

however imperfect that mode might be, still he believed, that it was the only one that had received the sanction of experience and utility. He therefore hoped, that the resolution would be rejected, and the mode already adopted persevered in, and the necessary information called for in writing, from every person any ways interested or competent to give it.

Mr. W. Smith supported the resolution. He shewed by the report itself, and from the reasoning used by gentlemen in opposition to the resolution, that the two secretaries were implicated in the causes of the failure of the expedition—from hence he inferred the justice and propriety of giving them an opportunity of exculpating themselves.

Mr. Gerry expressed surprize at the apprehension which some gentlemen appear to entertain of the measure of introducing the heads of department into the house; for his part he had no such apprehensions. The secretary will attend at the orders of the house, merely to give such information as may be required, and not as members or ministers, to influence and govern the determinations of the house.

Mr. Venable objected further to the resolution—he urged the impropriety of any of the heads of departments coming forward, and attempting in any way to influence the deliberations of the legislature.

Mr. Lawrence replied to Mr. Venable; he observed that the gentleman appeared to mistake the object of the resolution; it was not contemplated that either of the secretaries should appear on the floor of the house, to influence, in any degree, its decisions; they are to be called on merely for information.

Mr. Murray objected to the resolution. The report, he observed, is made to the house—if in the course of its discussion any further light or information should be deemed necessary, it may then be called for, and in that mode which shall appear most eligible—at present the question appears to be premature. Mr. Murray added several other remarks, and then the question being put, Mr. Williamson's motion for striking out was carried.

Wednesday, November 14.

Sketch of the Debate on the motion for recommitting the Report.

Mr. Madison suggested that the most simple, most practicable and consistent plan would be, to recommit the report of the Select Committee, and refer the present applications\* to the Committee, to whom the report shall be re-committed—He therefore moved that the Committee of the whole should be discharged from considering the report on the causes of the failure of the late expedition.—Mr. Smith (S. C.) observed that several objections struck him in opposition to this motion. The House must at some period find he, meet this business; if it is re-committed, here will be an impropriety in referring it to the same Committee, if a new Committee is appointed they must begin the whole business de novo; and if their investigation should take up such a length of time as that of the former committee the session will be expended; and at the close of it, the business will recur on the house, and the same discussion will be to be had, that is now proposed—He hoped the house would therefore proceed in the consideration of the report, assign two or three days in the week for the purpose, and continue the investigation till the whole is finished.

Mr. Giles replied, that he had no doubt that the vouchers on which the committee had founded the report would appear sufficient to justify the decisions that they had made. He said, that he did not suppose that the applicants would adduce any new information—one of them had been called on, he attended the committee, and he supposed that he had furnished all the information he was in possession of. He objected to a re-commitment, as one of the committee he was perfectly satisfied with the report; nor did he conceive there was any additional evidence to be produced, except it was of a recent date.

Mr. Ames said, he perceived such a disinclination to go into the business as indicated a proper temper of mind in relation to the persons supposed to be any ways interested in the ultimate decision of the house. He was opposed to a re-commitment; as it would procrastinate, instead of expediting the enquiry. He adverted to the report.—Facts are stated, the public have been left to draw the inferences, the committee have not explicitly criminated any body; but they have determined, in several instances, who is not to blame. What is the situation of those who are implicated in the causes of the failure? Every citizen knows, that in consequence of the illuse of the expedition, clamours against the war department, in respect to Indian affairs, have rung through the continent. Should public officers, who have been placed in situations of such importance be silent, and submit calmly to such imputations, they would be unworthy of public confidence—unworthy to breathe the vital air. They now apply for an opportunity to be heard in their own vindication. Shall they be sent to a committee-room, and make their defence against the allegations brought forward to their disadvantage, which have been published to the world, in the hearing of perhaps ten or a dozen persons only? He hoped not—he thought justice to them, and to the public required, that they should be allowed to make their defence in the face of the world. Will not precluding them look like a wish to smother all further enquiry into the business?

