

dry violations of the embargo. From which, and other information, I am induced to believe, that there are not many states in the union where the embargo has not been violated. The use I wish to make of this information is, to shew that this measure is not to have a limited or local operation; but is to pervade our whole country, and may affect every citizen of the United States. Let me therefore entreat this Senate to consider well before they give their sanction to a bill which is to have such a *general* operation; a bill which contains such *novel* and *extraordinary* provisions; a bill which may *endanger* civil liberty, and lay the *foundation* of a *military despotism*.

On the recommitment of the bill, one very obnoxious paragraph was stricken out, and others were altered. Some of the paragraphs I shall pass by without notice. The first to which I shall ask the attention of the Senate, is the 2d section. That places the whole trade and intercourse between the states, at the arbitrary will and pleasure of the president, collectors and special revenue officers; there being no rule laid down by which their discretion is to be governed. And who are these collectors and revenue officers, who are to be entrusted with such unlimited power? Not judges holding their offices independent of the Executive will, and free from Executive influence. They are the mere creatures of the executive, who are killed or made alive by the breath of the President.

This section provides that it shall not be lawful to put on board any ship, vessel or boat, of any description whatever, any specie, or goods wares or merchandize, either of domestic or foreign growth, unless a permit particularly stating the articles thus to be laden, shall have been previously obtained from the collector of the district in which such ship, vessel or boat may then be, or from a revenue officer specially authorized by such collector to grant such permit; nor unless the lading shall be made under the inspection of a proper revenue officer; nor unless bonds with surety to the amount of *six times* the value of the vessel and cargo shall be given for relanding the whole cargo in the U. S. And it is made lawful for the collectors to refuse permission to put any cargo on board, whenever in *their opinion* there is an intention to violate the embargo; or whenever they shall have received instructions to that effect, by direction of the President of the U. S. A proviso excepts from the operation of this section, the *bay* and *river craft*. The bond demanded is excessive and oppressive. There is no rule laid down by which the discretion of the collectors or revenue officers is to be governed; or to point out to the citizens of the U. S. what they may expect or claim as a right. The permit may be refused altogether, upon the mere suspicion or jealousy of the officer, however unfounded. What a door is here opened for partiality and favoritism, and to gratify party feelings and party animosities? And have we not reason to believe it will, in many instances, be improved for the most oppressive party purposes?

Sect. 4th places the bay and river craft under the like arbitrary discretion of the collectors; who are authorized to grant, under such general instructions as the President of the U. S. may give, general permission, *when it can be done without danger of the embargo*