adjourned over to meet on Tuesday the 3d of January. Tuesday came and the consideration of the bill was at length resumed; but, there not being a quorum, the House adjourned, by a vote of 60 to 10. The next day the unfinished business, as it is called, was asked for; but by a strange sort of decision on which I do not pretend to understand, it was determined, by a formal vote too, that there was a nice distinction somewhere, between *business unfinished* and *unfinished business*—and lo! What does the House, but take up the proposition of a gentleman from Vermont to repeal the embargo. Although they had been bolstering up the embargo before huddling it, as many intelligent and honest men believe, at the expence of the best principles of the constitution, they now took up the resolution for repealing the embargo. What happened that night God knows—but the next day the bill was resumed, urgency again decreed and it was driven, Jehu like, through the House, through all its stages from a committee to its third reading and final passage. I, who have scarcely been able to hold up my head since the night when that report was so vehemently passed, which has slept so soundly ever since, came to the House at 9 or 10 o'clock with the hope if not of speaking, at least of exercising my right of suffrage—but somewhere between four and five o'clock in the morning I was compelled to leave it: and at breakfast, about two in the afternoon on that day, I heard that the bill was passed—you know how, sir. Mr. Randolph said, he mentioned this thing not with the slightest view of creating unpleasant sensations in the bosom of any human being—nothing was further from his mind—but to prevent, if possible, the recurrence of a similar circumstance; and to do more—to shew, that after all their vibrations, and legislative contentions, they had come back to the proposal laid on the table almost the first day of the session to repeal the embargo; and he did most cordially congratulate every man in the House upon this event, except those gentlemen who considered the embargo a political panacea, which no circumstances, whatsoever be the consequence, should ever induce us to give up. He trusted that they were few, and though he had such confidence in some of them that he believed nothing would change their opinion, he hoped that this few were daily and hourly diminishing.

To get back in his rambling way to this decisive stroke, not now, but some time or other of going to war, of taking Canada.—It would be a sort of deed of trust from the body politic—an instrument with which I am sorry to say that we gentlemen of the South are but too well acquainted—a deceitful present relief at the expence of a certain but remote evil, we may invert the telescope from its true position and the evil lessens to our view—but the day must come when that pledge must be redeemed; and indeed whatsoever cause he might have as an individual, he should not like to give bond and security to fight next year; he might in the mean time undergo a great revolution of opinion; he might change his religion; perhaps turn Quaker; and really if he were to change at all, he believed he could not do better; for theirs was a system of order, industry, charity, and peace—of comfort and affluence too, very good things in their way.

He was against plunging in this dashing way into war; because there was a possibility, to say no more of it, and his colleague (Mr. Burwell) seemed to think, a pretty good hope, that we might get out of the scrape without a war, provided we would take his prescription. He felt the more and more indisposed to war, and should every day while he lived, when he looked at certain consequences and reflected on certain doctrines which had grown too familiar, in his apprehension, to the minds of that house. We too had a navy. It had cost us near twenty-three millions of dollars, about ten millions of which had been spent by the former administration. It had cost us a great deal more than Louisiana; and he yet