

CONGRESS. HOUSE OF REPRESENTATIVES, WEDNESDAY, JUNE 14, [Concluded from Thursday's Gazette.]

Mr. DAYTON (the Speaker) denied that the debtor States were deprived of any assistance from the sum already agreed to be appropriated generally. If the gentleman had read the first clause of the bill he had suffered his wrath to overcome his memory, as he there must see this was not the case. With respect to obtaining a cession of the three islands upon which the fortifications at New York were erected, he would not agree to appropriate twenty cents for that purpose; nor did he believe the State of New York would ever cede them. Mr. D. said, it was yesterday observed that an odious distinction was made with respect to New York, because not provided for; and now provision was made for her, gentlemen will talk of odious distinctions. He did not know what gentlemen would be satisfied with.

Mr. D. said, living near New York, as he did, he had frequent opportunities of conversing with the people of that city on this subject, and so far from a proposition of this kind being considered as an insult to that State, he believed it would be highly gratifying to them. Nay, the Representatives of that State had assured him last session, in conversation, that if an offer like the present came from Congress it would be well received. Every one of them said this, but they did not wish themselves to propose it, because it might be supposed they pledged the State to accept the offer, when they had no authority to do so. He had not heard an individual say it would not be well received, and he could see no ground for the present opposition.

Mr. SWANWICK thought the amendment a good one. He believed the State of Pennsylvania would be glad to discharge their debt to the United States in this way. Mr. WILLIAMS doubted not the assertion of the gentleman from New Jersey might be just as to the citizens of New York, but they were not so with respect to other parts of that State, and the representatives in the legislature came chiefly from the west and north of New York. Mr. HARPER did not think it material to inquire into the dispositions of the people of the city or country of New York, on this occasion. The question was whether it was expedient to make the present proposition—he thought it was; for it was agreed to on the part of New York, great good would be done—if not, no harm could be the consequence.

Mr. BROOKS thought he knew the minds of his constituents better than the gentleman from New Jersey. He had been in the legislature of New York for three years past, which he believed was the best possible situation for learning the political opinions of the State. He believed a proposition of this kind would not be well received; he called it an invidious distinction from their sister States; it was to say to them, "If you do not pay your debt (which we say is just, but which you dispute) you shall not be protected."

Mr. DAYTON again charged the memory of the gentleman from New York with not being faithful, and justified his former assertion. When the blank came to be filled up he did mean to propose it to be filled with the sum of 1,200,000, the debt assumed for the State of New York; but, if he believed a proposition of this kind would be considered as an insult to that State or people, he would be the last to propose it. Mr. HAVENS believed with the gentleman from New Jersey, that the proposition would not be considered as an insult, but he was doubtful whether it would be accepted, because there was a prevailing opinion in that State that the settlement between the States and the United States had not been fair, as it related to them, and that therefore the western representation would oppose such an appropriation.

Mr. ELMENDORF was against the amendment. The principle upon which the House had proceeded was, general protection arising from a sense of danger, and that therefore those places which were weakest and most exposed had a primary claim upon their notice, without respect to cession or any other secondary object; but, instead of this, the question seemed to be a contest between different parts of the Union and the State of New York. He did not himself think there was any occasion for extraordinary measures; but, as it had been otherwise concluded, he thought New York was entitled to equal attention with others, and ought not to be pointed at in the way proposed. For, said he, if the resolution passes it will not insure the business being done, because the legislature of New York might not agree to it. He therefore thought that the measure was an excommunication of that State from the general protection proposed.

Mr. SITGREAVES wished to offer a substitute to the section under consideration; which he had reason to believe would prove generally acceptable. It was to the following effect:—"And be it further enacted, that the President of the United States be authorized to cause to be erected at the Narrows, such fortifications as he may deem necessary for the protection of the port and harbor of New York, provided that the expense thereof do not exceed \$1,000,000. And be it further enacted, that the sum of 200,000 dollars expended in the present fortifications in that port, be paid to the credit of the balance found due from the State of New York to the United States, and that so much as shall remain of the said balance shall be appropriated for the purpose of fortifying the Narrows as aforesaid."

