

...his hypothetical way subject of those who differ- opinion, was calculated to pity? Mr. G. said he differ- with the gentleman from S. r. Pinckney). He did not be- ll the members of that house or of peace. He believed some were in favor of war. He had his opinion from a variety of decla- which he had heard in that house, in the variety of measures which had roposed. No gentleman could satis- mind that he was in favor of peace, he took arms in his hands to go to He believed that there was not only part of this house, but a part of this government, determined on war. He was him- self for peace; and gentlemen might at- scribe to him what motives they pleased. On the other hand, those in favor of war at all events, would take the responsibility of that measure. If, then, there was a *war motive* and a *peace motive*, it was in vain to expect unanimity. He had some reason for object- ing to this measure under this view. He considered the present propositions as intend- ed to afford a defence beyond the limits of the United States, as a part of that system which had a direct tendency to involve us in war. It was said this was only the com- mencement of a system, and it was this sys- tem which gave him most alarm.

But it was said, there is great impatience in the public to know what Congress intend to do. If this be the case, this impatience he said, ought not to be indulged. He did not wish to be hurried into measures by any such suggestion. He believed if there is an impatience in the public, it is in favor of peace, and produced by the fears of war.

Mr. G. asked whether the house had all the necessary information before them. The gentleman from S. Carolina (Mr. Rutledge) informed the house that our commissioners had not had an audience. He did not know the technical meaning of the word *audience*. He supposed they had addressed themselves to the minister of foreign affairs; but, per- haps, after some objections as to their pow- ers, they may not have been received. The gentleman says the letter of our commis- sioners exhibits a lamentable fact. This is true; but it is not necessary to know what led to it? Ought not the house to be in pos- session of a history of the proceedings? It surely ought. Suppose those commissioners were not possessed of proper powers, could it be expected they would be received?—When the house knew the ground upon which our ministers had been refused, they would be able to speak upon the subject.

He would mention another circumstance, in which he, for once, coincided in opinion with the gentleman from Massachusetts, viz. that the house ought to take up this subject without reference to any foreign power, and merely as it respects our commerce. But had they, he asked, all the information which they could wish on this subject? He believed not. There were two acts of the British parliament which were more alarm- ing even than the decree of the French di- rectory. The French had made an attack upon our neutral rights; that was, how- ever, the least injustice to be apprehended was, a still greater from the British statutes, than from the decree of the directory.

And before he sat down, he would re- mark, that though those acts passed in July last, and it might be presumed that our min- ister would not be dilatory in transmitting them, so that they must have been received in August or September, yet they were not till lately laid before the house, and that after a proposition was brought for- ward to call for them. They have been since referred to the committee of Commerce and manufactures, and they will not report, and the chairman has laid a resolution upon the table for the purpose of producing a re- port.

Mr. HARPER said it was not unusual for the gentleman from Virginia to display his ignorance of facts. If it was, it would ap- pear wonderful that he should be ignorant that these acts had long since been before the public in the news papers.

Mr. GILES did not suppose that the gen- tleman from S. Carolina would get much from his *polite* method of expressing himself. He knew it was usual for him to suppose he had a monopoly of knowledge; but he did not suppose his telling an enlightened assembly this, could produce any effect in his favor. He could only say he had not seen these acts in any news-paper, though he was in the habit of seeing a great num- ber of papers. He should be glad to see them there; and he should have sent them there for publication, only that he waited for the committee's report upon them.

Mr. G. concluded by saying, he disdained what might be said by any one as to his motives; for they must possess more ingenu- ity than he to discover any interest which he could have separate from the interest of the country, especially as it related to the landed interest of the country.

Mr. S. SMITH said, he understood it was the wish of the chairman of the com- mittee for the protection of commerce and the defence of the country, to call up the resolution for completing and equipping the frigates, and that for the fortifications, and not the one for the purchase of addi- tional vessels.

Mr. SEWALL said, he should not insist upon any other, if it should not meet with the wishes of the committee.

Mr. S. SMITH was in favor of going in- to a committee of the whole on the frigates and the fortifications. He supposed the chairman of the committee would be able to give the necessary information with re- spect to the frigates; but with respect to the other matters referred to the same com- mittee, he did not think the house had suf- ficient information upon which to act. As to the two acts of the British parliament which had been mentioned, he believed they would be more injurious to the commerce

and navigation of the United States than the arrears of the French directory; tho' perhaps, some means might be taken to get clear of them. He thought it proper that this subject should be before the committee of the whole on the state of the Union. As to the publication of these acts, he himself had seen one of them published so long ago as last August. Immediately upon his coming to congress, he proposed to have called for them. He made a verbal call, and they were promised, but they were not received till five or six weeks afterwards in the way which had been stated.

