

CONGRESS.

HOUSE OF REPRESENTATIVES.

Thursday, November 27, 1794.

Debate on Mr. Dayton's motion to restore the words "self-created societies and," which had been expunged in the address to the President in answer to his Speech.

Mr. RUTHERFORD continued his opposition to the motion—he repeated the substance of his former remarks on the conduct of those who appeared so solicitous to throw an odium on the democratic societies—he contended that too much importance was given to these institutions; they were harmless to themselves, and if let alone would have no more weight in the community than their conduct should entitle them to. If they promulgated truth, the people would hear them, and follow their advice; if not, they would sink into contempt. But what is the import of the motion? It favors of jealousy, a mere suspicion—of what? he saw nothing on which to found any such jealousy or suspicion; the people are satisfied with their own government, they will support it; the people are happy and contented; why then raise doubts and difficulties? why start at shadows? why give consequence to trifles? "Trifles light as air, are to the jealous confirmations strong as proofs of holy writ." Let us dismiss this unmanly jealousy, and let us imitate the example set us by the state of Massachusetts—there was a man in that state by the name of Shays; he raised a bustle, and made a noise; but what did the government do? Why they despised him—and in a short time he sunk into insignificance.

Mr. Baldwin said, he had from the beginning entertained doubts relative to the propriety of going into the business before the house in the minute manner proposed; and that the usual process in conducting transactions of this nature he observed, that the present appeared to be a deviation, if not an entire innovation on the usual mode. During the recess, the President collected and arranged the information which he deemed proper to lay before the house; it cannot therefore be expected that the house should at once, at the threshold of the session enter into a minute answer to the communications of the President containing facts and opinions, the result of five or six months experience and reflection, before they have had time to examine those opinions, and investigate those facts—This never was the practice of this house, and cannot be expected from them. Mr. Baldwin then adverted to the allegations which had been adduced against the democratic societies; he questioned their authenticity. Excepting the statement in the possession of the house, that of the Secretary of the Treasury, he knew of no document affording any evidence of the facts alleged, and that assigned a different cause for the insurrection; for it appears by it, that discontents had proceeded to a great height before the formation of these societies.

It had been asserted that the house had a right to enquire into the causes of the insurrection; let us proceed then as an inquest; let us call for the evidence and lift the business to the bottom; at present he insisted the house was not prepared to judge and decide. If the speech must be echoed in every minute part, let us appoint a committee to digest and report a state of facts, as in the case of Gen. St. Clair.

In matters of notoriety, such as that we were enjoying the blessings of peace, when in truth that was the case, or in respect to any other self-evident position that was in itself incontrovertible, he had no objection to an echo of the address to the house—But on an occasion like the present, when there was such a contrariety of opinions, he could not see the propriety of it. He regretted the loss of time that the discussion had occasioned, and that it had not been employed in the more essential business of the session.

As to democratic societies, there were none, to his knowledge, in the state he represented [Georgia]—but if there were, he should not feel alarmed at the circumstance.

He doubted whether the President meant to include the societies in general, under that denomination—he rather supposed he had reference only to those in the four western counties of Pennsylvania. As a more general idea, Mr. Baldwin said, he preferred the expression combinations of men, &c. He was fully of opinion that rather than spin out the debate to any further length, it would be much more eligible to leave the subject altogether, and take up the

other business of the nation. He was sure that the President, for whom he professed the highest respect, could not be pleased with this mode of conducting that before them.

Mr. Madison—said he entirely agreed with those gentlemen who had observed that the house should not have advanced into this discussion, if it could have been avoided—but having proceeded thus far it was indispensably necessary to finish it.

Much delicacy had been thrown into the discussion, in consequence of the chief magistrate;—he always regretted the circumstance, when this was the case.

This he observed, was not the first instance of difference in opinion between the President and this house—It may be recollected that the President dissented both from the Senate and this House on a particular law (he referred to that apportioning the representatives)—on that occasion he thought the President right—On the present question, supposing the President really to entertain the opinion ascribed to him, it affords no conclusive reason for the House to sacrifice its own judgment.

It appeared to him, as it did to the gentleman from Georgia, that there was an innovation in the mode of procedure adopted, on this occasion—The house are on different ground from that usually taken—members seem to think that in cases not cognizable by law, there is room for the interposition of the House.—He conceived it to be a sound principle that an action innocent in the eye of the law, could not be the object of censure to a legislative body—When the people have formed a constitution, they retain those rights which they have not expressly delegated—It is a question whether what is thus retained can be legislated upon—Opinions are not the objects of legislation—You animadvert on the abuse of reserved rights—how far will this go?—It may extend to the liberty of speech and of the press.