Mr. HAVENS did not approve of this amendment. The assumed debt of New York would by no means fortify the Narrows. After taking off 200,000 dollars for the present fortifications, there would only remain one million, and he believed, it would require three millions. Mr. HARPER thought this proposition much more hostile to the State of New York than the one it superseded; as the principle of the other was general, and this particular. He did not believe that the Narrows would be fortified either by the State of New York or the United States, at present. He thought a million of dollars might be laid out to much better purpose in the purchase of ships of war; for, if they were to go into a system of general fortification of the coast, one hundred millions of dollars would at least be necessary. Mr. ALLEN supported the amendment. Mr. BAYARD was opposed to the amendment, because in favor of the bill, for he believed if the amendment was adopted, the bill would be lost. The amendment was pretended to be directed to one point, but was indiscreetly pointed to another. He thought it improper, when one subject was under debate, to introduce another totally different. He did not come prepared to-day to decide on the subject of the debtor States. A question of this importance ought not to be interwoven with any other. He adverted to what had taken place last session on the subject of these debts, and said if the Senate had declined an agreement to a proposition to lend as that was, it could not be expected to concur in this, and, of course, the bill would be lost.

Mr. NICHOLAS said, if this amendment passed, the President would be authorized immediately to commence fortifications at the Narrows. He asked if they gave this authority, they should do it understandingly. If the proposition said any thing, it said, "Go on and make your fortifications, and the sum expended shall be put to your credit." But, he said, whatever more was spent than the amount of the debt, the United States would have to pay. He should have voted for the former proposition, because he thought it would have served the State of New York, but he could not vote for this.

Mr. SITGREAVES acknowledged that if the construction put upon his proposition was a just one, he should himself abandon it; but he did not think the provision was obligatory upon the President, provided the funds should fail. If he should deem it necessary to erect the fortifications in question, he was authorized, not restricted, to do so. He believed there was always such a connection between the authorization and expense, as that when the fund failed, the expense ceased. He supposed, therefore, that the President would first enquire whether the State of New York was willing to pay their balance, and if not, he would not proceed with the works.

The gentleman from Delaware had said it was his (Mr. S.'s) intention to defeat the bill. He had voted in favor of fortifications; he had voted in favor of the highest sum proposed to be appropriated for that purpose. Mr. BAYARD said he had only said that the amendment would produce that effect. Mr. S. replied, he had not only said it was his design, but that it was an insidious design. He wished the coast to be effectually fortified, did he not know that our funds would not at present admit of it? The proposition had two objects in view, and he thought it would be a desirable thing to accomplish them. Indeed he did not, before to-day, hear any objection to this measure. Mr. S. referred to what Colonel Stevens had said in favor of this measure in the course of last session, and concluded with observing he had no particular fondness for the proposition, but had introduced it for the purpose of accommodation.

Mr. VAN ALLEN opposed the amendment at considerable length. He said it was either necessary to put the ports and harbors of the United States in a state of defence, or it was not; if it was not, he did not wish it to be done; but if it was, he insisted upon its being the duty of the general government to protect New York, as well as other ports. But to pursue the conduct proposed, was to say, "We have fortified other ports, you may fortify yourselves; you owe us money, do the business, and put it to account." If this were done, he believed they should have no more fortifications than they had at present; for it seemed to be determined, New York must pay the debt laid to her due (and he did not think they would be inclined to do it) or have no security.

Mr. HAVENS again spoke against the amendment. The question on the first part of Mr. Sitgreaves's proposition was taken, and negatived, there being only 10 votes for it—the last fell of course. Mr. HARPER then moved again the proposition of Mr. Allen, as amended by Mr. Havens, & the sense of the committee was taken on upon the first part of it, which was carried, there being 50 votes in favor of it. The question was then taken on the latter part of it, and was carried, there being 63 votes for it.

The committee rose, and the House were about to take up the amendments, when Mr. PARKER wished to report a bill for completing the frigates United States, Constitution, and Confellation. Mr. NICHOLAS also reported a bill directing the appointment of agents in relation to the 6th article of the British treaty. Both these bills were read, and committed to committees of the whole; the former for Monday, the latter for to-morrow. On motion of Mr. OTIS, the House went into a committee of the whole on the bill for suspending in part the operation of an act passed last session for raising a certain sum of money by additional duties. The committee rose without making any other than a verbal amendment; but a short debate took place in the House, and, on motion of Mr. Harper, the bill was rejected 48 to 42.