Mr. Baldwin was in favour of recommitting, he said it was the most eligible mode, and was consonant to the practice of the house.

Mr. Madison remarked that it had been said, a disposition was discovered to smother the enquiry; in reply he observed, that if he wished to prevent a thorough investigation, he should be in favour of the whole business being undertaken by the house, because, he observed, that if a

\* Letters of the secretary of war and quarter-master general.

select committee of a few members took seven weeks to form an incomplete report, it must appear evident, that to large a body as this house, could never get through the business. He further observed, that the same reason existed for referring the residue of the evidence to a select committee as induced the measure in the first instance.

Mr. Fitzsimons said he was at first in favour of a recommitment; but on further consideration he was convinced the house would be able to get through the business in a shorter time than a select committee. He added several other reasons which induced him to be in favour of the house proceeding with the report.

Mr. Gerry said it appeared to him that the only question seemed to be, whether the house or the select committee shall establish the facts? If these facts are established by the committee would it give equal satisfaction as if they were established by the house? He conceived it would not; but should the result be a conviction on the part of the house, that some of the officers are culpable, will the house rest an impeachment on the report of the committee? He conceived the house ought to found their decisions on facts ascertained by themselves. It has been said there is no difference between the house and the committee: If this is the case, does it not imply a censure by the house on certain characters? He thought it did. It therefore becomes the house to discuss the report that it may be determined on what footing it stands. If, in the case of a contested election the house revolted from the idea of submitting their judgment to facts substantiated by a committee, the case before us is of unspeakably greater magnitude, for these and several other reasons he hoped the report would not be re-committed.

Mr. Williamson was in favour of the motion for recommitting; he supported his opinion by the uniform practice of the house, which in every case where new evidence was adduced, always provided that the new evidence should be examined by the same committee, who had originally brought in the report. He said if this mode was departed from, we should find no committee would bring forward a state of facts in future. He thought it was not treating the committee with proper candor to decide on their report in its present situation.

Mr. Sylvester observed, that the resolution of the house at the close of the last session, that they would take up the business early in the present session, precluded a re-commitment—he was therefore opposed to the motion.

Mr. Boudinot was in favour of a recommitment, he said, if there is new evidence to be brought forward, the house ought to wait till that is received and reported at the Clerk's table; and this he conceived ought to be done in the usual way, by a select committee; till the whole testimony is completed it appeared to him the house was not prepared to take one step in the business.

Mr. Madison replied to Mr. Gerry's allusion to the case of the contested election. He enquired of him whether the house itself went into an investigation of facts in the first instance? He believed he would not say that they did. With respect to the memorials, he enquired, whether, if they had been presented at the time of the investigation of the subject by the select committee, they would not have been referred to the committee; if they would then have been thus referred, the same reason exists for referring them to a select committee at the present time.

Mr. Lawrence was of opinion, that a re-commitment would tend to a saving of time; the committee will not be obliged to go over the same ground again that has already been explored—all they will be obliged to do is, to investigate the new testimony which will be adduced. He hoped therefore, that the motion would prevail.

Mr. Giles said, that the proceedings of the committee were public, and that the secretaries could have attended all the time, had they seen proper.—They attended but once, and then appeared extremely anxious to get away, to attend to their offices. The committee would have been extremely glad to have had those gentlemen present oftener, and to receive all the information they could give—and supposed they had done it.

Mr. Gerry replied to Mr. Madison; he said, if gentlemen would recur to the proceedings of the house on the contested election, they will find, that the house expressly reserved to itself the rights of substantiating the facts, which should appear from an examination of the depositions, taken in conformity to the resolutions of the house; and here he adverted to the mode pointed out by the house in taking those depositions. The adverse party was to be summoned to attend to the taking them; but in this report it appears, that ex parte evidence has been admitted as the foundation on which some of the decisions have been made.

