

nor have been a war for the restoration of the balance of power. Other means should be resorted to for that purpose if necessary. The balance of power in Europe varied a civilization advanced, and new nations sprung up in Europe. One hundred years ago France, Spain, the Netherlands, and perhaps Austria, constituted the balance of power. Within the next 30 years Russia started up: Within the following 30 years, Prussia became a power of importance, and thus the balance of power, and the means of preserving it, were enlarged. The means of preserving the balance were enlarged, I may say, in proportion to the number of states, in proportion to the number of weights which could be put into the scale, or the other. To take a leaf, Sir, from the book of the policy of Europe in the times of William and of Anne, for the purpose of regulating the balance of power in Europe at the present day, is to be utterly regardless of the march of events, and to regulate our policy by a confusion of facts, I admit, Sir, that the entry of a French army into Spain was a disparagement to Great Britain, it was a blow to the feeling of this country. I do not stand up here to deny that fact. One of the modes of redress was, by a direct attack upon France; by a war upon the soil of Spain. The other was to make the possession of that country harmless in rival hands; to make it worse than harmless, to make it injurious to the possessor. The latter mode I have adopted. Do you think that, for the disparagement to England, we had not been compensated? Do you think that, for the blockade of Cadiz, England has not been fully compensated? I looked, Sir, at Spain by another name than Spain. I looked upon that Power as Spain and the Indies. I looked at the Indies, and there I have called a new world into existence, and thus redressed the balance of power. [Loud and continued cheering.] — I redeemed the movement of France, while I left her own act upon her, unmitigated and unredressed, so that I believe she would be thankful to have relief from the responsibility of her assumed undertaking, and to get rid of a burden which has become too bitter to be borne without complaint. Thus, Sir, I answer the question of the occupation of Spain by the army of France. That occupation is an unpaid, an unredeemed burthen in France. I say that France would be glad to get rid of the possession of Spain. I say, Sir, that France would be very glad if England were to assist her to get rid of that possession. I say, that the only way to rivet France in the possession of Spain is, to make that possession a point of honour. I believe, Sir, there is no other point upon which it is necessary to trouble the House with any explanation. I believe no other point has been adverted to by those Hon. Members who have so unequivocally and honourably supported the motion, and I should be ungrateful for their support if I were to detain the House with a single observation more than is absolutely necessary. [Hear, hear.] The object of this measure is not war. [Loud cheers.] I repeat, Sir, that the object of this measure is not war. The object of this measure is to take the least chance of peace. [Continued cheers.] If England does not promptly go to the aid of Portugal, Portugal will be trampled upon, and England will be disgraced, & then war will come, & come too, in the train of degradation. If we wait until Spain have courage to ripen her secret machinations into open hostility, we shall have war; we shall have the war of the pacificators, and who can then say when that war will end.

The Right Hon. Gentleman then sat down amidst the most enthusiastic applause, and the motion for the address was unanimously agreed to.

COLONIAL INTERCOURSE  
CONTINUATION OF DOCUMENTS COMMUNICATED TO THE CONGRESS OF THE UNITED STATES BY THE PRESIDENT.  
LETTER FROM MR. CLAY TO MR. GALLATIN.  
[Concluded.]

It is now necessary to turn back to the British act of Parliament of July, 1825. That act has never, to this moment, been officially communicated to the American Government by that of Great Britain, and it reached us only through other channels.

We did not suppose, whatever may be the general terms of its enactments, that it was intended to be applied to the United States, until, at least, the experiment of the renewed negotiation should have been tried, and should have failed. We entertained that supposition because both parties, by all their correspondence and public acts, appeared to regard the renewed negotiation as the means of settling the existing difference. We had other cogent reasons for that supposition. If the British Government intended irrevocably to abide by the conditions which the act of Parliament prescribed, we believed, not only that it would have been officially communicated, with a notification to that effect, but that the British Minister would have been instructed to give such information as might be necessary to enable us early to comprehend its provisions.

This information to a foreign government could not be deemed altogether unreasonable in respect to an act of parliament, extremely complicated, spread out in eighty-six sections, besides various tables, and which was accompanied by a contemporaneous act relating to the same subject; also containing numerous provisions, and both referring to other acts of Parliament, the titles of some of which are not even recited. Not only was no such information ever communicated, but you will perceive, from the accompanying correspondence with Mr. Vaughan in the last month, that, up to that time, he was not provided with instructions to afford a satisfactory answer to the inquiry, whether, according to the British interpretation of the act of Parliament, American vessels may trade between the British Colonies and foreign countries, other than the United Kingdom, in like manner with British vessels; and whether all discriminating duties and charges imposed, either by the local authorities, or by the British Parliament, between vessels of the United States and British vessels, have been abolished.

The importance of the latter inquiry was increased by the information which had reached us, that, lately during the present year, the Government of Nova Scotia had passed an act by which American vessels were subjected to higher duties or charges than British. That we sincerely believed that negotiation, and not legislation, was the means by which it was expected an arrangement was to be effected by the parties, will further appear from a letter addressed by me, on the 25th day of December, 1825, to a member of Congress, a copy of which is herewith transmitted. In that letter the opinion is expressed that the British Government could not have intended to apply the act of Parliament of 5th July, 1825, to the intercourse between the United States, and the British Colonies, because, 1st, it would be inconsistent with professions made by that Government to this, and with negotiations between the two Governments contemplated, if not yet resumed: 2dly, no notice has been given at Washington, or at London, of such a purpose as that which, for the first time, is indicated, at Halifax: 3dly, the British Minister here is unadvised by his Government of any intention to close the Colonial ports against our vessels;

and 4thly, no information has been received here from any British Colonial ports, except Halifax, of such intention.

