tastic desire that her enquiries on that subject might be withdrawn. This was the answer which they received to an enquiry as to any disposition of the American government to acquiesce in the Berlin decree. It is not to be wondered at that this answer was unsatisfactory. It cannot be wondered at.—There is another letter from the same gentleman of the 22d October, 1807, to the Secretary of State, to which I will refer, in which it is stated that in the course of a conference with Mr. Canning he asked an explanation of their former answer to the note on the subject of the Berlin decree; which answer they agreed to give in writing. Mr. Canning closed the interview by saying that it would be necessary to postpone what he had farther to communicate to another opportunity. No information, no explanation was given, sir; nothing partaking of the nature or quality of conciliation having been resorted to. A deathlike silence was observed on this point of critical interest to the nation. A note was delivered attempting to prove that the occasion which produced the note annexed to the treaty had disappeared—and what ground was taken in that note, sir? "Great anxiety having been excited by a construction which many believed the decree to be susceptible of, the minister of the United States at Paris requested of the minister of marine, who was charged with its execution, an explanation of the sense in which it was understood by his government, who assured him that it was not intended that it should in any degree interfere with the provisions of the treaty of 1800, between the United States and France. We relied also upon the fact, not only that no countenance had been given by any practice or judicial decision, in France, to a different construction, but that the practice was in precise conformity with the view above suggested, and that in a cause in which the question had been formally brought into discussion, the court had sanctioned the conclusion, that the treaty between the two nations was to be exactly fulfilled, and that the decree was to be so construed as not to infringe it."

This was the answer given, to this amount: "Your solicitude about the operation of the decree is extremely idle, because we are perfectly satisfied, and you should be too, that the principle on which it goes will never be carried into execution." It is easy to conceive, sir, how very far such a declaration fell short of what was requested in the note of Lords Aukland and Holland. It came to this point: either that the British government was to be satisfied, or to go on to the alternative which was threatened. It did go on to it. The British government did not trust to these favorable appearances which it suited France to hold out. Who then was wrong, *we* or *they*? Did France act upon that decree, or did she not? For the whole point of this miserably conducted argument turned upon this at last: that if there was sufficient ground to calculate that the French government would not execute its decree, then the British government ought to be silent; but if she did execute it, that the British government should take care of its own preservation. How was the fact? France did execute the decree; and from that moment there could be no doubt that resistance was justifiable. But it appears that Great Britain did not know it was carried into execution before she issued her orders in council. If so, G. Britain displayed more knowledge of the character of nations than falls to our share. I have read in a speech made in the other House, as to the embargo, that, if the orders in council were not known, yet the embargo was a lucky hit. Then, sir, if Great Britain did not know that the Berlin decree was executed, the orders in council were a lucky hit: And, sir, as to the question whether the orders in council were known here when the embargo was laid, I will just step aside to notice it. In a letter dated February 19, 1808, to our minister at London, we find this passage—"My "last, which was committed to the "British packet, enclosed a copy of "the act of embargo, and explained "the policy of the measure. Among "the considerations which enforced it "was"——what? The knowledge of the orders in council? No, sir—"the "*probability* of such decrees as were "issued in the British gazette the 11th "November, &c." Now, I do hope that after this we shall not have any more sophisticated wire-drawn reasoning to show how they might have been known, when Mr. Madison himself has told our minister at London that the orders in council were supposed to be meditated, and that their appearance afterwards justified the embargo. But I think that gentlemen are carrying this point too far. Let them not go the whole length of saying that the orders in council were known before the embargo. It is giving the lie to Mr. Madison most indecently; and as to this way of complimenting him, though I have very little to expect from him, I cannot concur in it. Not only, sir, am I willing to allow in the language of this letter that there was a probability of the issuing the orders in council, not only that the language of the British gazettes left little doubt of it; but I feel justified in going a great deal farther and say, that the celebrated note rendered it improbable to suppose that any thing else could have happened. The British government said, "we desire that France should abandon her system, or, if not, that you will take some measure which will defend us." If we expected that the British ministers would keep their word, we might safely swear that the orders in council would issue. It is not necessary to the purpose of my argument at this time to say that Great Britain did right in issuing these orders in council, tho' I am free to acknowledge that, for the promotion of her own interest, it was right; but it is my purpose to shew that the ground has been yielded, and that it has, is one of the reasons why we find ourselves in a situation so comparatively happy.