The propriety of passing this bill (intended to operate in favor of certain Massachusetts merchants, was supported by Messrs. Otis, Brooks, Champlin and S. Smith, on the ground of its unequal operation, as it appears that the cargoes of their vessels, of this season, from being several months longer on their voyage, will be charged with the new duty, whilst those of all the other ports, from making shorter voyages, would not be charged with it. It was opposed by Messrs. Harper, Parker and Coit, on the ground that it would be wrong to set a law aside from a complaint of this kind, as it would open the door to petitions without end, whenever in future the least inequality of a tax was experienced.

THURSDAY, JUNE 15. The House proceeded to consider the amendments agreed to in the committee of the whole, in the bill respecting Fortifications. The first amendment, which was to fill the blank to be applied to fortifications generally with 75,000 dollars, was agreed to 48 to 38. The next amendment was the one introduced by Mr. Dayton for preventing any money being applied to fortifications, the jurisdiction of which had not been ceded to the United States.

Mr. BROOKES recapitulated his objections to this proposition. Mr. GALLATIN said he had voted for this amendment, because he conceived it to be founded on just principles; and as he should now vote against it, it was necessary to give his reasons for doing so. He believed the principle just, and proper to be used whenever the United States should go into a general plan of fortifications; but, as this was only meant for a temporary provision against danger, he believed it could not be abided by; because the danger might be greatest, and the assistance wanted most, at a place which was not ceded. Besides, he believed there was not a single port in the United States had ceded exclusive jurisdiction of their territory, according to the constitution, and therefore this provision would go to preclude the whole from relief; as every

cession which had been made provided for a concurrent jurisdiction of the State. So far as it related to Pennsylvania, she would not be entitled to any support, because she not only refused a concurrent jurisdiction, but provided that if the cession was not accepted within one year, it would be void, and more than one year had not elapsed, and the cession was not accepted. The question was put, and the amendment negatived, there being only 30 for it. The next amendment was that limiting the interest of the money to be borrowed at 6 per cent.

Mr. W. SMITH hoped they should not agree to this, but that they should agree to expunge what related to a loan. Other expenses would be incurred, and he thought it would be better to include the whole in one bill.

Mr. GALLATIN believed there would be no occasion for a specific bill for a loan, as he believed the President had already sufficient power to borrow money, if it could be got (alluding to the 5 millions 6 per cent stock agreed to last session). He thought the present revenue would be sufficient, and that it was only necessary to give a power of borrowing on anticipation.

Mr. SWANWICK was in favor of continuing the amendment, because the striking of it out, would appear as if they meant not to limit the interest to 6 per cent. He condemned the practice of borrowing money upon all occasions. Whilst they were meditating schemes of defence, he thought they ought to fix upon some mode of raising additional funds. He apprehended no good to the United States from this system of borrowing.

Mr. HARPER denied that the present revenue could be relied upon to meet the expenses contemplated by this bill, especially if they took into consideration an authorized expense of 100,000 dollars, respecting the trade with the Indians. He therefore thought it necessary to provide for them by a loan; for taxes could not be laid and collected in time to answer the exigency. In order to reimburse the loan, it would be necessary of course to provide taxes.

Mr. SWANWICK was sorry to hear the gentleman last up advocating permanent loans—[Mr. Harper said he did not mean permanent loans, but such as might be redeemable in a few years.] Mr. S. said, this would nevertheless be an increase of stock, and of course of debt. An irredeemable debt would indeed be a very extraordinary thing for this country. He understood his colleague to mean that whatever sum was borrowed, should be in anticipation of the revenue to be raised, which would answer the idea of the gentleman from South-Carolina himself. By the method proposed of selling stock to pay borrowed money, whilst it appeared we were only paying 6 per cent, we were in fact paying 9 or 10, because the stock was sold greatly below par. He hoped therefore they should provide by taxes for all the money they expended.

