

THE MINERVA.

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CONGRESS.

HOUSE OF REPRESENTATIVES.

Friday, May 25.

DEBATE.

Mr. Randolph's motion for approving the conduct of the President of the U. States.

Mr. RANDOLPH said that as an indefinite amendment was considered as tantamount to a rejection—for it prevents a renewal of the subject during the session, and a rejection of nothing more, as the House had hitherto had a woeful experience in the case of such a very pertinacious petitioner; and, as he was afraid they would again have from a body of petitioners who, he presumed, had not entirely given up their hopes of seeing themselves on the public property made a definite postponement then being equivalent to a rejection, he certainly was opposed to the rejection of his own motion. He could not have believed that this motion had been rejected by the House; he said he had certainly calculated on being opposed by those who condemned the promptitude and frankness with which the President had proceeded to restore, as far as depended on him, the intercourse between two nations. It is this part of the conduct of the President of the United States Mr. R. on which I mean to give an opinion. "By the President of the United States a proclamation"—and in that proclamation, in my opinion, he has deserved well of his country. I ask the gentleman from Pennsylvania (Mr. Findley) if he is near enough to hear me on this vast room, when I proposed bringing in review the whole series of former administrations—when I proposed an answer to an address to two Houses? I have proposed no such thing, sir—although my motion is nearly amount to it; because it so happens that only act of which we have any knowledge, in laying up the gun-boats in dry dock, I also most cordially approve, is this thing. Now, I have not the slightest objection, if the gentleman chuses, that the worthy gentleman from Massachusetts should insist on a *venire* on the conduct of former president of the United States. I beg myself to be excused from serving as an unqualified juror I chuse to excuse myself—for, really, as to one of those talents, his career does not seem yet to be finished—it would seem as if he yet mediates another batch of midnight judges and another midnight retreat from the capitol, therefore except to myself as a juror and any other President. *De mortuis* *bonum*—agreed, sir. Let the good men do live after them and the evil be left in their graves. But I would ask the gentleman from Connecticut and the gentleman from Pennsylvania also, if this be one of their abstract propositions? How abstract, say you? Or if it be one of those unmeaning propositions, the discussion of which can do no good to this House? It would be as now to be trying Mr. Adams on merits of the sedition law, the 8 per cent. or any other such act; it would answer the purpose—and it would be equally idle and to pass any opinion on the merits or demerits of the first four or last four years of the administration, for this plain reason—*quæstio* bolts upon you—*cui bonum*? What good can result from it? But is that the relation to the Executive on whose dispositions rest the best interest of the nation? Is that a mere idle discussion? Is it come to this?—Is this House so in the Executive opinion—I trust not, I scout the idea—that its approbation of the course of national policy is to pass nothing, is to have no influence on the conduct of the Executive of the U. States? Is it taking higher doctrine than was advanced by those who wish to see the great open Parliament by a speech from the throne, and to see the faithful commonsense of a loyal and humble address in reply to a gracious speech from the throne. It is a higher ground than the minister of the crown from which the precedent was set. The weight of the House of Commons is felt too sensibly there for their inclinations not to be sounded by motions from the Chancellor of the exchequer and their opposition in relation to the great affairs of foreign affairs. And, sir, shall we be told that it is a mere matter of moonshine, a thing of no moment, whether this House really does approve the conduct of the administration of the government of the United States or disapprove it? Praise, in my opinion, is not to be prodigally bestowed, but to be the best resources of a nation. Why the House called upon, and I am sorry to say, too often, and too lightly, to give its sanction to the conduct of individuals in the service, if its approbation is estimated as a reward? No, sir; this is a great question I have presented to you—and gentlemen may hamper it with as many amendments as they please; they cannot keep it out of sight. Some may be against

it because they are for it; some because it does harm, and some because it does no good. The question cannot be kept out of sight; it has been presented to the American people and they have decided it, decide you how you may.

