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Speech of the Hon. James A. Bayard, in the Senate of the United States

James A. Bayard

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SPEECH

OF THE

Hon. JAMES A. BAYARD,

In the Senate of the U. States,

Upon his motion made on the 16th of June, to postpone the further consideration of the bill declaring War against Great Britain, to the 31st of October.



MR. BAYARD said that he was entirely sensible of the inutility in general of entering upon the discussion of a subject which had been a long time under consideration, and upon which it might be supposed that the opinions of members were formed and settled; but on an occasion so momentous as the present, he should not feel himself justified in submitting even a motion of postponement, without offering his reasons in support of it—nor could he think that in giving a silent vote, that he had discharged the duty of his station. Gentlemen would remark, that he had confined his motion to time, in order that members might not be compromitted in supporting it, who might think the war itself just and necessary.

The motion did not oppose or deny the sufficiency of the causes, or the policy of the war. It went only to affirm what he trusted the course of his observations would render very evident, that this was not a time at which war ought to be declared.

He indulged a confidence, that upon so great an occasion the Senate would not be impelled to act by any little passions, nor by any considerations which did not arise out of an extended and distinct view of the interests of the country. It is not enough that we have cause of war, we must see that we are prepared, and in a condition to make war. You do not go

to war for the benefit of your enemy, but your own advantage—not to give proofs of vain and heedless courage, but to assert your rights and redress your wrongs. If you commence hostilities, before you are prepared to strike a blow, and while your cities, your territory, and your property on the ocean, are exposed to the mercy of a government possessing vast resources of war, what can you expect but to add new distresses, defeat, and disgrace, to the wrongs of which you complain. It is a strange motive for war—a wish to gratify the rapacity, to swell the triumphs, and to increase the insolence of the enemy.

Mr. B. said that neither the government nor the people had expected, or were prepared for war. Even at this moment the general opinion abroad was, that there would be no war—the mercantile and trading world had continued to act upon that opinion—nor could people be persuaded, that an unarmed nation was about to attack a nation armed cap a pie. No man had laid out his account for this war, and every one would be taken by surprize, and unprepared for its shock. You have at this moment an immense property abroad, a great portion of it in England, and part floating on the ocean, and hastening to your ports. The postponement proposed might save a great portion of this property, and bring home the seamen now absent from the country. Gentlemen would remember the number of ships which left our ports upon the eve of the embargo—these vessels had not time to perform their voyages, and the greater part of them were still abroad. He knew that some members had no commiseration for the merchant who had dared to escape the embargo, and who had disregarded the salutary precautions, designed, as it was said, for his security. But he did not think it surprising nor culpable, that those whose property consisted in ships, should be averse to seeing them rotting at the wharves, and even disposed to incur risks to find employment for them abroad.

Even, however, if it should be thought that the merchants had acted with indiscretion and folly, it is the part of a parental government, such as this ought always to be, not to punish the citizens for their misfortunes, but to guard them against the effects of their errors. Beside, a loss of individual property was a loss to the state, as the publick strength was derived from individual resources.

He stated that the question of war had been doubtful till the present moment. He did not believe that the President himself expected war at the opening of the session, nor for a long time after. A menacing language was held out, but the hopes

of an accommodation were far from being abandoned. Much was expected from the prince regent's accession to his full powers. A change of ministry was not doubted; and it was thought, that in the change of men, there would have been found such a change of principles and measures, that the differences between the two governments might be compromised and settled. This expectation was protracted, till it became plainly evident that the prince did not intend to change his father's ministers, nor to depart from their principles or measures. When this discovery was made, the administration had proceeded too far to recede.

Desperate as the course was which now alone remained to be pursued, they supposed they were obliged to advance, or become the object of reproach and scorn both to friends and foes. This necessity they had brought upon themselves, but it was too late to consider whether the condition might have been avoided; they were pledged in the state of events to attempt to extort from Britain by force the concession of those points which their arguments had failed in persuading her to yield. He had no doubt, but that some months past, the cabinet had seriously determined upon resorting to hostilities. But the concurrence of congress was to be obtained; and whether a majority of both houses could be brought to take the daring and hazardous step, no man in or out of the government, without the gift of prophecy, could have predicted.