Mr. CHAMPLIN said there was no differ- ence of opinion in the committee of com- merce and manufactures, as to these acts being in strict conformity to the treaty; the only difference was with respect to re- porting a remedy to the evils arising from them.

The SPEAKER complained that gentle- men did not confine themselves to the ques- tion. What was the opinion of the com- mittee of commerce and manufactures with respect to the British acts had nothing to do with the present question.

Mr. J. PARKER thought the house ought to go into a committee of the whole on the state of the union, in order to take up the resolution with respect to the frigates. In the present critical state of our country, he thought it was necessary they should be finished, in order to defend our commerce against the pirates of one nation as well as those of another; for he wished to oppose the unjust attacks of all. Officers, he said, were appointed for the frigates, and they were in a state of readiness. The one at Baltimore is ready to bend her sails, and might be got into the ocean in four or five weeks. He hoped, therefore, the house would go into this business; though the other subjects, he thought, would be best de- ferred until the house had further informa- tion.

Mr. HARPER had not the least objection to going into a committee of the whole, for the purpose of voting a sum of money for completing and equipping the frigates. It was to any new measures which might be necessary with respect to a foreign nation, that he alluded; and though he felt prepar- ed to go into any of the measures proposed, and much stronger ones, yet he saw there were gentlemen who wished to have further information before they acted. And when they had the history of the business before them, they would, probably, be convinced of the propriety of joining to carry into effect the measures proposed. If a few votes could be gained by this delay, he was desirous of obtaining them, and he believed the house would arrive at the end of the business as soon as if they now go into it. Mr. H. justified the executive against the charge of delay in not communicating the British acts and said they were well known to the mer- chants of the country, as their correspon- dents in England took care to give them every interesting information.

With respect to the question of war or peace, he would state his opinion. The gentleman from Virginia had said that he did not believe it well to insist, he had several times acknowledged, that if gentle- men meant by peace, that we should submit to the insults of a foreign power, he was not for peace, though he wished to pre- serve it, and would do all he could to pre- serve it, if we could obtain redress for our grievances. But if nothing was left to us, but either to submit, or go to war, he cer- tainly would be for going to war. He be- lieved that this was the sentiment of the American people, which would be re-echoed from all parts of the Union. He believed that state of things was arrived, when this country must either *submit*, or *resist*. He was willing, however, that a delay should take place for the communication which might be expected from the President.

Mr. LIVINGSTON said, until this mo- ment, he had determined to give his vote in favor of going into a committee on the state of the Union, for the purpose of voting a sum to equip and man the frigates, believing that that measure would have no relation to any foreign nation; but when he heard gentlemen say they were prepared for war, and that the period was arrived for it, he dreaded to put arms in their hands, lest they should be made an ill use of. If from a knowledge of the late dispatches the gen- tleman last up is convinced that all negotia- tion will be ineffectual [Mr. Harper said he had no other knowledge than other gentle- men on this subject] and that a declaration of war must take place; with such impres- sions, he wished to keep back arms. For since these sentiments were avowed on this floor, how did he know but the executive might concur in the opinion. [The speaker said it was not in order to allude to the opinion of the executive.] He believed if these means of offence or defence were put in the hands of the executive, that, pro- vided he concurred in opinion with these gen- tlemen, they would be employed in bring- ing the country into a war, as they think the only means of preserving the honor and safety of the nation, lies in war. Know- ing this, and wishing for peace, would it not be insanity, to put arms into their hands? He believed it would, and he could not in his conscience do it.

Mr. OTIS was ready to declare his opin- ion, that in the present situation of this country, this house ought daily to resolve itself into a committee of the whole on the state of the Union, whether they were likely to adopt any particular resolution, or not.— Surrounded as we are by danger, agitated by alarm, insulted abroad, and divided at home, the house ought constantly to shew to the people that the anxious cares with which they are at this time oppressed, rest also upon the minds of the members of that house, and that they are desirous of enquir- ing with constant solicitude whether they could, or could not, do any thing to serve their country. Yet, notwithstanding this

perilous, unprovided state of the nation, he was sorry to find gentlemen studious to avoid all measures upon which the peace, the lib- erty and the happiness of the country de- pend.

With respect to the gentleman from Vir- ginia: To those who recollected the asper- ity with which he generally chose to express his opinions; to those who remember the temper which he discovered the last session, it would not be a subject of surprize that he should have discharged for the first time those *phials of wrath* which he has been en- gaged in filling from that time to the present, in a bold, ungraceful, and in his opin- ion, disgraceful assertion, that not only gentlemen in that house, but the Executive of the United States, were desirous of war. The attacks was unkind, cruel and out- rageous.