Mr. Murray supported the motion for a re-commitment. He observed, that the business in its present state was so incomplete, that he could not see how the house could proceed upon it. One part of the evidence only is finished, and the report is made on that evidence. Now, we are told, new testimony is offered; let the whole be brought into view at once, and then the house will be in a situation to judge.

Mr. Page was in favor of a further commitment of the business; but whether to the committee who made the report, or to a new committee, he should not take upon him to say. With respect to the admission of any head of a department to the bar of this house, except in case of an impeachment, he would never consent to it. It would be a precedent of a most dangerous nature, tending to a destruction of all freedom of enquiry by committees.

Mr. Findley observed, that the committee wished that Mr. Hodgson should have been present, but he did not make his appearance; the committee therefore proceeded on the testimony they had, and as there is now new evidence brought forward, he thought it was proper that the report should be re-committed. As one of the

committee he should have no objection to such alterations as might appear proper on further and more complete investigation of the business.

Mr. Steele called for the reading of a clause in the memorial of the Secretary of War, which states that the committee had drawn conclusions from ex parte evidence. This being read, Mr. Steele remarked on the want of candor towards the committee, which had been shewn by some of the members in the course of their observations. He then adverted to the above clause respecting ex parte evidence, and observed that with respect to the Secretary of War, it was not true that the committee had proceeded on ex parte evidence; that officer said he, was notified of the meetings of the committee, he attended those meetings, he furnished the committee with papers and documents, &c. and further he was requested to detain officers in town whose testimony was necessary in the business, and that he complained of some of those officers being detained by the delays of the committee from the recruiting service. With respect to M. Hodgson, the same cannot be said, as he was not then in the country.

Mr. Steele then concluded by some additional remarks on the indelicacy manifested by some gentlemen in their treatment of the committee, and observed that he did not apply it to himself personally, but as it respected the Committee at large he thought proper to express the contempt which he conceived it merited.

Mr. Dayton replied to Mr. Steele, he repeated the substance of his original remarks on the report, and added that in the course of the discussion he should attempt to shew that the deductions made in several parts of the report were false.

Mr. Dayton added, that whatever the gentleman last speaking might say—as one of the committee who signed the report, he was certainly implicated in whatever censure it merited.

The question for a recommitment was agreed to, 30 to 22.

Wednesday, November 14.

Mr. Grove, from North-Carolina, took his seat this day.

Mr. White moved that a committee be appointed to prepare and report a bill to regulate trade and intercourse with the Indian Tribes.—Agreed to, and messrs. White, Clark and Williamson, were appointed.

Mr. Orr presented the petition of ——— praying compensation for public services: read and laid on the table.

Mr. Muhlenberg presented the petition of Griffin Jones, praying compensation for a quantity of leather supplied the public: referred to the Secretary of the Treasury.

Mr. Dayton presented the joint petition of a number of Canadian refugees: referred to mess. Dayton, Bourne, (R. I.) and Murray.

Mr. Goodhue reported a bill providing for the registering and recording of ships and vessels.

The petition of James Dunbar was read, and, on motion, referred to mess. Tucker, Ashe and White.

Mr. Fitzsimons was added to the committee on the petition of James Warrington.

A communication was read from the secretary of the treasury stating an estimate of the appropriations requisite for the support of government for the year 1793.

Mr. Murray's motion for the appointment of a committee to take into consideration that part of the President's speech which relates to the transmission of newspapers, and whether any, and what alterations may be necessary in the law for regulating the Post-Office—was referred to messrs. Murray, Baldwin, Gilman, Ames, and Barnwell.

Mr. Lee presented the petition of Patrick Dougherty and ——— Bowles, praying compensation for damage sustained in their property during the late war: read and laid on the table.

Mr. Gerry presented the petition of Mrs. Bond, widow of the Colonel Bond, who died while in the service of the United States during the late war: laid on the table.

The following letter from the Secretary of War, was presented and read:

War Department, Nov. 14, 1792.