Mr. W. SMITH accused the gentleman last up with wandering from the subject. The question was whether it was necessary to lay any thing about a loan in this bill. There were two kinds of loan, one in anticipation of existing revenue, another where there was no revenue to meet the expense. The present bill contemplated the former. It was necessary to give the President power to borrow, because if there was no surplus of revenue, the expense could not be met. He did not object to the amendment because it limited the interest of money, but because if the interest was agreed to, the appropriation clause could not afterwards be struck out. Before they rose, he trusted provision would be made for the payment of whatever might be borrowed, in four or five years. He had no expectation of money being borrowed in any other way than in anticipation of the revenue.

Mr. N. SMITH objected to the interest of the money to be borrowed being limited to 6 per cent, as he believed it could not be borrowed at that rate, and it would be a mere farce to limit the interest at a price below that at which it could be got. If money was absolutely necessary, it must be got upon the best terms upon which it could be had. The President might certainly be trusted in a business of this sort, since no one could believe he would pay more interest than there was a necessity for paying.

Mr. GALLATIN was not for confiding wholly to the President as to the interest to be paid for money. It was usual, he said, to limit the interest of all money to be borrowed. Mr. G. reminded the gentleman from S. Carolina, of a saving in the last military appropriation of 150,000 dollars less than the sum estimated, and contrary to that gentleman's wishes, which would considerably increase the surplus of revenue.

Mr. N. SMITH mentioned the loan of a million of dollars for the Algerine business, which was authorized to be borrowed, without limitation of interest. Mr. COIT was in favor of dispensing with the borrowing clause.

Mr. HARTLEY spoke in favor of the limitation. He believed money might be got at 6 per cent. He should be unwilling to pay more, as it would increase the interest of money generally.

Mr. BROOKES said the question was not whether more than six per cent should be paid for the interest of money, but whether the borrowing clause should be inserted at all.

Mr. OTIS was of the same opinion. He thought it would be best to have a distinct bill for all the money wanted. The question upon agreeing to the amendment limiting the interest of money, was negatived, there being 44 for it, and 50 against it. The next amendment was the clause appropriating 40,000 dollars for the fortifications of S. Carolina and Georgia. Mr. GALLATIN hoped this would be disagreed to, since the amendment limiting the general expenditure to such places as had ceded their jurisdiction, had been negatived.

Mr. W. SMITH moved that the House resolve itself into a committee of the whole, in order to take the sense of the committee upon striking out the 75,000 dollars for the purpose of adding this sum of 40,000 dollars to it, since he supposed this clause would be negatived, because S. Carolina and Georgia would now be included in the general appropriation.

Several members having expressed a wish that this motion might be withdrawn until the other amendments were gone thro' Mr. Smith withdrew it.

The provision was then negatived. The amendment proposed by Mr. Allen and amended by Mr. Havens, empowering the President to authorize the State of New York to expend a certain sum upon their fortifications, which should be put to the credit of the balance due from that State to the United States, then occurred. Mr. BROOKES opposed the motion.

Mr. COCHRAN proposed to add the following words, in order to cover the expense already incurred in the fortifications at New York, viz. "or which may have been expended by any State for the purpose aforesaid."

Mr. GALLATIN had no objection to the two millions which New York owed the United States being expended upon their fortifications; but this amendment went to discharge the State of New York from the 200,000 dollars already expended, whether any more was expended, or not. This amendment was negatived, without a division.

Mr. HARPER proposed to add, after the State of New York, "under the direction of the President of the United States," as a security for the money being properly employed.

After a little conversation, this motion was carried without a division. The question was then on the amendment as amended.

Mr. MACON was for rejecting the amendment. Mr. McDOWELL was of the same opinion. He objected to the amendment on two grounds, he thought it wrong to call upon the Debtor State in this indirect way for the payment of their balances, and he thought it also wrong to throw away so much money on fortifications, which he said could be of no use, for though they might prevent an enemy from landing at the particular point where they were fixed, they could not prevent them from landing at some neighbouring spot, and being landed they would take possession of the fort, and turn the guns against ourselves.

Mr. BROOKES opposed the passing of the amendment, and thought the only way of settling the business of the debts, would be by a conference with the State of New York.

