

ture, and also for the purpose of preventing and suppressing any armed or riotous assemblage of persons resisting the custom-house officers in the exercise of their duties, or in any manner opposing the execution of the laws laying an embargo, or otherwise violating, or assisting and abetting violations of the same.

Sec. 12. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act, unless herein before otherwise directed: and all penalties and forfeitures incurred by force of the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbours of the United States," or by virtue of the several acts supplementary thereto, may be prosecuted, sued for, and recovered by action of debt, or by indictment or information, any law, usage, or custom to the contrary notwithstanding; as if recovered in consequence of any seizure made by the commander of any public armed vessel of the United States, shall be distributed according to the rules prescribed by the act, entitled "An act for the government of the navy of the United States," and if otherwise shall be distributed, and accounted for in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine, and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting forfeitures, penalties, and disabilities accruing in certain cases therein mentioned," passed the third day of March, one thousand seven hundred and ninety-seven, and made perpetual by an act passed the eleventh of February, one thousand eight hundred, and any officer or other person entitled to a part or share of any of the fines, penalties or forfeitures aforesaid, may, if necessary, be a witness on the trial therefor, but in such case he shall not receive any part or share of the said fine, penalty or forfeiture, but the part or share to which he would otherwise be entitled, shall revert to the United States.

Sec. 13. *And be it further enacted*, That the President of the United States be, and he hereby is authorized to hire, arm and employ thirty vessels, not exceeding in tonnage one hundred and thirty tons each, belonging to the citizens of the United States, and to many seamen as shall be necessary to man the same for immediate service, in enforcing the laws of the United States on the sea coast thereof, and to dismiss the same from service whenever he shall deem the same expedient. *Provided however*, That such hiring, arming and employment shall not be for a term exceeding one year.—And the said ships or vessels when so hired and armed, shall be employed under the direction of the Secretary of the Treasury.

Sec. 14. *And be it further enacted*, That the powers given to the President of the United States by the seventh section of the act of March the twelfth, one thousand eight hundred and eight, to grant permission to citizens having property of value in places without the jurisdiction of the United States, to dispatch vessels for the same, shall henceforth cease.

Sec. 15. *And be it further enacted*, That this act shall be in force from and after the passing thereof, during the continuance of the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States," and no longer.

Approved, January 9, 1809.

TH: JEFFERSON.

MR. SLOAN'S SPEECH

In the House of Representatives of the United States, December 27, 1808, on the 5th Embargo Bill.

Mr. Speaker—I have observed that since printers have become so numerous in these United States, they are obliged to adopt new modes of publication, in order to procure ready sale for their innumerable productions. They frequently hand out long histories in short numbers—for instance, a history that in one volume would cost five dollars, is much readier sale in twenty numbers at twenty-five cents a piece; and as appears from the progress already made, it is pretty well ascertained that the embargo will occupy the greatest part, if not the whole time of the present session; if a majority of the house is determined to keep the people in their present state of suffering and suspense until spring, the least they can do during the dreary scenes of winter, will be to continue diverting them with eloquent speeches, of all sorts and sizes, from fifteen minutes to four hours long.—But knowing that mankind is fond of variety, and believing that my worthy friends in the majority will have the hardest task they ever undertook, to keep the people of these United States in a tolerable good humor, with the embargo on their backs, till next March; although I do not perfectly agree with them, I cannot give them up as lost, but like a faithful friend mean to stand by them to the last gasp, striving if possible to get them out of the horrible pit into which they have fallen, before they perish.

Under these impressions, Mr. Speaker, I shall proceed to offer my second number, which I thought of doing several days ago, but delayed it in consequence of a declaration of my worthy friend from Virginia (Mr. Newton,) which rejoiced my heart more than all the eloquent speeches I have heard this session: It was that we (the minority) knew that the embargo was never intended as a permanent measure—and that they (the majority) did not intend to keep it on long; or words to that effect. In this declaration from so high authority, I reposed full faith and confidence, and suspended offering my second number, in hopes of seeing the wish nearest my heart of all sublunary objects, accomplished, in the removal of the greatest evil which in my opinion these United States ever experienced since the revolutionary war—I MEAN THE EMBARGO. But I have hitherto waited in vain, and must now beg the favor of my worthy friend the next time he obliges the house with hearing the sound of his pleasant voice (which I for one shall bear with great delight) to release my mind from suspense, by giving us the proper definition of the word PERMANENT, and also what he meant by the embargo not remaining long; whether he meant a few days, or a few weeks, months or years! For, permit me to remind my friend, that if instead of being in his present honorable station, receiving six dollars per day, as he did previous to the embar-

go, and still does, he was placed in the situation of thousands at this time in these United States, whose sole dependence for support is their daily labor, and who by that measure having been deprived of employment twelve months, now at the commencement of winter look forward with the dreadful apprehension, that ere the return of vernal blooms, their tender children may ask bread, and they have none to give, he would consider one day, longer than he now does a month.

