

VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1808.

By the HOUSE of DELEGATES, December 15, 1808.

Gentlemen of the Senate,

THE message which accompanied your dissent from our resolutions disapproving of the embargo, has been seriously and deliberately considered. If the feelings of this house were alone concerned, silence on our part would, perhaps, most strongly denote the predominant sentiment which such a message must naturally excite; but a just sensibility for the honour and the interests of the state constrains us, however reluctantly, to make a brief and explicit reply.

If the senate can really believe, that a majority of the people of Maryland are well pleased to endure the embargo with all its train of supplements, at a time when, from being every where palpable, the evil is becoming almost proverbial, and if the senate had contented themselves with asserting this belief, however much it is to be admired as an instance of faith entirely independent of probability, it might have been safely permitted to pass into oblivion, and it would scarcely have required a single comment—It would have been sufficient to remember and to observe, that the criterion assumed by the senate, as evidencing popular opinion on this point, is notoriously defective and fallacious; that neither in the congressional elections, nor in the late electoral elections for president and vice-president, was there a fair trial or a full expression of the will of the sovereignty of Maryland upon this interesting subject; that if other circumstances had not at this period precluded a general effort on the part of those who are opposed to the embargo, yet according to the arrangement of the districts, from the manner in which several of the counties have been distributed and divided, manifestly with a view to other objects than those of public convenience, it might happen at any period that the wishes of a real majority could be effectually overruled and apparently suppressed; that as to the present matter in controversy, however, there can be no doubt that the judgment of the people has never been as completely pronounced, as it would have been, if the people had not been all along tantalized and deluded with the hope that the embargo was soon to be raised; that therefore the strength of the present opponents to that measure cannot be duly estimated by any election whatever which has yet occurred, and is not even to be limited by the degree of ascendancy which they hold in the house of delegates, because if the question had ever been, or could now be, honestly propounded to the common sense of the country, whether the embargo ought to be continued, and whether it has not hitherto proved an unpropitious experiment, it is confidently believed that the result would be a direct and complete condemnation of a system, of which it is now difficult to say whether it is most futile and perverse, or baleful, vexatious and alarming.

Under these impressions it could not have been very material to us what conjectures might be indulged in the calculations of the other branch of the legislature. Constituted as the senate is, elected between two and three years ago, having at this time a self-created portion of more than one third of the whole original number, and being withal separated from the immediate influence of the people, to whom but a remote responsibility is felt, it cannot be surprizing, nor is it indeed any cause for reproach, that such a body, upon an occasion like this, should not be so competent to understand and to represent the genuine feelings of the community, as a majority of the house of delegates recently chosen, and chosen too, in most instances, upon the express ground of opposition to that particular course of policy, whose effects are already so much deplored, and whose future consequences are subjects to us of anxious and fearful meditation.

Nor would the mere eulogium upon the virtues of this policy, so highly magnified and recommended by the senate, have rendered the formality of any answer by this house either necessary or advisable. With the striking proof before us, which the message itself affords, how little either of argument or elucidation is to be expected on a great theme of national interest and feeling in a communication of this sort between the two branches of the legislature, even when it proceeds from the combined wisdom and talents of one branch, entirely undivided and centred in principle, and having all the sources of political intelligence ready at its command; from such an example as this on our table, it would rather seem that a lesson of becoming prudence should be learned, while we could perceive no inducement or further advantage to be gained by entering into the discussion which it may possibly have been intended to invite. If the senate cannot be convinced by their own observation, that the operation of the embargo has been generally injurious and distressing, we must conclude, that with equal benevolence, they possess a much higher fortitude than this house can pretend to; but at the same time it leaves us in some perplexity to account for the late passage of an act through both houses of the legislature, to suspend the ordinary process of justice, in a manner which nothing but the supposed grievous necessity of the times could authorise or require. Nor have we any right or disposition to object, that the senate should "*view the embargo as a measure of a wise, efficient, and dignified policy;*" because it might be deemed an ungracious task to restrict the imagination in a case where so little of the reality exists; and we should sincerely rejoice if the belligerents of Europe, instead of treating it with derision or indifference, could be made to appreciate our "self retirement," as it is termed, according to the fond and fanciful reckoning of its authors, advisers and advocates. As we have no desire to disturb or interfere with the opinion of the senate, as it is thus expressed in the message, neither can we be expected to change or relinquish any of the sentiments contained in the resolutions. On the contrary, they are irresistibly confirmed by reflection, and fortified by every information of the state of public affairs, of which the public are permitted to obtain any knowledge; and we shall cheer-