It is in vain to say that this indiscriminate censure is no punishment. If it falls on classes or individuals it will be a severe punishment. He wished it to be considered how extremely guarded the constitution was in respect to cases not within its limits—Murder or treason cannot be noticed by the legislature. Is not this proposition, if voted, a vote of attainder? To consider a principle, we must try its nature, and see how far it will go; in the present case he considered the effects of the principle contended for, would be pernicious. If we advert to the nature of republican government, we shall find that the censorial power is in the people over the government, and not in the government over the people.

As he had confidence in the good sense and patriotism of the people, he did not anticipate any lasting evil to result from the publications of these societies; they will stand or fall by the public opinion; no line can be drawn in this case. The law is the only rule of right; what is consistent with that is not punishable; what is not contrary to that, is innocent, or at least not censurable by the legislative body.

With respect to the body of the people, (whether the outrages have proceeded from weakness or wickedness) what has been done, and will be done by the Legislature will have a due effect.—If the proceedings of the government should not have an effect, will this declaration produce it?—The people at large are possessed of proper sentiments on the subject of the insurrection—the whole continent reprobates the conduct of the insurgents, it is not therefore necessary to take the extra step—The press he believed would not be able to shake the confidence of the people in the government—In a republic, light will prevail over darkness, truth over error—he had undoubted confidence in this principle—If it be admitted that the law cannot animadvert on a particular case, neither can we do it—Governments are administered by men—the same degree of purity does not always exist—Honesty of motives may at present prevail—but this affords no assurance that it will always be the case—at a future period a Legislature may exist of a very different complexion from the present; in this view, we ought not by any vote of ours to give support to measures which now we do not hesitate to reprobate. The gentleman from Georgia had anticipated him in several remarks—no such inference can fairly be drawn as that we abandon the President, should we pass over the whole business.—The vote passed this morning for raising a force to complete the good work of peace order and tranquility begun by the executive, speaks quite a different language from that which has been used to induce an adoption of the principle contended for.

Mr. Madison adverted to precedents—none parallel to the subject before us existed.—The inquiry into the failure of the expedition under St. Clair was not in point—In that case the house appointed a Committee of enquiry into the conduct of an individual in the public service—the democratic societies are not—He knew of nothing in the proceedings of the Legislature which warrants the house in saying that in

stitutions, perfectly not illegal, were subjects of legislative censure.
Debate to be Continued.

Monday, December 1.

The House, in committee of the whole took into consideration a bill for the relief of John R. Livingston—after some discussion the committee was discharged from any further proceedings on this bill—and on motion of Mr. B. Bourn—it was referred to the committee of claims.

Sundry petitions were read and referred to the committee of claims.

On motion of Mr. Parker, the house, in committee of the whole took into consideration the report of a select committee on the petition of Moses Myers; after some conversation on the subject, to give time for further information the committee rose and had leave to sit again.

On motion of Mr. Moore, the subject of a petition respecting a more extensive promulgation of the laws by having them translated into the German language was taken into consideration—after a few remarks on the importance of this business, Mr. Moore moved, that a committee be appointed to report what measures may be proper to promote a further promulgation of the laws.

Mr. Baldwin urged the importance of taking the most effectual measures to disseminate as extensively as possible, a competent knowledge of the laws and proceedings of the Government, in order to enable the people to judge for themselves, and to guard them against the operation of the groundless fears and jealousies which are excited by the discontented; factious, and ambitious—more particularly at the present crisis; and in order to guard against a repetition of the evils already experienced from this source. He saw no other way to prevent these mischiefs but that of surrounding as it were their whole proceedings with a blaze of light.—He recited a variety of misrepresentations and falsehoods which had been circulated with the greatest industry in the less informed parts of the country. The carriage act had been represented as extending to every description of wheel carriages, even to spinning wheels—these people had been told, and they religiously believed it, that an excise had been laid on wheat and other articles never contemplated in the law, and that the 80000 men which had been ordered to hold themselves in readiness, were a draft to be lent to France for which the United States were to receive a large subsidy—and many other equally futile and ridiculous tales had been circulated, too insignificant to mention in the House, but which had distracted the people, and rendered them unhappy; from all which Mr. Baldwin strongly inferred the necessity of something further and more effectual being done, (even if the expence should amount to 50,000 dollars per annum) to scatter the means of information among the people. To few them that their Government was good, and that its errors if any were such as proceed from the imperfection of human nature.