The publick mind had been so repeatedly distracted and deceived by boisterous speeches and bold but ephemeral resolutions, that it had sunk into a state of apathy, and was no longer excited even by the sound of war echoed in the ministerial paper from the proceedings of government.

When the bill before us was first bro't up from the other house, it was the opinion of very few that it would obtain the support of a majority of this body; and even now, it was likely to pass, not because it was approved by a majority, but of the differences of opinion which existed among gentlemen as to other courses which had been proposed.

If, with the light and information possessed in this body as to the views and designs of the cabinet and of congress, it has been doubtful among ourselves whether the government would resort to war, how was it to be known by our merchants or any other class of society unacquainted with the intentions and secret proceedings of those exercising the powers of the government, that the nation would be wantonly plunged into a sudden war?

He had heard it said that the embargo was sufficient notice of the design of the government to resort to hostilities upon its expiration; and that people must be infatuated, who, after such warning, were not apprized of the approaching crisis. But it is too recently and deeply in our recollection to be forgotten, that this is not the first embargo we have experienced, and which, though of longer duration, we saw pass away without being followed by war.

The language held here as to people out of doors who have doubted of the war, is retorted by the publick voice with equal confidence and on better grounds. They rely upon your integrity and wisdom, and say that congress cannot be so infatuated, destitute as they are of the means of aggression or defence, to draw upon themselves a war with one of the most powerful and formidable nations on the globe. If a war with Britain be tho't unavoidable, yet, as she leaves to us the time of commencing it, surely we ought to select that time, when the first shock shall be least disastrous, and can best be resisted. Why should we hurry into a war from which nothing but calamity can be expected? There is no danger that the redress of our wrongs or the assertion of our rights will be barred by the limitation of time. No time has existed for years past when we had less cause to complain of the conduct of G. Britain. Her vessels of war had all been withdrawn from our coast, as he presumed, in order to avoid collisions and hostility.

If the war be suspended till November, the government and the people will both be better prepared to sustain it. He was not a friend to the restrictive system, but with a choice only of evils, he should prefer the embargo to war. Postpone the war and we will submit to the embargo till November.—This will furnish time for the return of your ships and seamen; and if at the same time you will abandon the non-importation act, you will replenish your treasury with at least twelve millions of dollars, and restore to your citizens sixty millions now abroad and in danger of being lost. It appeared to him that the course which had been pursued was the most preposterous imaginable. For eighteen months past we had been sending our property out of the country, and not suffering it to return; and while contemplating a war with G. B. we saw our effects to an immense amount accumulating in that kingdom, liable any moment to fall a prey to the government, and to be employed in support of the war against us. He asked, why rush with this precipitancy into the war? Are you provided with means to annoy the enemy or to defend yourselves? Have

you an army or navy which can make any impression? Are your exposed towns fortified and garrisoned? Was any nation ever less prepared for war? It would require the whole military force you possess to constitute an adequate defence for New Orleans, New York and Newport. It is very well known that the general who will command at New Orleans, has declared to the government, that he will not be answerable for the security of the place with a less force than ten thousand men, which is equal to all the effective troops yet raised. It would be natural to suppose that no government would declare war till it was prepared to attack its enemy. In peace we require no defence, and shall we declare war in order only to defend ourselves? But what blow are you prepared to strike? Were you able in the summer to recruit your army of twenty-five thousand men, could it be employed in any service in the course of this year? A soldier is not made in a day. The authority of a foreign officer now in this country of the highest military reputation, he had heard frequently cited, that it required at least fourteen months to form a soldier of a recruit. This remark applied to France, where the officers have generally received a military education, and where there are so many models to imitate and so many instructors to teach. But here the officer is to form as well as the soldier.—The officer has to learn his lesson first before he can prescribe the task of the soldier. You may possibly have a herd of men, but you can have no army to lead into service this season—And if this herd be led against disciplined troops you can expect nothing but defeat and disgrace.

But you have not got, nor can you get the men during the present year. These are not the days of Cadmus. It will require great patience and industry, and a considerable length of time, to collect twenty five thousand men. Have you the least prospect, if you declare war, of attacking Canada this season? It is impossible that you can do it with effect.—You will be sufficiently occupied in defending your frontiers against the savages.