Mr. FINELEY insisted upon it that the balances were settled, and could not now be questioned. Mr. BALDWIN gave his vote, in the committee of the whole, in favor of this, because he had been informed it would be acceptable to the State of New York. If he thought such a proposition would be disagreeable to them, he would not have supported it. He believed, when passion subsided, this settlement between the States and the United States, would be acknowledged to be a perfectly fair transaction. With respect to the latter part of the amendment, requiring the jurisdiction to be ceded, he should be opposed to it. He did not wish to insist upon an exclusive right. He was willing the States should go on with their governments, in their own way, without interference, any farther than was necessary to keep peace amongst them and with foreign nations.

Mr. VANUN said it would take upwards of twenty millions of dollars to extend this plan of fortifications throughout the United States, and there was no doubt when it was done in one place, others would apply for the like attention. He was therefore opposed to it. Mr. BAYARD did not see why they should discriminate between one place and another; they struck out the clause respecting South Carolina and Georgia on this ground, and he trusted they should disprove to this. He objected to it also, because it seemed to admit the State balances, as fully due. Mr. B. then went at considerable length into the manner of the settlement of the commissioners, denied that the debts were justly due, and hoped there would be a re-settlement. Gentlemen said they voted for this to oblige the Debtor State. It was an odd way of obliging them, by voting for a measure which would destroy the existence of some of the States.

Mr. HARPER observed that the gentleman's arguments would have been exactly in point, had the subject of the balances been under consideration. Mr. OTIS said he yesterday voted for the amendment; he was led to do so from the idea that he was concerning a favor on the State of New York; but having since conversed with the representatives from that State, he had been afforded to find, they were generally against it. He therefore decline doing them a favor in spite of themselves. He was about to follow Mr. Bayard in his observations; but the Speaker said he had improperly suffered that gentleman to proceed, and could not admit a farther deviation from order.

Mr. S. SMITH spoke in favor of the amendment, and hoped the gentleman last up would not throw away his vote; for though some States might not choose to accept of the offer others would. Mr. McDOWELL again spoke against the motion. Mr. ELMENDORF wished the gentleman from Massachusetts not to take the ground of opposition he had taken, since the amendment respecting jurisdiction had been negatived, he was in favor of this clause. He did not think an agreement to this proposition was a recognition of the debt, nor did he think any State's agreeing to it, would commit others. He wished those States who thought themselves unjustly charged with their balances might have this opportunity of getting clear of them.

Mr. VAN ALLEN opposed this amendment, and concluded with saying, it was justice in the United States to fortify the port of New York, and it was equally justice in that State to pay her debt. He wished her to be called upon, but not in this way; it was treating her in a manner which she did not deserve.

The sense of the House was then taken upon the first part of the proposition by yeas and nays as follows: YEAS. Messrs. Allen, Baldwin, Baird, Bradbury, Brent, Cabell, Champlin, Clopton, Cochran, Coit, Dana, Davenport, Ege, Elmendorf, Evans, Fineley, Gallatin, Giles, Goodrich, Guil-

ild, Harper, Harrison, Hartley, Havens, Holmes, Hummer, Jones, Kittera, Lyman, Milledge, Morgan, New, Nicholas, Parker, Porter, Reed, Schureman, Shepard, Sinnickin, Smith, N. Smith, S. Smith, Sprigg, Swanwick, Thompson, A. Trigg, J. Trigg, Van Cortlandt, Venable, Wadsworth—50.

NAYS. Messrs. Baer, Bayard, Blount, Brooks, Bryan, Bullock, Clairborne, Clay, Craik, Davis, Dawson, Dennis, Dent, A. Folger, D. Folger, Fowler, J. Freeman, N. Freeman, Gillespie, Glenn, Gordon, Gregg, Grove, Hanna, Hindman, Locke, Lyon, Machir, Macon, Matthews, McClerahan, McDougall, Otis, Ruledge, Sewall, Skinner, W. Smith, (C.) W. Smith, (P.) Standford, Sumpter, Thomas, Van Alen, Vannum, R. Williams—44.

The question was now taken upon the latter part of the amendment, providing that exclusive jurisdiction should be placed in the United States. Several propositions were offered for the amendment of this clause. It was proposed by Mr. Kittera, that where land was ceded by a State to the United States, or purchased by the United States of an individual, by the consent of the State, a concurrent jurisdiction should be had.