Mr. Moore's motion, with the petition on which it was founded were referred to a select committee.

A report was read from the committee to whom that part of the President's speech was referred relative to trading houses for the accommodation of the Indian Tribes—this report coincides with the sentiment contained in the speech, and proposes a resolve for a law to pass appropriating 100,000 dollars for the purpose.

Referred to the committee of the whole house on Thursday—interim to be printed.

Mr. New, reported an enrolled bill for granting the privilege of franking, &c. to James White—this was signed by the Speaker.

Mr. Preston presented a petition from sundry inhabitants, who reside on the line between Virginia and the South Western Territory—read and referred to a select committee.

A petition was likewise presented by Mr. Preston, praying for a translation of the laws into the German language; this was referred to the committee on Mr. Moore's motion.

In committee of the whole, Mr. Cobb in the chair, on the bill to regulate the pay of the non-commissioned officers and privates of the militia when called into actual service of the United States.

This bill proposes that the pay shall commence from the time of enrolment. A motion that it should be altered to read "from the time of their appearing at the rendezvous of the Regiment or Brigade," occasioned some debate—the motion was finally agreed to—the committee then rose and reported progress, and the House adjourned.

PHILADELPHIA,

DECEMBER 1.

From a Correspondent.

The debate on the self-created Clubs being finished, a paragraph at last peeps out of a certain paper, which has for some time kept a model silence. The writer, probably a leading member of the club of this city, endeavours to rescue it from reproach, by attributing to the minority in the House of Representatives on the excise law, a similar conduct to that with which the clubs have been charged. Without denying that the very inflammatory speeches of certain members on that occasion, which were printed and industriously circulated throughout the country, may have been in a degree instrumental in exciting uneasiness in the Western Country; that circumstance furnishes no vindication for the conduct of the clubs in fomenting that uneasiness after it had passed. There is as obvious a distinction between an opposition to the law, while it is pending, and one after the law had passed, as there is between a member elected by the people to discuss legislative matters and self-created and unauthorized clubs. The assertion that "no opinion has been uttered by the club which has not been by a respectable minority in the federal House of Representatives" is an unfounded charge, and a libel on that respectable minority, witness the resolves of the club of this city in May last, setting forth "that the appointment of Mr. Jay by the President, was a sacrifice of the interests and peace of the United States, that it was an abandonment of the Western Posts, putting at stake the blood of our fellow citizens on the frontiers, giving birth to a perpetual military establishment, an endless war, and all the oppressions resulting from excise and heavy taxation; and that the above resolution ought to be made public, and transmitted to all the Democratic Societies in the Union, as a protest of freemen against the most unconstitutional and dangerous measure in the annals of the United States." Others of a like complexion might be quoted, as emanating from the same source & will be if necessary.

Last Friday evening the Governor of this Commonwealth, arrived in town from the western Country.

This day the Legislature of the Commonwealth are to meet at the State House, in this City.

We hear that in the month of October last the imports in the port of Philadelphia amounted to four hundred thousand dollars. The Philadelphia imports of this fall have been, it is calculated, not less than four millions of dollars.

We hear that Dwight Foster and William Lyman Esqrs. are re-elected members of the House of Representatives of the United States, by the people of their respective districts in Massachusetts.

Robert Brooke Esq. is elected Governor of Virginia in the room of Gen. Henry Lee Commander of the patriotic army—whose term of services was expired.

The Treaty lately held by Timothy Pickens Esq. with the Six Nations, we learn by a Whites town paper is concluded, and satisfactorily to all parties.

Foreign Intelligence.

Capt. Morgan of the brig Molly, arrived here on Saturday from London—Captain Morgan left London the 4th, the Downs the 6th, and the Lizard the 17th October, and brings papers which contain the following intelligence.

BARCELONA, Aug. 27

The news from Biscay and Navarre, is very consolatory. The French after having surprised the Spanish nation, by their taking Fontarabia and St Sebastian soon witnessed the valour and valour of those two provinces, the inhabitants of which, animated with the love of their sovereign, all rose to take up arms without distinction, to avenge his cause. They advanced immediately, with the greatest impetuosity, and checked the farther progress of the French, who doubtless, apprehensive of being cut in pieces, broke down the bridge of Tolosa, on the road of Navarre, and consequently seem to have relinquished the design of penetrating farther.

Fifty thousand muskets have been sent to Burgos, from Madrid, and the regular troops and armed masses in that district have dispelled every fear of a visit from the enemy.