It is not on land then that you expect immediately to assail your enemy. Is it on the ocean that the impression is to be made? You have twenty vessels of war—Britain has upwards of a thousand.—What will avail the activity or gallantry of your officers and seamen against such disparity of force. Your little navy must fall immediately or be driven from the ocean. Some gentlemen indulge great expectations from privateers; but has Great Britain any unarmed or unprotected trade which they can attack? Privateers have no other object than plunder and

booty. They avoid armed vessels—and defended as is the British commerce in every part of the world by her great naval force, it is little to be expected that privateering will be attended with much success or encouragement. But while we are searching for the means of annoying the commerce of Britain, does it become us to overlook at this moment the condition of our own. A valuable part of the trade from beyond the Cape of Good Hope has not yet arrived. Of the numberless vessels which sailed upon the eve of the embargo few have returned. Your merchant vessels are without convoy and utterly defenceless. Your condition, therefore, is, that with more commerce exposed, your adversary will possess greater means of annoyance, and the consequence must be, that we shall lose infinitely more than we can expect to gain.

Under such circumstances what should hurry us into the war? Are gentlemen afraid if they wait till November, that the world will not last long enough to afford them time to gratify in war their mighty resentment against Britain? He believed as he hoped, that there was no honorable gentlemen on the floor who would not live long enough to have a complete surfeit of the war, though it should be postponed for a few months.

He said he was greatly influenced in his motion for postponement by the combined considerations of the present defenceless condition of the country, and the protection which providence had given us against a maritime power in the winter season. During the winter months you will be defended by the elements.—Postpone the war till November, and we shall not have to dread an enemy on our coast till April. In the meantime go on with your recruiting, fill up, discipline, and train your army. Take the stations if you please which will enable you to open an early campaign. Your trade will all have time to return, before hostilities commence, and having all your ships and seamen at home, you may be prepared to put forth all your strength upon the ocean on the opening of the ensuing spring. Shall we by an untimely precipitancy, yielding to a fretful impatience of delay, throw our wealth into the hands of the enemy, and feed that very rapacity which it is our object to subdue or to punish.

We can lose nothing by delay; much will be certainly saved; and at a moment pregnant with great events, it was most evidently our true policy to temporize.—You give up no right, yield no pretension, and profit by every day in rendering the condition of the country more secure and its attitude more formidable. The just appreciation of time is among the highest points

of political sagacity. To know what step the times will warrant, and to take the step at the proper time, is generally a matter of more important and difficult consideration than the nature of a proposed measure. Without enquiring whether war was the right course for the nation to take under existing circumstances, he did most confidently assert that this was not the time when war ought to be commenced.

Mr. B. said it belonged to the motion he had submitted to bring under review the alleged causes of war, and to enquire into the probability of our attaining the objects for which we were to embark in the war. If we are to come out of the war as we enter into it, after having wasted the blood and treasure of the nation, and loaded the country with debt and taxes, it would certainly be more rational to submit at once to the wrongs we endure. If we expect to extort any concession from Britain, we must be prepared for a long, obstinate and bloody conflict.

Britain at this moment certainly does not court the quarrel. She has reduced the catalogue of our complaints; and though not disposed to surrender her pretensions, she has evidently made advances towards conciliation. The recent orders in council were designed to be so considered, and she has removed a great source of umbrage in withdrawing her armed ships from our coasts. She had offered satisfaction for the affair of the Chesapeake, which our government had accepted—which must therefore be taken to be honorable and sufficient, and the offence which had been given completely expiated.

We are no longer at variance in relation to the colonial trade. France no longer has colonies, and we have no occasion to contend at present for an empty right which could not be exercised if yielded.

The question, therefore, as to the right of a neutral to be the carrier of the produce of the colony of a belligerent, having been reduced by the course of the war to a mere question of theory, it no longer entered into the disputes of the two governments.

The question as to the impressment of our seamen did not present insuperable difficulties. Britain never contended for a right to impress American seamen. The right she claims is to take her own subjects found in our merchant service. She exercises the right in relation to her own private vessels. This right she never will, nor can, give up.—If our merchant flag were a secure protection to British seamen who sailed under it, the British navy must be unmanned by desertion; while our merchants can and do pay a dollar for every shilling a sailor can earn in the naval service of his country.

Can it be expected that a nation which depends for its existence upon its naval strength, would yield a principle threatening the destruction of its maritime power? No war, of any duration, or however disastrous, will ever extort this concession—she may as well fall with arms in her hands, as to seal quietly the bond of her ruin.