With respect to the gentleman's amendment I need not tell him, I presume, that I shall vote most pointedly against it, because, in my opinion, it does not contain the truth. The gentleman from Massachusetts (Mr. Bacon) will be among the last of the members of this House to attribute to me an improper sentiment in regard to him when I say that it does not contain the truth. If the gentleman from Massachusetts chuses, in imitation of another Eastern nation, not those who tried their kings after they were entombed, but those who consigned to one common grave the living and the dead—if he be willing to attach the sound healthy body of the present administration—healthy so far, and, I trust, fortifying itself against contagions—to the dead corpse of the last, let him. He shall not have my assistance in doing it; nor have I the least desire to draw a marked distinction between the two administrations—the gentleman will hardly suspect that I am seeking favor at court. My object is plain—it is to say to the President that in issuing that proclamation he has acted wisely and we approve of it. I know, sir, that there are men who condemn the conduct of the President in issuing the proclamation—and why? They say he was precipitate—where was the necessity they will tell you of declaring that the orders in council will have been withdrawn? This is the language of objection. There is a difference of opinion subsisting in this country on these two points. There are men who condemn this proclamation, and men who condemn the construction given by the Executive to the non-intercourse law. I approve both. I wish the President of the U. States to have the approving sentiment of this House, and to have that approbation as a guide to his future conduct—and I put it to the gentleman from Massachusetts whether it be fair to mingle it with the old, stale, refuse stuff of the embargo. No, sir; let him not put his new wine into old bottles. There is a difference of opinion in this country. The President of United States stands condemned by men in this nation, and, as I believe, in this House, for having issued that proclamation and put that construction on the non-intercourse law. I wish to see by how many he is thus condemned. I do not wish to see the question shirked to see it blundered. If there be a majority of the House, as I believe there is, in favor of the conduct of the President, I wish him to have that approbation expressed, as a guide to his future and a support to his present conduct. It is due to him. Sir, have I moved you a nauseous-sickening resolution stuffed with adulation? Nothing like it; but a resolution that the promptitude and frankness with which the President of the U. States has met the overtures of the British government towards a restoration of the ancient state of things between the two countries—the state prior to the memorable non-importation act of 1806—meets the approbation of this House. Either it does or it does not. If it does, let us say so. If it does not, let us say so. If gentlemen think this House never ought to express an opinion, but leave the President to grope in the dark as to our views or get them through unofficial channels, I presume the previous question will be taken or a motion made that the resolution lie on the table. The gentleman from Pennsylvania says, shall we go back and approve of what he conceives to be similar conduct of the late President of the U. States in relation to the embargo. I hope not sir. But if a majority of this House chuses to do so, let them. I shall say No. But why mingle two subjects together, on which there does exist, and I am afraid it will leak out on this very vote of indefinite postponement, so very material a difference of opinion in different parts of the House? For example: I do not think of the offer about the embargo as the gentleman from Massachusetts and Pennsylvania think; and I think it probable that those two gentlemen do not think of this proclamation and the construction given to the non-intercourse law as I think. And why should we make a sort of hotch-potch of two subjects on which we do not think alike, for the purpose of getting us all united against both?—It is an old adage and a very homely one, perhaps too much so for the delicate ears of this assembly, that if you put one addled egg into a pudding you may add fresh ones *ad infinitum*. But you can never sweeten it. And, sir, I defy the gentleman from Massachusetts with all his political cookery, by pouring out of the jar of our present situation into the old mess to sweeten it. I am here prepared to prove, as I conceive that gentlemen deny it, that the conduct of the two administrations has been radically, essentially and vitally different; that owing to this difference is the change which we now experience in the state of our foreign affairs; that there is no sort of analogy between the offer to suspend

the embargo as it respected Great Britain, and the situation in which we put ourselves in relation to France and Great Britain by the suspension of the non-intercourse act towards the latter.—And to the promptitude and frankness with which the President met the overtures of the British ministry, do we chiefly owe the difference in the situation of the country. For, might not the President of the United States, instead of proclaiming that the orders in council will have been withdrawn, have proclaimed that when they shall be withdrawn, a renewal of intercourse shall take place? And here too comes the construction given to the non-intercourse act. On the question whether the renewal of intercourse on the 10th day of June applied to a vessel, clearing out hence or to her arrival in England, our government, (and I am obliged to them for it) decided that it applied to the time when the vessel should arrive in England. Then, sir, if we take the time which will be required for a voyage hence to Europe, it is *lucè claris* that the non-intercourse will never have been in force at all as to trade of export. Is that nothing? And, lest the gentleman from Pennsylvania or any other gentleman in this House may get alarmed at the approbation of the administration of the government of the United States, I will state to them—I do not wish to terrify them out of their opinions—I wish them to judge the administration upon its merits, without reference to persons, as I have judged of the proclamation without reference to the parties concerned in the manufacture of it.—Lest they should be too much alarmed at that approbation, I will state that my idea is that the President of the United States has but done his duty; and that the minister of Great Britain has no cause to put on sack cloth and ashes for any concessions which he may have unwarily made to our government. If my strength will hold me out, sir, I will state why.

In the year 1806 we passed that miserable old non-importation act which last session we repealed—and really, sir, we got rid of it with an adroitness which pleased me exceedingly. Never was an obnoxious measure more handsomely smoothed by its avowed friends.—Gentlemen said it was merged in the non-intercourse act, and therefore as a matter of indifference they would repeal it; and when the non-intercourse act shall expire by its own limitation at the end of this session or be suspended by the President's proclamation, as it is in relation to Great Britain, there is an end of both; and thus the old measure, the old original sin to which we owed our first difficulties, was as completely gotten rid of as if a majority of this House had declared it an unwise measure and therefore repealed it. I do recollect to have heard one gentleman (Mr. Eppes) say that unless the section repealing this law were stricken out he should be compelled to vote against the non-intercourse bill. He conjured the House to cling to the old non-importation act as the last vestige and symbol of resistance to British oppression—but the House was deaf to his call, and the non-importation act was plunged beneath the wave, never (I trust) to rise again. When, therefore, the late President of the U. States made an offer to Great Britain to suspend the embargo as to her, provided she would withdraw her orders in council. I will suppose that she had accepted that offer. In what situation would she have stood in relation to the U. States? Her finery, her leather, her watches, her this and her that would have been prohibited admittance into this country under the old non-importation act of 1806, which would have been in force. That act in point of fact had no operation on her adversary. Her ships would have been prohibited the use of our waters whilst the ships of war of her enemy were admitted. Did that make no difference? That, sir, would have been the situation of the two countries, provided she had accepted the offer to suspend the embargo as to herself—the old non-importation act in operation, her ships of war excluded and her rivals admitted. I pray you, was not that the condition of the country when Mr. Rose arrived? Was there not some difficulty under the proclamation, in the admission of the *St. Jura* frigate bearing that minister into our waters? And were not French ships of war then, and have they not since been riding quietly at Annapolis, Norfolk and elsewhere? Has not in fact the gallant captain Decatur taken our own seamen out of one of them? And yet, sir, the offer at that time made by us has been identified with the negotiation between Mr. Secretary Smith and Mr. Erskine. What then was her situation? The non-importation act in force, her ships excluded and those of France admitted—and nothing in force in relation to France except the embargo. What is now the situation of affairs? Trade with her is restored to the same situation in point of fact, in which it stood when congress met here in 1805—6—at the memorable first session of the ninth congress which generated the old non-importation act of 1806? Her ships of war are admitted into our waters, her trade is freed from embarrassment, whilst the