This motion was negatived 43 to 40. Mr. ELMENDORF then proposed an amendment, omitting the words, "by consent of the State," which was carried, there being 48 for it. The amendment, as amended, was then put and carried, there being 48 for it.

Mr. W. SMITH then moved to strike out the second section of the bill, in order to leave the loan to a future law. Mr. GALLATIN wished the gentleman to confine himself to the loan, and not to the appropriation.

Mr. SMITH consented, and the motion was agreed to.

Mr. W. SMITH then moved that the House again resolve itself into a committee of the whole, in order to add the 40,000 dollars proposed to be appropriated for South Carolina and Georgia, to the 75,000 for the general appropriation. He shewed at length the justice of this measure. Mr. RUTLEDGE seconded the motion, and said he trusted the vote of the House would be confident with that of the committee. The gentleman from Pennsylvania (Mr. Gallatin) had moved, in the committee of the whole House, for a reduction of the sum recommended by the select committee, because Carolina and Georgia were to be excluded from a participation of the general appropriation, they not having ceded to the United States the jurisdiction of the territory where fortifications had been and were to be erected, and because special provision was to be made for fortifying those States. But the House having determined not to discriminate between the States which had ceded the jurisdiction of their territory and those which had not, and the clause in the bill which appropriated 40,000 dollars for fortifying Carolina and Georgia being expunged, he hoped the gentleman from Pennsylvania would not be so unguarded as to oppose the introduction of the sum which had been recommended by the committee. The reason he had assigned for reducing it being that a special provision would be made for fortifying the southern States, and the clause which provided for their defence being destroyed, Mr. R. hoped the gentleman would not be so inconsistent as to limit the appropriation to 75,000 dollars, but would now vote for 115,000, and thus, by adding the sum voted in the committee for fortifying the southern States to the general appropriation, accord with the vote of the committee of the whole House.

Mr. R. expressed his surprize, that after the lengthy debate which took place in the committee, in which he had detailed the defenceless State of Carolina and Georgia, that gentlemen should now ask if 75,000 dollars would not be a sufficient sum for all the purposes of defence and fortifications. He requested they would call to memory the observations which had been made yesterday by a gentleman from Maryland (general Smith) whose military talents were well known by every member in the House, and to whose military services this country was greatly indebted. He had stated that 75,000 dollars would not go far in fortifying our harbours. What the gentleman from North-Carolina had observed respecting fortifications was true as it related to internal defence—but for the defence of the coast he knows they were of infinite service. He (general McDowell) had been too actively engaged in our revolutionary war not to know that fortifications had answered many valuable purposes. He knows that the southern States were preserved for several years by a fortress in Carolina—he knows that Sir Peter Parker with a large fleet, and Sir H. Clinton with a formidable army, were, in 1776, baffled at fort Moultrie, in their attempt to pass it, and compelled, after having attacked it most vigorously for twelve hours, to abandon their project of conquering the southern States. True it is that fort Moultrie was afterwards taken, and the whole State overrun by the enemy—but the conquest was made by an irresistible force, after a very long and gallant defence.

Mr. R. thought 30 or 40,000 dollars, expended judiciously, would put Charleston in a complete state of defence. He admitted that vessels might pass a fort without receiving much injury—but contended, that whenever 'twas possible to have a cross-fire on them, few commanders would be so adventurous as to carry ships into such a perilous situation. He described the harbour of Charleston as being very capable of complete defence by fortifications. He said the secretary at war contemplated fortifying an island opposite to fort Johnson, and when that shall be done, vessels attempting to pass it will encounter a cross fire. Mr. R. dwelt much on the necessity of fortifying the coast of the southern States—described it as being very extensive, and having near it much wealth, and that of a very perishable nature. In all events, he said, even in that of our being certain a general peace will immediately take place, fortifications would be necessary in the South. Let whatever order of things obtain in Europe—the revolution had been so complete in the West-Indies—every thing which was venerable and respectable had been so entirely subverted—anarchy and disorder were so prevalent and extensive there—that for years to come we must expect to

[Continuation of the debate and proceedings of the House of Representatives, including mentions of other members and their positions.]