He did not know that our government had ever required the unqualified abandonment of the right to impress. Our complaints were chiefly of the abuses committed in the exercises of the right. It was a practice frequently attended with violence, insult, and gross injustice. Americans were often from design or mistake seized as British subjects, and we have abundant evidence of the fact, that many of our native seamen have been forced into British service.—He had always understood, however, that such acts were not justified by the British government. The government have never claimed the right of holding an American seaman against his will.—The pretensions of the two governments upon this subject, admitted of adjustment. The chief embarrassment arose from the difficulty of distinguishing the sailors of the two countries. But he had no doubt that this, and all other difficulties on the subject, might be vanquished without having recourse to war.

The dispute, as to paper blockades, was for the present, merged in the orders in council. Those orders were now to be considered as comprehending the whole cause of war.

This subject deserves to be viewed in every light. The orders in council were not at this time, in truth, supported upon their original ground. The ex-minister Mr. Canning, had publicly and candidly confessed the fact. They were adopted as measures of retaliation, though they never deserved that character. He had always considered the Berlin and Milan decrees used as a mere pretext. Those decrees were vain and empty denunciations in relation to England. The plain design of the British government was to deprive France of the benefits of external commerce, unless the profits of it were divided with herself.—This was fully proved by the licence trade. Britain carries on the very trade she denies to neutrals, and having engrossed the whole to herself, she excludes neutrals from participation. No man was more disposed than himself to reprobate the wrong and injustice of the British government upon this subject. They resort to the French decrees to justify themselves, and though he considered them as no justification, yet, our government in their conduct had admitted that the decrees placed us upon the same footing as to France as the

orders did as to England, and required equal measures to both nations.

Our government have been pleased to say what he did not think at this time any man in the nation believed besides themselves. They have been pleased to say the decrees are repealed.

This is a fact, and asserted without any proof. The decrees could only be repealed by the same power and in the same manner in which they were enacted. They proceeded from the sovereign power of France and became the laws of the empire. The same power in the solemn form of a law could alone revoke them. We possess the decrees in all the forms of law, but have we ever seen, has the government any reason to believe that any decree in the form of a law has been passed to repeal them?—The promise of a sovereign to repeal a law does not annul it, nor would a reference of his minister to its being repealed have that effect. Every sovereign power prescribes to itself a form in which its sovereign will shall be known, when it is to constitute a law of the land.

The decrees teach us what this form is in France, and we have no ground to believe that the decrees are repealed, till we see an act of the sovereign in the same form in which they are found.—Such is the course among ourselves. A law is repealed by a law passed in the same form. It is the practice of every nation in Europe, and of every civilized nation on the earth. But even the promise to repeal was only conditional, and it has never been announced to us that the emperor considered the condition complied with on our part by prohibiting the importation of British produce and manufactures. In fact, daily accounts are received of seizures made on the principles of those decrees: and, to affirm that the decrees are repealed, was only to add perfidy to the atrocity of the conduct of the French, who do not hesitate to plunder, burn and destroy our property on the high seas, even after abandoning the pretence with which at first they were respectful enough to attempt to cover their violence.

Nothing could be more evident than the policy of the French emperor, nor any thing more mortifying than the success which has attended his juggling.—He has contrived to satisfy our government that he has repealed his decrees, while to the eyes of the rest of the world they appear to be in force. By these means he has opened our ports to the publick and private ships of France, and shut them against those of Great Britain. He denies the evidence of the repeal of his decrees, which he well knows, if furnished to us, would immediately remove the or-

ders in council, and facilitate the settlement of our differences with England. Britain has declared, that the moment evidence is produced of the repeal of the decrees, the orders in council shall ipso facto be annulled. The emperor, instead of furnishing this evidence, is giving daily proofs, to our sorrow and loss, that the decrees are in force and operation.