Mr. Speaker—I have committed the purport of this second number to writing, for two reasons. First, to lessen the labor of our stenographers; and secondly, because, after having so long followed those learned and eloquent members that have preceded me, in their sublime and almost superhuman flights of imagination, it would be difficult, if not impossible, for them instantly to descend to my humble sphere, without, in their rapid descent, falling far below it. Hence I was apprehensive they would dress my bantling in coarser clothes than it merits—and every member on this floor knows that is needless. Yet I am not disposed to read it, for I have long believed that both religious and political sermons lose much of their force by reading. But before I proceed further, I will publish my text, which, although very short, consisting of but one word, conveys a dreadful sound to many thousands of suffering American citizens—"EMBARGO." I need not repeat it, it is become very familiar, and I fear very pleasing to many who receive six dollars per day for sitting a few hours in this splendid hall talking about it: but very different is the situation of many of our constituents suffering under it.

Mr. Speaker—Before I left home I expected that one of the first pages of our journal would have contained a declaration, that this word was proved by experience to be uncanonical, and therefore ordered to be expunged from our political bible. But alas! how grievously am I disappointed, in beholding to great a number of our learned Rabbies, introducing Latin quotations, and perhaps Greek and Hebrew, for I understand none of them, and adducing testimony brought from every habitable part of the globe, to prove that it is not barely canonical, but that on our strict obedience depends our political salvation, and that all who differ in opinion are dangerous heretics. It will be remembered, that my surprize and disappointment was so great, that I remained silent longer than Job's three friends did in days of yore: we read that in consequence of the grievous suffering of their friend, they sat silent and astonished seven days.—I sat silent much longer, until compelled by an imperious sense of duty to plead the cause of the poor and needy, and to exert my feeble powers in behalf of the sinking liberties of my country.

Mr. Speaker—Last session my principal text was, *Removal of the Seat of Government*, and for the same reason that Embargo is at this time; because it was then in my opinion the greatest evil these United States suffered—the EMBARGO is now. And as every wise and just legislature will first attend to the greatest grievances of their constituents, I must for the present suspend my exertions to remove the seat of government, and apply them to the Embargo. In doing which, I shall not impeach the motives of those who engrained into our constitution the plan of a district ten miles square for a seat of government; nor of those who carried that plan into execution; nor yet (God forbid, for I was one) of those who passed our first three Embargo laws. I will admit that their intentions were good—that their motives were pure. But what has been the consequence?—Why experience, that only sure (may I not say infallible) teacher, has incontestibly proved that the principle upon which the ten miles square is founded, is totally repugnant to republicanism and the liberties of a free and independent nation; that whatever its nominal title may be, however artfully disguised, its essence and effect is monarchical, spreading its baneful influence from Georgia to Maine. So has the Embargo. They are twin sisters, in proportion to their power, and equally destructive to the lasting interest, peace, and prosperity of these United States; with this difference only, that the latter is more rapid in her movements, and consequently her baneful effects at present are more sensibly felt. Well, now let me ask what must be done? Must these pernicious plans be supported and continued perpetually, because they originated in pure motives? Does not common sense, reason, and justice answer no? The consummate folly of weak and vicious legislatures have ever appeared most obvious, in the continuation and rigid enforcement of their own oppressive laws; and *vice versa*, the wisdom of virtuous legislatures, in testing their laws by experience, and speedily repealing all that were oppressive to the people.

Mr. Speaker—I shall now ask the indulgence of the house in some observations upon arguments of members, who have preceded me, in favor of the continuation of the Embargo laws: In doing which, I shall not pursue them through the deserts of Arabia, or the scorching sands of Lybia; I will not travel with them, either by land or water, from the torrid to the frigid zone; I will not, after exploring the known, make a futile attempt to explore the unknown parts of the universe, in quest of evidence to support our cause. No—that would be a tacit acknowledgment that it was as bad as theirs, insupportable by domestic, plain, and self-evident facts.

The principal object I have in view, is, (to use a military phrase) to bring the artillery of divers members that have preceded me, to bear upon themselves; which, if it should bear hard let them remember that they have provoked the attack; and to shew, that some of the evidence adduced by them, is conclusive against the continuance of the Embargo laws.

The first I shall notice is my friend from Tennessee (Mr. Rhea) who spoke next after me, soon after the commencement of this discussion. He observed, that no distinction ought to be made between rich and poor. I perfectly agree with him, and only ask him to reduce his excellent christianian precepts to practice; that while he sits in this splendid hall, receiving six dollars per day; secure from the piercing blasts of winter, far removed from the hapless habitation of want, where poverty dwells, or even from the apprehension of the plaintive cries of a bosom friend asking bread

for her tender offspring, where there is none to give, he will abstain from making or continuing in force laws not barely oppressing the poor, but totally depriving them of their wonted means of subsistence; yea, cutting off from them their whole staff and stay of bread.