At Madrid, the Burgers are forming a garrison of 12,000 men, and in Arragon the inhabitants rise to defend the frontiers from every incursion.

In Roussillon the French evacuated St. Sebastian della Nugga, to entrench themselves in the environs of Ginçibera.

A French colonel of Hussars came over to our army and brought with him a great deal of specie. He gave some very interesting information respecting the French army, and disclosed the names of many spies in our own, who were instantly put under arrest.

The king's orders and the excellent preparations now making, inspire all Spaniards with the greatest confidence, and they fear nothing from any quarter.

AIX LA-CHA PELLE, Sept. 22.

It is unfortunate but too true, that the Austrians have experienced a defeat on river Ourte. There is constantly passing here, baggage coming from the country of Limbourg. The whole of the left wing of the Austrian army has been cut to pieces.

General Latour arrived on the 18th a 7 in the evening, at Herve, and at ten the camp from Chartrouf Convent at Liege began moving, and the troops encamped near Herve.

On the 19th this army established themselves between Herve and Battice, but in the night abandoned again their position, and retreated. The victorious French followed their enemies close to their heels.

On the 20th, and yesterday, we heard a formidable cannonading, and a large fire was seen from our high towers.

Maastricht is completely invested by the French. The Austrians are said to have thrown seven battalions of troops into it.

VIENNA, Sept. 11.

Our regiment of light horse of Levencht marched on the 22d ult. from Dubona into the Polish territories. A corps under General Meirheim has also advanced to Pulway.

Skirmishes have taken place between our troops and the Poles, in consequence of the invasion of the former into that country. The Poles have fought every where with great courage and enthusiasm.

According to a new edict no Polish subject is tolerated in Galicia, unless he enlists in the militia.

Our Court has commenced an important correspondence with that of Russia, with respect to measures to be adopted by either in case of a rupture between Turkey and Russia.

The British ministers are still here—they are said to wait only for the ratification of the treaties on the part of his Britannic Majesty.

AIX LA-CHAPELLE, Sept. 19.

The day before yesterday the French attacked the Austrian General Kray, in his position before Maastricht, and obliged him, about 11 o'clock to fall back under the cannon of the place.

But General Clairfayt having come to his assistance, with four battalions of infantry, and four squadrons of horse, the enemy were driven back to their former ground.

But yesterday the French, with a very superior force, made a furious attack upon the Corps of General Latour, which was stationed from Chartrouf, of Liege along the river Ourte, about Spremont and Louvegnite, they having reconnoitred the day before from the top of the Citadel of Liege all the Austrian posts. The Austrians made a long resistance; but their left wing was overpowered at last, and obliged to retreat towards Herve with considerable loss. General Latour retreated with the centre and the right wing to Fourn St. Martin, after having evacuated Chartrouf.

On the same day, the enemy attacked also the corps of reserve, between 5 and 6000 men, which was stationed under General Dalton, to cover Limbourg, and, after a conflict of three hours, they forced this general to make his retreat towards this place.

Camp near Granenbourg, Sept. 24.

The Duke of York has made a movement to the left, about two leagues higher up the Meuse. His head-quarters are at Granenbourg.

Tuesday, Sept. 25.

The Duke of York has changed his head-quarters from Granenbourg to Mook a small village near his camp. The ground on which it is situated is elevated, commanding an extensive view of the country around, with the river, Grave &c.

AMSTERDAM, Sept. 25.

Though the situation of these Provinces is more critical than ever, the enemy having rendered themselves masters of the Meuse and made further progress in our territory, we remain in the most perfect ignorance of the operations of the armies.

There has been, it is said, a French commissioner at the Hague, who had a long conference with the Grand Pensionary Vanden Spiegel.—Lord St. Helens refused to be present at this interview, alleging that he had no instructions from his court to that effect. The result of this conference is for the present a secret. It is also reported that the King of Prussia has determined to offer terms of pacification to the French Convention for Prussia and Holland.

The report of the day is, that the French were preparing to pass the river Waal near Brommel, six leagues from Utrecht.

MAYENCE, Sept. 22.

We receive this moment the certain and important intelligence, that the attack of Field-Marshal Moellendorff on Kaisers-Lautern, has fully succeeded. The Prussians yesterday morning rendered themselves masters of that place, made 3000 prisoners, and took 6 pieces of cannon.

By the Convention accounts this place was retaken by the French the same day.

BRESLAW, Sept. 14.

Private letters from Poland assure us, that the king of Prussia has entered in