I am among the last men in the Senate, said Mr. B. who would justify or defend the orders in council. They violate the plainest rights of the nation. The ground of retaliation was never more than a pretext, and their plain object is to deprive France of neutral trade. It never was contended, nor does Britain now contend, that she would be justified by the laws or usages of nations to interdict our commerce with her enemy. She covers her injustice with the cloak of retaliation, and insists that she has a right to retort upon her enemy the evils of his own policy. This is a doctrine to which I am not disposed to agree. It is destruction to neutrals—It makes them the prey of the belligerents. It is a doctrine which we must resist, but the time and manner of resistance ought to be determined by a view only to our own interests. Because we are injured we certainly are not bound to make war, before it is for our own benefit. There is one effect of this war which gentlemen ought to take into view, and which, to him, was a source of grief and humiliation. In making war upon England, we bring the force of the nation in aid of France. We are about to assist a government from whom we have suffered for years past the most humiliating insults and the most atrocious wrongs. We are about to make a common cause with a man who hates us for our language, and despises us for our government, and who would to-morrow if he had the means, without seeking a pretence, add us to the list of his conquered provinces. This connexion should not be hastily formed. To other nations it has been the forerunner of their subjugation and ruin. Let us take time to consider the consequences of a step upon which the destiny of the nation depends. We may profit by delay, but can gain nothing by precipitancy. The war will not hastily remove the Orders in Council. It is the principle of the orders, rather than their effect of which we complain. The trade to France, which they interdict, is of little consequence to the country. Its annual amount is less than three millions of dollars, and you find it onerated with duties so excessive, and restricted to such articles of exchange, that even if enjoyed in safety, it would be productive of little profit to individuals or to the nation. If, however, you declare war at this time, you lose the trade to

G. Britain and her dependencies, equal to thirty-five millions a year, without gaining the paltry trade with France. The laws of war will operate still more extensively than the Orders in Council; and though no doubt we shall gratify the Emperor of France, we shall enjoy little commerce with his dominions. As it regards therefore, our interest, it is found in protracting the present state of affairs. Some gentlemen consider that the honour of the nation called for immediate hostilities. It is admitted that a country is bound to defend its honour, nor can its interest be well separated from its honour. But what honour can you acquire by going to war in your present unprepared and feeble state? In respect to nations, their glory and their success are nearly allied. A vanquished nation gains no honour, however just its cause may be. You have certainly no force prepared to enter Canada. Your army is still to be formed. It is to be found on paper, but not in the field. With militia no invasion of a foreign territory can be contemplated. They are not bound to pass your frontiers, and desirous they cannot be to shed their blood, in order to add by conquest to the unwieldy territories of the United States. Is it on the ocean that we are to look for laurels, with twenty ships opposed to a thousand? The most desperate courage cannot command success against such fearful odds. The loss of our navy and of our commerce must be the consequences of the war upon the ocean—and is this the honour gentlemen are so impatient to enjoy?

There was reason to believe that Britain would feel the war only through its restrictive effects. At this moment especially, she stood in need of our produce as well as our market. The embargo and non importation, which denied her both, were undoubtedly felt. The objection to them was their re-action upon ourselves. The great question was, whether we did not inflict upon ourselves a deeper wound than upon our adversary. If such were the case, it was a strange mode of retaliating. But if this be the edge of the war, which is to wound the enemy—had we not better retain our present condition? The war is not necessary to execute the restrictive system; and if restriction be the chief effect of war, had we not better bear with the evils of this system, than involve ourselves at the same time in the calamities of war?

Mr. B. said that his motion was recommended by the strong consideration, that by postponing the declaration of war, we could lose nothing, and certainly would gain a great deal. Hostilities would be suspended during the present year. In the mean time, you will be employed in raising and disciplining

your army, and in providing the munitions of war—your vessels, property and seamen may be brought home, and you have the chance of propitious events which may interpose.

England at this moment is in a convulsed and distracted state. Tumults, little short of insurrection, have happened in different parts of the kingdom. The present ministry hold their places by a very precarious tenure. The real disposition, and intentions of the Prince Regent are not distinctly and certainly known. The Prince may be forced to yield to the popular sentiment. We had lately seen the corporation of London come forward with an address against the Orders in Council. This body had always had great weight in the kingdom, especially in giving an impulse and direction to popular opinion. Let us wait the operation of these domestic causes. A little patience, and triumph may be secured to us, by the People of England themselves without bloodshed. The minister had already receded one step. He had suffered the orders to go to a Committee. It would be difficult, against the strong current of sentiment which prevailed, for him to recover his former ground.