ships of her adversary are excluded and the trade between us and that adversary forbidden by law. While, therefore, I am ready and willing to approve the conduct of the present administration, it is not because I conceive that they have effected any thing so very difficult, that they have obtained any such mighty concession, but because they have done their duty. Yes, sir—we all recollect the objections made to the treaty negotiated by colonel Monroe and Mr. Pinkney on the great leading accounts. 1st. that it contained no express provision against the impressment of seamen. Is there any provision now made? No sir. The next objection to the treaty was the note attached to it by lords Holland and Auckland. What sir, did gentlemen on this floor say was the purport of this note? That its object was to put us in a state of amity in respect to Great-Britain at the expence of the risk of collision with France. On account of this note the treaty and treaty-makers have been politically damned. And yet we are now, in point of fact, in that very situation in relation to the two nations, in which it was said that the British commissioners by the note aimed to place us—and which was a sufficient reason, according to the arguments of gentlemen, for rejecting the treaty. The note was a sort of lien, gentlemen said that would put us in a state of hostility with regard to France and amity with regard to England. We refused to give our bond, for such it was represented (however unjustly) to be, to be sure, sir—but we have paid the money. We have done the very thing which gentlemen say the note aimed to induce us to do. We have put ourselves in a situation endangering collision with France and almost ensuring amity with England. We have destroyed the old non-importation act; the non-intercourse act is suspended as to her; trade is again free—there is nothing now to prohibit her ships, whether for commerce or war, from coming into our waters, whilst our trade with France is completely cut off, and her ships excluded from our waters. I cannot too often call the attention of the house to this fact on which I am compelled to dwell and to dilate, to get rid of this merciless motion, which kills while it professes to cure. When Mr. Rose came into this country, French ships of war were freely admitted, English ships were excluded.

As "the physician, in spite of himself" says in one of Moliere's best comedies, *on a change tout cela*—the thing is wholly reversed. We are likely to be on good terms with England, maugre the best exertions of some of our politicians. Trade with Great Britain is unshackled—her ships are admitted—trade with France is forbidden; and French ships excluded, as far as it can be done by *factum*. Now, in the name of common sense, what more could Mr. Canning himself want, than to produce this very striking and sudden change in the relations between the two countries? For a long time previous, it was the ships of England that were excluded, while those of her adversaries were admitted. And we know that we could not have touched her in a more jealous point than in her navy. Things are now reversed—we have dextrously shuffled the non-importation act out of the pack, renewed trade with her, admitted her ships, and excluded those of France. And what, I ask this House, has the British minister given us in requital for this change of our position in relation to him and his rival competitor? The revocation of the orders in council—this is the mighty boon. For, with respect to his offer in relation to satisfaction for the attack on the Chesapeake, he made that offer to Mr. Monroe spontaneously, on the spur of the occasion, and there is not a doubt in my mind but that we had nothing to do but receive it at that time, provided the instructions of our minister had permitted him to receive it—but perchance, sir, if he had received it, we might have been at this day discussing his message, and not the message of another President.—All that Mr. Canning has given this country is a reiteration of his offer to make reparation for the affair of the Chesapeake, and his withdrawal of the orders in council—and to what did they amount? So soon as you, by your own law, cut off your trade with France, he agrees to revoke the orders interfering with it. Mr. Canning might as well have withdrawn blank paper. They had nothing left to operate upon. The body upon which they were to operate was destroyed by our own act, to wit, the trade with France. And, sir, while I compliment the present state of things, and the conduct on the part of our government which has led to it, I cannot say that we have greatly overreached Mr. Canning in this bargain, in making an exchange of the old non-importation act with the admission of English, and exclusion of French ships and trade, for the orders in council. Mr. Canning obtained as good a bargain out of us as he could have expected to obtain—and those gentlemen who speak of his having heretofore had it in his power to have done the same, do not take into calculation the material difference between the situation in which we now stand, and the situation