The gentleman had proceeded to remark, that he generally differed from him in opin- ion. Mr. O. said that to proclaim this fact was to do him honour—and that in the same proportion that his political sentiments approached to those of that gentleman, they would approximate a vortex of prejud- ces and errors, and recede from those which he had been taught to consider most nearly connected with the happiness of his country—and that whatever personal respect they might entertain for each other, he hoped they should continue to differ upon political topics.

The gentleman had blamed him for im- puting sentiments to him which he after- wards acknowledged. They were, that gen- tlemen were anxious to find motives of delay against providing the means of protect- ing our commerce. This he had avowed, by saying he was in favour of defending the country by land, but not by sea. But, said Mr. O. we can defend ourselves, by sea; and the people of America will defend themselves by sea, as well as by land; and when decla- rations are made which are calculated to paralyze the efforts of the people, they ought to be repelled. And if that gentleman, or some others, were determined not to take measures for the defence of our commerce, he hoped there would be found a large ma- jority in that house who would do it. He would himself sooner lose his right hand than it should not be done; indeed, if gen- tlemen should decide that commerce should not be protected, the country would not long be worth the pains of defence; it would become *deserted*, and there would be an end of its prosperity.

If the gentleman from Virginia wished him to declare whom he thought in favor of war, and whose measures led to it, he would say it was those who constantly im- peached the Executive authority; who ut- tered sentiments which had a tendency to dispirit the people, and lead them to believe they could not be defended, and that com- merce was not worthy of protection. These measures, he said, led to war—not to fore- ign war—but to civil war; a war of friend against friend, and state against state!

Mr. O. thought it extremely improper, at this time, to introduce any thing relative to the future operation of the two acts of the British parliament, and of course would come under a separate consideration. What was the object of this allusion? It was intended to shew that we had as much cause of complaint against one country, as against another, and that therefore we ought to sit down patiently under the outrages of all; that we should tamely suffer ourselves to be divided and parcelled out, and become the humble slaves of a foreign power. Before this would be suffered, he trusted the spirit of the people of America which had heretofore been displayed would be called out in defence of their injured country.

In regard to what had fallen from the gentleman from New-York (Mr. Livingston) Mr. O. had a respect for his private charac- ter, and hoped he would see the improp- erty of changing his mind even admitting that one gentleman had said, the crisis had arrived when it was necessary to submit or go to war, this opinion could be no reason for voting against his former opinion. In- deed, he believed, his friend from South Carolina was misrepresented. He understood the sentiment to be that which every American ought to repeat, "that when the crisis arrived rather than sacrifice the Liberty and Independence of this country, we ought to go to war." He hoped, therefore, the house would go into a committee of the whole without delay.

Mr. GILES said, the gentleman last up had said some things in relation to him, which he found it necessary to notice, and for which he did expect he would have been called to order. He had charged him with using *disgraceful expressions*. This was a charge which neither that gentleman nor any other dare make in any other place. [A loud call to order.]

The SPEAKER declared it in vain that he endeavoured to convince gentlemen to order. Almost every member who had spoken had transgressed in this respect.

Mr. DANA observed, that the gentleman from Virginia had objected to go into a com- mittee of the whole, because the two acts of the British Parliament were not before that committee, and referred to what had taken place in another committee. [The Speaker observed, that every thing which had been said in relation to these acts, with respect to the opinion of another committee, was out of order.] Mr. D. added that he had seen these acts published before he came to Congress this session, and he thought it extraordinary that any gentleman should wait for the opinion of a committee upon a subject before he formed his own. Mr. D. said, the question was not, whether the house would adopt any of the resolutions, but whether they would agree to discuss them.

Mr. KITTERA said, the house had already spent half the day in debating whether they would go into a committee of the whole, and he hoped farther time would not be

spent on this subject. He thought the best way of avoiding war was to be prepared for it. He wished, therefore, to enter upon the business, and proceed with it.

Mr. GALLATIN did not believe too much time could be spent upon this question, if it was tho't to lead to war measures. The variety of subjects which had been referred to this com- mittee of the whole, had given rise to a number of observations on their different sub- jects. The chairman of the committee for the protection of commerce and defence of the country, had declared, that out of these subjects, he only meant to call up what related to the equip- ping the frigates, to the establishment of a found- ary, and to the purchase of a number of vessels in aid of the frigates.