Permit me to go to the proof of this, to state, as my conception, that there were three things which prevented that accommodation between the two countries, which was so essential to the prosperity of both. They were these: the proclamation, the refusal to coalesce with Great Britain in resistance to the Berlin decree; and lastly, the refusal to repeal the embargo. These are the three reasons which prevented the accomplishment of that good of which the President has put us in possession. Great Britain demanded that we should intimate by our conduct or assurances that we would not submit to the innovations on maritime law attempted by the Berlin decree, and throughout the whole of this correspondence made it a point that she would never give up her orders in council till she had some pledge to that effect from us. She now has that pledge, and it is a great misfortune that it was not given before. Yes, sir, the first resolution reported by the committee of foreign relations last winter, adopting the language of Lords Holland and Auckland, declares that the United States cannot submit to the French decrees. I am disposed, on this part of the subject, to give the present President credit for his adroitness. I should not be surprised, sir, were the secret history of the cabinet ever to be written, if it should turn out that, without the knowledge of the then President of the U. States, the present President had, by making a very surly face at Great Britain, caused a demand to be made of France that she should revoke her decree, and given that very pledge which G. Britain demanded of us. Great Britain issued her orders in council to keep us from France. It was said that we could not go with any safety on the ocean between the French decrees and British orders. Now was supposed to be the happy time when the planets were auspicious for involving us in a British war: but it did so happen that, in the nature of things, we could not declare the British orders to be unlawful without declaring the French decrees to be unlawful also. We could not oppose one without also opposing the other. The very moment that we fought *both* Great Britain and France, Great Britain did not want any quarrel with us. If we had put ourselves in opposition to France when the question was raised in the note attached to the treaty, we should never have had the orders in council. But we had them. We did declare, after we had them, that we would give the pledge. It was rendered indispensably necessary by our refusing to give a pledge of resistance to the Berlin decree, that the orders in council should be issued. That pledge now having been given, it became as necessary that the orders should be withdrawn. It was folly for Great Britain to have continued them. We were fighting Great Britain (on paper)—for what? Because she joined us in the maintenance of our neutral rights. We acknowledged that, as soon as the Berlin decree was acted on, it was cause of war; but felt too proud to vindicate ourselves from the imputation of submitting to it, because Great Britain had asked it of us. When we had passed the non-intercourse law as to France, and excluded French ships from our harbors, we were placed in a situation which disabled us from submitting to the Berlin decree, and are now in that situation. I would observe, that, at the time these measures were agitated, we had all a little sand in our eyes; we did not understand the subject so completely at that time as we do now; and I am pretty well satisfied, that when the secret history of the two last years is divulged, it will be found that while the former President was endeavoring to fan the flames of war, the Secretary of State, by originating these resolutions, &c. was smoothing the way for the happy discharge of his Presidential duties when he should come to the chair. I think it did him honor. The ground then having been taken, we, standing pledged in the face of the world to resist French injustice, have done what we were required to give a pledge to do. There is therefore no further difficulty on the part of Great Britain in relation to us. She withdraws her orders in council and leaves us precisely in the situation in which she first asked of us to place ourselves. All the difference is that the orders in council are enforced now by us instead of herself. In bringing about this state of things I yield my hearty approbation to the President of the United States; and I believe that, when I could not see the end of our troubles, the President was secretly conducting us to the late happy result.

But, says one gentleman, the embargo has so humbled the British nation, and the terrors of the non-intercourse law have performed such miracles that she is willing to fall at our feet, and the equal footing on which the two countries was placed was a pretence, and nothing more, for their change of position. Now let us examine it; for I do consider it extremely important that the fact should be ascertained and established whether the embargo was such a machine as to produce all these consequences: for, if it was, let us never forget that we had it, and have recourse to it on every future occasion. If it was, sir, let us inscribe in golden characters over your head that it may stare us in the face whenever we rise to address you. But if the late change be not ascribable to that, but to the abandonment of that pernicious system of which the embargo formed a principal feature; if it be ascribable to the frankness and promptitude with which the President met the late overtures, let us say so. The medicine has operated, and it is correct that we should ascertain by what physician the cure was performed. That medicine which had like to have killed us will never be resorted to again.