SIR,

After the close of the last session of Congress, I saw with much concern the report of the committee appointed to enquire into the causes of the failure of the expedition under Major Gen. St. Clair, of the 8th of May, 1792, which having been presented to the house in the last moments of the session, was ordered to be printed and has since circulated in the public newspapers throughout the United States, containing suggestions most of them founded upon ex parte investigation, which have been understood in a sense very injurious to my reputation.

Learning that the present day was appointed for taking into consideration the

above-mentioned report—I have waited with anxious expectation for some act of the house enabling me to attend the progress of the examination upon which they are about to enter, for the purpose of furnishing such information and explanations as might conduce to a right understanding of facts, in which I am to materially implicated.—The failure of a proposition which I am informed was made to the house with that view, has added to my solicitude and regret.

Thus situated, I feel myself called upon to ask of the justice of the house that some mode may be devised, by which it will be put into my power to be present during the course of the intended inquiry, as well to hear the evidence on which the several allegations contained in the report are founded, as to offer the information and explanations to which I have alluded.

To this step I am impelled by a persuasion that an accurate and satisfactory investigation cannot otherwise be had with equal advantage—if at all. And my entire reliance upon the equity and impartiality of the house will not permit a doubt to exist on my part, that such an investigation will be exclusively the object of their desire and pursuit.

I have the honour to be, Sir, With the highest respect,  
Your most obedient humble servant,  
(Signed) H. KNOX.

The Speaker of the honorable the House of Representatives of the United States.

A letter to the same purport from Major Hodgdon, quarter-master-general of the late army, was presented.

These being read, a motion was made to refer them to the committee of the whole house.

This motion was superceded by a motion made by Mr. Madison, to discharge the committee of the whole from the consideration of the report of the select committee, and that the same, with the documents relative thereto, including the memorials of the Secretary of War and Mr. Samuel Hodgdon, be re-committed to the same committee.

This motion after a long debate was carried in the affirmative.

A motion for an addition to the committee was put and negatived.

Adjourned.

THURSDAY, November 15.

Mr. Sedgwick took his seat this day. The bill reported yesterday, providing for the registering and recording of ships or vessels, was read the first and second time, and referred to a committee of the whole, and made the order of the day for Monday next.

A letter was read from the Secretary of War, conveying information respecting Indian affairs in the southern quarter, communicated pursuant to orders from the President of the United States. This information was communicated in a letter from James Seagrave, agent for the United States to the Creek nation. The reading of this letter, which enclosed one from Mr. McGillivray, was begun, but, without being finished, was laid on the table.

Mr. Lee moved that the petition of Henry Bowes should be referred to the Secretary of the Treasury. This petition was for compensation for losses sustained during the late war. The motion was objected to;—this occasioned the calling for the reading of the proceedings of Congress relative to applications of this nature; and the report of the Secretary of the Treasury at the last session, on petitions of a similar description with that now under consideration. These being read,

The motion for referring the petition to the Secretary, after some conversation, was negatived.

Mr. Lee then moved that the documents accompanying the petition should be read: They were read accordingly. A motion was then made for referring the petition to a select committee—which was negatived.

On motion of Mr. Orr, the petition of Richard Chinworth was referred to a select committee, consisting of Mess. Hartley, Greenup & Gordon.

The petition of Gifford Dally, door-keeper to the house, praying compensation for extra services, was read and laid on the table.

The reading of the confidential papers being resumed, the galleries were shut.

FRIDAY, Nov. 16.

After reading the journal of yesterday's proceedings, a motion being made to resume the reading of the private papers, the galleries were closed.—It was supposed the reading would be finished this day.

### To the Public.

THE subscriber begs leave to acquaint the public in general, and his customers in particular, that he has entered into partnership with Mr. HENRY KAMMERER, and that the Printing business in the English and German languages is now carried on under the firm of STEINER and KAMMERER, No. 85, in Race-street, between Second and Third-streets.

The German Newspaper will be published by them, as usual, on Tuesdays, and all kind of Printing work done with care and expedition.

MELCHIOR STEINER.  
Philadelphia, Nov. 6, 1792.