At the same time, if we cast our eyes on the continent of Europe, we see every thing in commotion. Armies of unparalleled numbers taking the field. A crisis of vast magnitude existed, which might terminate in the subjection of all Europe to the Power of Bonaparte. If, however, the Emperor of Russia should avoid the shock, and tamely yield to the continental system of his adversary, the effect of this occlusion of the ports of all Europe to the British trade, could not fail to be sensibly felt by that power, and to create new inducements upon her part, to cultivate friendship and peace with the United States.

At the same time, gentlemen would call to mind the unsettled state of affairs between this country and France. The principle of impartial and equal conduct as to the belligerents was avowed by all, and he had as yet met with no one who hesitated to declare, that if France refused redress for the wrongs she had done us, that the same course ought to be taken in relation to her as to England. It was alleged that negotiation was still pending between the United States and France, and at present we were bound to abstain from acts of hostility as to her. This doubtful state of affairs as to that power was a strong reason for delay. A few months will necessarily realize or disappoint the expectations which are entertained. It could not be the intention of Gentlemen to propitiate the Emperor, and to secure a treaty by means of a war with England. This

would be purchasing his friendship at the expense of our honour, as well as of our blood and treasure. Before we break with England, we ought to know upon what terms we stand with France. If France will concede nothing, in order to induce us to enter into the war, what are we to expect when she is no longer asking our aid, but we are standing in need of her assistance, to carry on the contest. In vain then will you ask for redress, and indemnity for seizures and spoliations. Let us wait and see what she will do before we throw ourselves into her scale—afterwards, it will be too late.

The Wasp will return before Nov. and what is now doubtful with some, will then be certain with all. Some Gentlemen were looking for the return of this vessel each succeeding day. But for his part, he was two well instructed in arrangements, by the history of the Hornet, to expect to see the Wasp for some months after the time announced for her arrival. In February, the Government gave out that the Hornet was daily expected, and with a passage of twenty days she did not arrive for three months after. She was detained by the very cause which will detain the Wasp, waiting for a treaty. If she waits for a treaty, which is to indemnify us for the losses sustained under the plundering decree of Rambouillet, which some Gentlemen flatter themselves with the expectation of being granted by Imperial justice, it is much to be dreaded she will never revisit the American shores. Do you expect that Bonaparte will restore the booty which he has seized? As well might you expect that the grave would surrender its prey.

If, as was said, indemnity for spoliations was to be the basis of amicable relations with France, sure he was, that we need not wait for the intelligence the Wasp might bring. Or, if you expect a commercial treaty, which is to give activity to your commerce, by opening the ports of France to your trade, it is a delusion, which time will dissipate and under which we ought not to act. He knew the source of this delusion. It grew out of the letter of Mr. Barlow, our minister in France, to Mr. Granger the Post-master general. That letter, he understood, was dated about the 16th of February, with an endorsement of the 3d of March. Mr. Barlow expressed the expectation of forming a commercial treaty with the French government, and the Hornet was detained for the purpose of carrying it. He believed the Country was most grossly deceived and imposed upon by this letter of Mr. Barlow. That gentleman never entertained the opinion which the letter expressed. He knew and was entirely satisfied at the time when he wrote the letter, that a treaty which was to open the ports of France to

the trade of this country was impracticable. Mr. B. said he spoke not on the ground of presumption, nor of any slight evidence. He had seen a letter of Mr. Barlow to Mr. Latrobe, of which he held an extract in his hand, which was dated on the 29th of February, which in very eloquent terms and on the strongest grounds expressed an opinion, that no commercial arrangement would be entered into by the French government. He would read the extract to the Senate. Mr. B. here read the following extract of a letter from Mr. Barlow to Mr. Latrobe, dated on the 29th of February, 1812.

“The expectations of yourself and my other friends on my doings here are too high I fear to be realized. It is very difficult to produce a change in a system combined with so many circumstances of vengeance, and other strong passions arrayed against an enemy, as is the anti-commercial system of Napoleon. Argument and eloquence have but little power in the case. That old fashioned goddess, whom artists represent with banded eyes and a pair of scales has still less to do. And if you suppose me with the help of these capable of overturning a decision which the cries of twenty commercial cities going to decay, and the united voice of all the wise and honest men of this nation have not been able to shake nor scarcely to modify, I can only wish, and that with little hope, that you may not be disappointed.”