The proclamation was another stumbling block; in the consideration of which I must again have recourse to the volume of truth. It will be recollected, sir, that when the affair of the Chesapeake first became public at London, it was known to the British minister before it was known to our ministers. Whilst things were going on very smoothly in relation to that matter, information was received that the President of the United States had issued a proclamation interdicting the entrance of our waters to British vessels, and objection was made to it—on what ground? That the United States had no right by the laws of nations to exclude armed vessels from their waters? No, sir, that was a ground which was never contested. For, in point of right, foreign armed vessels can no more claim permission to come within our waters than their armies can claim a right to encamp on the terra firma of our country. The right is enjoyed but by indulgence. But, if the armies of France and England were engaged upon our frontiers, and we should permit the army of one to receive accommodation and comfort within our territorial limits, and were to exclude the other, we should violate the neutral character by aiding one to the depression of the other, taking, so far as this partiality extended, a part in the war, we should in fact be doing a hostile act. On the other hand, if we permitted both to come into our territories and fight it out, we still keep our neutral character, impartiality being of the essence of neutrality. When therefore the proclamation interdicting British vessels was issued, it was complained of only on this ground: "The total exclusion of all ships of war belonging to one of two belligerent parties, while the ships of war of the other were protected by the harbors of the neutral power, would furnish no light ground of complaint against that neutral, if considered in any other point of view than as a measure of retaliation for previous injury: and, so considered, it cannot but be necessary to take it into account in the adjustment of the original dispute."

If the House will give me a little attention, they will see that the objection to the proclamation did not go on the ground simply that British vessels were prohibited from entering, but that whilst British vessels were prohibited French were admitted. It was admitting the army of one belligerent to occupy your territory whilst that of the other was prevented. Therefore the giving the use of our waters to one belligerent and refusing it to the other was a fair and just cause of complaint; and till both were admitted or both excluded, Great Britain, refused to treat or make reparation for the attack on the Chesapeake. Mr. Rose came forward afterwards with a long letter on the same subject, and we find that he comes to the same conclusion. This point, wherever the subject is treated, is not lost sight of. You find it afterwards in the reply which was given by Mr. Canning to Mr. Pinkney, when Mr. Pinkney made the famous proposal to the British government, that if they would withdraw the orders in council, the embargo should be suspended as regarded them; one reason of refusal was that British vessels were interdicted whilst French were admitted. She wished that both should be admitted or both excluded. She never would enter into any negociation till that equality was produced. She has not talked as much as we have, to be sure, but she has acted more. Now, sir, by the non-intercourse act, this demand of placing both nations on an equality is complied with, and she offers that reparation which she had hitherto refused.

But it is said that the proposal made by Mr. Pinkney last summer embraced the same terms. And how? What did Mr. Pinkney offer at that time? After talking about and about the subject, Mr. Canning not understanding him, desired him to commit his ideas to paper. He wrote it. "I have the honor to state (says Mr. P.) that it *was* the intention"—it *was* (not it is) the intention of the President of the U. S. to suspend the embargo as to G. Britain in case she should withdraw her orders in council, &c. And Mr. Pinkney then makes no pledge that the embargo shall be continued as to France, but goes into an *argument* on the subject. Was this the pledge required by the British government? No, sir; we find till that demand was complied with she never would come to a settlement. Now, if the orders in council had been then repealed, would it have produced those consequences subsequently produced by her perseverance? No, sir. In the first place there was then no pledge on record that we would resist the French decrees; our government having studiously avoided such a pledge. The government was not pledged by Mr. Pinkney even to keep the embargo in operation in relation to France. They were not yet willing to pledge themselves to resist France. They would not act a manly part even then. It was not enough that France disregarded all neutral rights and the obligations of a sacred treaty. We would not then give intimation that we would resist France, but all we said, was, that if France persisted in her decrees, we would continue the embargo as to her. On this ground the orders in council were asked to be withdrawn. British vessels would still have been excluded whilst French were admitted. But at last that state of things has arrived, as to the pledge that this country will not submit to the French decrees, & as to both nations being placed on an equality in relation to armed ships, in which we ought first to have placed ourselves. The proclamation being removed is no impediment to that adjustment. It never would have been an impediment, if this government had been willing to do orignally what it at last consented to do.