This letter was published in the American Gazettes; a copy of it was furnished to Mr. Vaughan, which he is understood to have transmitted to his Government. And it is believed to have had some effect in producing the revocation of an order of the local Government by which the port of Halifax was to have been closed against vessels of the U. States from the 5th of January last. The order was, in fact, from whatever cause, revoked. And as that port, and all other British Colonial ports, remained, after that day, open to our vessels, we were confirmed in the belief that the act, in the present state of the relations of the two countries, was not intended to be enforced on the commerce of the U. States. This belief was further strengthened by the terms of the 4th section of the act, which are: "And whereas, by the law of navigation, foreign ships are permitted to import into any of the British possessions abroad from the countries to which they belong, goods, the produce of those countries, and to export goods from such possessions to be carried to any foreign country whatever: And whereas, as it is expedient that such permission should be subject to certain conditions; be it therefore enacted, that the privileges thereby granted to foreign ships, shall be limited to the ships of those countries which, having Colonial possessions, shall grant the like privileges of trading with those possessions to British ships, or which, not having Colonial possessions, shall place the commerce and navigation of this country and of its possessions abroad upon the footing of the most favoured nation, unless his Majesty, by his Order in Council, shall, in any case, deem it expedient to grant the whole or any of such privileges to the ships of any foreign country, although the conditions aforesaid shall not, in all respects, be fulfilled by such foreign country."

Now, his Britannic Majesty was thereby authorized, by his Order in Council, if he should, in any case deem it expedient, to grant the whole, or any of the privileges mentioned in the section, to the ships of any foreign country, "although the conditions aforesaid shall not, in all respects, be fulfilled by such foreign country." This investment of power in the crown to dispense with a strict compliance with the conditions of the act, in relation to any Powers like the United States, nor having colonies, seemed necessarily to imply discussion, and consequently, negotiation, with such Powers. It is not the object, in bringing forward the facts and observations which have been stated in vindication of the American government, to convey any reproaches against that of Great Britain, on account of the late unexpected resolution which it has taken. These facts and observations, however, show that it ought not to excite any surprise that the Congress of the U. States declined legislating on a matter which it appeared to them was both most fitting in itself, and preferred by Great Britain, to be settled by mutual and friendly arrangement. When deliberating on the only proposition which was made during their last session, that of a simple repeal of all discriminating duties, which it now appears would have been unavailing, and would have fallen far short of British expectation, they were unaware that they were acting under the pains and penalties of a British act of Parliament suspended over their heads: a non-compliance with the strict conditions of which subjected the United States not only to the forfeiture of all intercourse with the British Colonies, but was to be attended with the further consequences of terminating all negotiation even between the parties.

I will now proceed to a consideration of the specific conditions required by the act of Parliament, the non fulfilment of which is the professed ground of the late British Order in Council. These conditions are understood to be contained in the fourth section of the act, which begins by reciting, "And whereas by the law of navigation, foreign ships are permitted to import into any of the British possessions abroad, from the countries to which they belong, goods the produce of those countries, and to export goods from such possessions to be carried to any foreign country whatever: And whereas, it is expedient that such permission should be subject to certain conditions." It then proceeds to enact in respect to countries not having colonial possessions, "That the privileges thereby granted to foreign ships shall be limited to the ships of those countries (not having colonial possessions) which shall place the commerce and navigation of this country, and of its possessions abroad, upon the footing of the most favoured nation, unless his Majesty, by his Order in Council, shall in any case deem it expedient to grant the whole or any of such privileges to the ships of any foreign country, although the conditions aforesaid shall not, in all respects, be fulfilled by such foreign country." In considering this act of Parliament, the first circumstance which commands attention is the marked difference which it makes in the conditions required of foreign powers; between those who had colonies and those which have none. From the colonial powers it only demands that they should grant to British ships privileges of trading with their colonies, like those which the British law of navigation grants to those powers, of trading with the British colonies, that is to say, that such powers should allow to British vessels the privilege of importing British produce into their colonies, and of exporting goods therefrom, to be carried to any country whatever, except the parent country. But from the powers having no colonies, the act demands that they should place the commerce and navigation, both of the United Kingdom and its possessions abroad, upon the footing of the most favoured nation. With the colonial powers the act proposes an exchange of colonial trade for colonial trade, exclusive of the trade of the parent country. With powers not having colonies it proposes to give the British colonial trade only in exchange for a trade between those powers and the United Kingdom, and all its possessions abroad. From the Colonial powers it asks nothing but mere reciprocity; which, viewing the vast extent of the British colonies in comparison with those of any other Power, is only nominal. The act, on the contrary, is not satisfied with demanding from the Powers having no colonies, reciprocity of privileges, but it requires that in consideration of the permission to import their produce into British colonies, and to export therefrom produce of those colonies to any foreign country, except Great Britain, those powers should at once extend to the commerce and navigation of the United Kingdom, and its possessions abroad, the full measure of all commercial privileges which they may have granted to the most favoured nation. It is impossible not to see that this discrimination made by the act of Parliament between different foreign powers, operates exclusively upon the United States. All the maritime States have Colonies, and, therefore, will be let into the trade with the British colonies upon the less onerous conditions. The United States are the only power not having colonies, which trades or is ever likely to trade, in any extent with British colonies. And, if they alone have been named in the second class of powers described in the act the applications of its more burden-

his Office assigned his office at