Exclusively of these, there were other subjects referred to the same committee of the whole, one of them relates to our fortifications, another to the establishment of a commission of marine, and another to the arming of mer- chant's vessels. He considered some of these subjects as unconnected with our relation to any foreign nation; so far as it relates to any change which may have taken place since the last session; but with respect to any proposition which was rejected at the last session, or any new propo- sition which may have been produced on the ground of a change of our situation, he was not ready at present to act upon it. And it would be recollected, that not only the arming of mer- chant's vessels, but the proposition for the pur- chasing of vessels, was rejected at the last session.

Mr. G. agreed that a change of our situa- tion, had in a certain degree, taken place since the last session; he agreed this change was of im- portance; it consisted in the intelligence receiv- ed from our envoys extraordinary that they had not been officially received by the government of France, though they had remained in that country about three months. The question was, whether that intimation in itself is suffi- cient to induce congress to adopt new mea- sures, or to take up such as were rejected at the last session. To him there was not sufficient reason for this purpose; because he expected farther information upon this subject; and un- less the house knew, not only that our ministers had not been received, but why they had not been received, and whether it was from the want of powers, or any circumstances not known to us, it was difficult to say what measures ought to be taken.

Another reason was, though our ministers themselves inform the executive that they have not been received, nor have any hopes of it, or that the object of their mission will be accom- plished, they still remain in Paris; and so long as they remain there, however feeble their hope, they have some hope of being received, or they would leave the place, as it must be unpa- sionant to them to face their feelings by remain- ing there any longer than the occasion requires. So long as we had not information that they had left the country, he did not think any new measures ought to be gone into, or measures which, in their tendency, must lead to war.— When he said this, he did not mean to say any thing against taking measures of self-defence. We ought to take every measure of this kind; but, unfortunately, however easy this was to be done on land, it could not be carried to sea, without danger of war. Such is the nature of self-defence at sea, that if it be carried out of our own jurisdiction, it is intimately connected with offensive operations.

Thus with respect to arming of merchantmen, by putting arms into the hands of individuals, it might lead to war, whilst they were intend- ed only for self-defence against attacks. In- deed, such is the law of nations with respect to searching of vessels, that it is difficult to dis- tinguish between lawful and unlawful search.— Other gentlemen who believe it possible to ward off war, and who are in favor of a defence at sea, not only with the measure now to be adopted, but they did not wish it at a former session. The same reasons, however, which led the house to reject this measure, had before would lead them to oppose taking it up at this time.

It remained to be considered whether it would be proper to go into a committee on those measures which were agreed to at the last session; but which now required further appropriations. There were two such measures, viz. the frigates and fortifications. With respect to the fortifi- cations, he was always willing to appropriate as much as was necessary for this object. No differ- ence ever took place on this subject, except as to the amount appropriated. He should, there- fore, have no objection to this measure; but it would not be necessary to be gone into at present; it would do to be considered any time during this session, as there remains a balance of 50000 dollars unexpended of the last appropriation.

The only measure which seems necessary to be gone into at present is the frigates. The objection made to this measure had been, that the executive might employ the frigates in an improper manner. This apprehension he sup- posed to be grounded upon the first session of the act of last session, which gives the president the right of employing them, without restriction. If it was their opinion that the president would employ the frigates in a manner dangerous to the peace of the country, it would be a good argu- ment against appropriating the money; and it would be within the recollection of members, that the sense of the house was twice taken in favour of restricting the use of the frigates; but for fear of losing the bill, this point was given up. Though, however, he was at that time against the president's having a discretion to use the frigates as he pleased, he was not now afraid of their being employed improperly. He had always opposed the building of the frigates in every stage, because he thought the expense at- tending them, would be greater than the advan- tage to be derived from them; but he did not wish now to oppose the motion for going into a committee on this subject.

With respect to the question of war, Mr. G. did not believe any gentleman could wish for it as an abstract good. He believed every one thought it an evil; but he believed there were gentlemen in the house who would be willing to go to war, for causes which others did not think justifiable. He did not know, indeed, but when they came to go into the subject that they might all agree; but he believed this was the diffi- culty to be drawn betwixt the different opinions of different gentlemen.

Two other reasons might perhaps be alleged why the house should not go into committee on this subject; the one was, because the subject had been postponed for an enquiry into the sub- ject of former expenses, and the committee of enquiry have not reported. For his own part he believed there had been much extravagance in the expenditures; but as no report had been made, and as it could not be soon expected, he believed those gentlemen who wished to see the frigates equipped had better proceed in the business without this report. The other reason was, that he thought the house had not sufficient information relative to the pay and subsistence of the navy. When the account was formerly laid before the house, the ratios were charged 20 cents, they were now charged 25 cents, and it was well known that there had been an ad- vance in the price of provisions to warrant the addition. And though he had been unsuccess- ful in his attempts to prevent the building of the