The third, last and only impediment was the existence of the embargo.—As long as that remained in force, the British government stood pledged not to withdraw the orders in council.—The embargo is given up. But the address and adroitness of the government is distinguishable there too; for while they killed the life and soul of the embargo, they held up the lifeless corpse as though in full life and vigor. The great argument in favor of the embargo was, that it would starve our adversary. Now we had repealed the embargo, except as to Great Britain and France; we had come down on our knees, and thus broke our fall. It was said to our merchants, you shall not go to Great Britain; but you shall go to St. Bartholomews, and thence Great Britain may get your produce. As soon as you said that, sir, you abandoned the principle on which the embargo went. It was no longer an embargo to that purpose for which it was designed. But it was better for our own interests to have permitted direct exportation, as I shall prove; for it is a material consideration with Great Britain to have her shipping employed. If we had exported our produce immediately from this country to Great Britain, I see very plainly that British shipping would not have been employed; but as it was, in striving to affect, and perhaps injure Great Britain, we gave employment to her seamen and ships which she would not otherwise have had. But I say that the principle of the embargo was completely abandoned as soon as Congress consented to give vent to the productions of the country by a partial repeal of the embargo. This measure was adopted on the ground that Great Britain stood so much in need of our produce and raw materials that she could not live without them; and the moment that we repealed it in this manner, the embargo was destroyed. It looked well to have the embargo continued as to G. Britain and France, because it saved appearances. I do not know that the government was to blame. In the same letter of Mr. Canning to which I have before alluded, there is an expression, the import of which plainly is, that if the British government could restore friendly relations between the two countries without appearing to deprecate the embargo as a measure of dreadful hostility, she would have been very willing to have treated with you. If the embargo had remained to this day, would you not have remained without a step being taken? But we did repeal the embargo, notwithstanding the name which was left, so much that it could not be supposed by any body to operate on Great Britain so as to be injurious to her. Those who saved appearances by a partial repeal of the embargo, granted what she wanted in this respect.

When these three impediments were removed, and by our government too, when the door was fairly opened, Great Britain walked in and offered to the President of the United States that, since we had done all that she could reasonably desire, and we did nothing more, she was willing to do all that we could reasonably desire. It is for the promptitude and frankness with which the President met the late overture that I thank him most cordially for my country. I approve it most heartily. When Secretary of State, he satisfied me that when he wanted to keep off accommodation, no man was more competent; for instance, when reparation was offered in London, and our government had as lief have taken poison as accepted it. I know that the President of the United States, in the course of diplomatic discussion, could have produced delay in such a manner that no one could well have decided what prevented the arrangement from coming to a happy conclusion. But he chose, when he came into power, to dispel that darkness which the administration of his predecessor had spread around. He acted with promptitude and frankness, and merits the gratitude of the nation for it—and it is the duty of the House of Representatives to give their approbation of that act. And I am willing to join in it, not because I am in the habit of pouring out the incense of adulation—for I will tell gentlemen very frankly, that if any one who is so averse to praise, were to blame the President for his conduct in relation to the resistance to the laws in Pennsylvania, I would join him—but whilst I express my disapprobation that he has not repressed rebellion, that he has not detailed the causes out of which it grew, and the manner in which it was composed, I must express approbation of his conduct in relation to the subject now before us. I must, indeed, regret that the President has not even submitted it to the consideration of Congress, when there was a rebellion, in the heart of the government, a rebellion against the judicial authority of the United States. I shall not make a motion to express my disapprobation; but if other gentlemen did, I might vote for it.

A colleague of mine (Mr. Fisk) yesterday undertook to instruct us by reading part of the speech of a British nobleman, instead of listening to the dictates of his own judgment. As to this same Lord Grenville I have a word or two to say. Perhaps my colleague does not know that in Great Britain they understand the game of ins and outs as well as here; that there as well as here, men have one set of political connections to-day, and a new set of political connections and principles to-morrow. But the little knowledge which I possess of British corruption (I am sure I shall be applauded for that word) enables me to say that there are men in G. Britain who do not practise what they think, who make speeches for the mere purpose of putting the ins out, and themselves in. And tho' I would not put Lord Grenville, my worthy friend's friend, on his trial here; yet, since he is brought in, I chuse to pay my respects to him. You have heard me read the note attached to the treaty. Would you believe, after hearing his speech, that this same Lord Grenville was one of the British ministry who pledged the British nation by that note to the orders in council which were subsequently issued, in failure of the conditions stated?—And this man is to be appealed to as authority that the offer of Mr. Pinckney in relation to the embargo was really fair, and such as the government should have consented to! Will the gentleman go the whole length with his British friend? He says that when the offer to repeal the embargo was made, then the orders in council ought to have been rescinded. In the opinion of Lord Grenville, the orders in council only became unlawful when the British government refused the of-