The next observations I shall notice, fell from my young friend from Virginia, (Mr. Gholson,) who is certainly entitled to the thanks of this house, and of the people of the United States, generally, but more particularly of the merchants, seamen, and fishermen of the middle and eastern states. These classes he has laid under so heavy a debt of gratitude, that I fear they will never be able fully to discharge it. I mean his great condescension, in setting his prolific genius to work to devise some means to relieve them from their present suffering situation. Being a great friend to home manufactures, I gave particular attention to his truly patriotic and benevolent plan—which was, if I understood him correctly, to turn the merchants and their clerks, with their powdered heads, out of their counting-houses, and set them to ploughing—and the seamen and fishermen to spinning cotton—a plan worthy of the author!—But I hope my friend will consider it a token of my respect, if I present for his consideration a reversal of his plan; that is, to order the seamen (whose hands have been used to handling the tarry ropes) to the plough; and the other trifling powder-headed gentry, to spinning cotton, as more congenial to their former habits. One more token of my respect, and then I will for the present take leave of my friend from Virginia; that is, that notwithstanding his plan is well adapted to the meridian of a government where slavery and unconditional submission is the order of the day: he will do well to consider before he proceeds to enforce his plan, whether it will suit the meridian of a government whose citizens have not been theoretically, but practically free, and long inured to employment of their own choice.

Mr. Speaker—I shall now proceed to some observations of my friend from Georgia, (Mr. Troup,) but must ask his pardon for not placing him first on the list of the three first mighty men, that have appeared advocates for the Embargo—to this station he is, in my opinion, justly entitled, for the clear, positive, and unequivocal manner in which he informed the members of this house, from whom they had nothing to fear; and to whom they might safely look up for example. This information I trust will be duly appreciated, kept in remembrance, and strictly attended to, as to prevent the necessity of a repetition. The language, if I understood him correctly, was to the following effect; that we had nothing to fear from the anti-Embargo men, they were too base and insignificant; that he would not appeal to the anti-Embargo New-Englanders, the merest Skylocks, the depraved of the cities, and the ignorant of the country—who would sacrifice the honor and independence of the nation for a little trade in cod-fish and pot-ash; but to the people of Virginia, too honorable to be corrupted, and too enlightened to be duped.

Mr. Speaker—As this gentleman has been indulged with liberty to inform the members of this house, and through them the people of the United States generally, who he would not appeal to for example, and who he would; I ask the same indulgence, with this exception only: I ask not liberty to make invidious distinctions between states—I ask not liberty to mention the names of any of them. No: This has never been my practice on this floor, and I trust never will.—None more than myself regret being laid under the imperious necessity, in support of justice, liberty, and the inherent rights of man, to say, that I will never appeal or look up for example, to any state government, under which 346,968 human souls are kept in a state of perpetual bondage and used as an article of traffic, in common with a bale of goods, or a beast of the field—I will never hold up as an example any government, where the choicest of all earthly blessings, "liberty," is extended only to a chosen few, and withheld from the many; where a great majority of those called freemen, who are compelled in case of war to risk their lives in support of the property of the rich, are denied a voice in making the law that so compels them or any others. I will never look up for a model of political justice, to a state boasting of twenty-two representatives on this floor; who, nevertheless, at a late general contested election, probably took between twenty and twenty-five thousand votes; when on a similar occasion, a state sending but six representatives, took upward of thirty-two thousand. And finally, until I am convinced that a radical, and complete reformation has taken place (which God in mercy grant may soon be the case,) I will never look for example to a state which the wise and enlightened authors of the Notes on Virginia, described as follows: "In this state alone, did there exist so little virtue, that fear was to be fixed in the hearts of the people, and to become the motive of their exertions and the principle of their government."

No, Mr. Speaker, were I to hold up as an example any state government, it should be one where every man who pays tax for the support of government, and is called upon when necessary to risk his life in defence thereof, has an equal voice in deciding who shall make the laws that govern him—where the power of the poor man to guard his ewe lamb, is equal to that of the rich over his flock—to a state who having but eighteen representatives on this floor, can nevertheless boast of 112,000 free and independent voters. Not to a state where, if the declaration of independence is read at all, it is regarded only as a pleasant song, as founding brass, or a tinkling cymbal; but to a state where this heaven born language is reduced to practice; "We hold these truths to be self-evident, that God hath created all men equal, that he hath endowed them with certain unalienable rights, amongst which are life, liberty, and the pursuit of happiness. Ever bearing in mind, that not the hearers but the doers of the law, are to be justified thereby.

I will now, with permission of the house, take some notice of my friend from Maryland, (Mr. Nelson,) who since the commencement of this discussion, has twice favored us with a sound of his feeble voice—he will pardon my freedom in applying to him the appellation friend, after charging me with the capital crime of having turned my coat, (that is to say, I have not always voted with the majority.)