This letter was written after the letter to Mr. Granger which gave the assurances of a commercial treaty, and only three days before the Postscript indorsed on the letter which alleged the detention of the *Hornet* to be in order to send the treaty to this country. It did not belong to him to account for the contradiction between the letters; Poets might be entitled to indulgences when even writing prose, which were denied to the rest of the world, but it was his purpose in reading the extract of Mr. Barlow's letter, not only to avail himself of the authority of the minister, but of what he valued more, of the weight of the reasons assigned in the letter, for not expecting a commercial arrangement with France. He would repeat in the language of the letter, if the cries of twenty commercial cities going to decay, and the united voice of all the wise and honest men of the nation had not been able to shake, or scarcely to modify the anti-commercial system of Napoleon, what was to be expected from the negotiation of an American minister? For his part, he expected nothing but false promises and delusive hopes.

Can you expect that Napoleon will relax his anti-commercial system in favour of your commerce, when you see him bringing into the field five hundred thousand men and ready to

hazard the imperial crown, in order to compel Russia to adopt and enforce the same system? To indulge the expectation was to make ourselves the sport of the most visionary hope. The Wasp would bring us duplicates of the dispatches which had been received by the Hornet, and protracted hope would at last sink in despair. He thought, however, that those gentlemen who still kept expectation alive, that France would do us justice and grant us commercial favours, under the weight of doubt, which must depress their hopes, ought to wait for the ultimate intelligence, which was to determine our relations with France, and shew us more clearly the course which our interest or honour required that we should take in relation to G. Britain.

Sir, said Mr. B. before I set down, I will call the attention of the Senate to another ground for postponement, which can never safely be overlooked nor neglected in a Government like that of the United States. This war is not to be supported by the men only who declare it; its weight will fall upon the great body of the people, and they are to sustain its pressure. Can you maintain the war without the general support of the people? The publick sentiment is not at present known on the subject. The people have never yet believed us serious in our intention of making war against Great Britain. Let us wait till we can have a full and distinct expression of their opinion. Are you afraid that opinion is against the war? and if so, are you hardy enough to make war? Do you forget your origin, that you are creatures of the people's favor? That it is their power which you are exercising, and that you have no strength of your own? He must be little instructed in the nature or history of our government, who supposes that a war can be long supported against the will of the people. The constitution makes the general will, the basis of the Government. That will upon all occasions must be consulted, and must be obeyed. You may commence the war against the will of the people, but how long can you exercise the powers of government against their will? He knew well that some gentlemen calculated much from the war spirit. That war spirit, was at most but the ebullition of the passions; short-lived in its nature as are all the passions.

Taxes and privations will soon extinguish it, and you will have to settle your account with a nation in their sober senses. If unfortunately, the spirit of the war should inflame the party passions to madness, and the people should be willing to sacrifice their country to support a party, then indeed might Ministers calculate upon holding their power.—But can we foresee

the consequences of thus inflaming the furious passions of a whole people? Have you a saving power in the Constitution, which shall bring us out of the mad struggle, an entire nation? Our Constitution was designed for peace and protection, but not for offensive war. Its great aim was to preserve among ourselves the principles of civil and political liberty. So cautiously in many cases, have the abuses of publick authority been guarded against, that the salutary exercise of power has been denied. Against a foreign power, with a united people, it may not be deficient in energy; but divided among ourselves, it is without force. It possesses no saving principle if the North become arrayed against the South. And if the course of things should lead to this conflict, we should have left only the recollection of having lived under a common government. What is there to insure us against this dreadful event? If the northern states conceive their interests to be sacrificed, and find their sufferings disregarded, will they long yield to an authority which has not power to controul them? The authority of the government once successfully resisted, it is afterwards despised, and there is an end of the constitution and of the union. With any nation at any time, war is a hazardous experiment with our government. In peace we have experienced its blessings. We have seen ourselves under it, one of the most happy and flourishing people on the earth. Greatly is it to be dreaded, that the frail barque will not endure the storm of intestine division, and of foreign war. Upon a question of doubtful expedience, you are about rashly to hazard the existence of the union. Can the Senate be exempt at this moment from the most awful impressions? How great is our trust and our responsibility! The destiny of millions depends upon our decision! Shall we make it hastily? I pray God to relieve us from the infatuation of such blind precipitancy, and I call upon you while yet it is not too late, while yet you are standing on the brink of the precipice, to pause solemnly, and contemplate the consequences, before you take the final fatal step, which may plunge the nation into an abyss of inevitable ruin.