on the judges of the Mississippi territory.

Mr. Lattimore moved to fix the salary of each judge at 2000 dollars.

This motion, as well as subsequent motions to allow the judges 1600 and 1400 dollars were disagreed to—when the sum of 1200 dollars was agreed to Ayes 58—Noes 25.

The third section extends the right of suffrage generally to the citizens of the Mississippi territory, without regard to the possession of a freehold.

Mr. Early moved to strike out this section. He declared himself friendly to the principle. But he was of opinion that Congress did not possess the power of extending it to the inhabitants of the Mississippi territory. In the articles of cession from Georgia to the United States, it was stipulated that this territory should be under the same stipulations with those applicable to the North Western territory, with the single exception of that stipulation which related to slavery. Those stipulations made it requisite for the elector of a representative to possess a freehold estate. Considering this as one of the fundamental terms of the contract he did not believe the U. S. possessed the power of annulling it.

Mr. Lattimore observed, that if Congress had no power to grant other privileges to the people of the Mississippi territory than those stipulated in the compact with Georgia, it was clear that they had already violated it. One of its stipulations was, that when the inhabitants of the territory should amount to 5,000 they should be admitted to the enjoyment of the second grade of government. And yet it was well known that they were admitted to this privilege at an earlier day.

Mr. Sloan opposed the motion.

On motion of Mr. Bidwell the committee rose, that further time might be allowed to consider the subject—Ayes 63.

The House resolved itself into a committee of the whole on the bill providing for the surveying of the coasts of the U. S.

After agreeing to appropriate 25,000 dollars for this purpose—the committee rose, and the bill was ordered to be engrossed for a third reading on Monday.

DEBATE on Mr. J. Randolph's motion, requesting information from the Executive, touching any illegal combinations against the peace and safety of the union.

(CONCLUDED.)

FRIDAY, JANUARY 16.

MR. J. RANDOLPH. It appears to me that the resolution is treated, I will not say intentionally, with unfairness. It is a resolution calling for information, and yet gentlemen opposed to it call upon us for information to prove its propriety. They ask, do you know this or that?—We answer no—but we wish to know it; and that we may know it, we ask; and yet the requisition is opposed, because we cannot give them the information it calls for. If we had the information, I should suppose that circumstance [illegible] a stronger reason for disagreeing to it. If we possessed the information, we should not want it. But it is said the danger has proceeded to such a length, and the crisis is so advanced, that nothing which we can do, will have any effect. Are we then merely to call in the political undertaker, to take charge of the body politic which is defunct, to commit it to the dust. Gentlemen say it is too late to do any thing. Either the affair has proceeded to such a length that it has by this time succeeded to the utmost, or is altogether defeated. But are gentlemen prepared to say that the partial success of the conspiracy shall be conclusive in its effects; that the nation will set down contented, if Baton Rouge or New Orleans is reduced?

While on this subject, permit me to say that when I referred to newspaper information, I did not refer to the vague reports generally circulated through those organs of information, but to evidence legally taken in the case of judge Sebastian, which, though found in the columns of a newspaper, I consider satisfactory evidence. If it is not, I hope some gentleman from Kentucky will get up in his place, and tell us so. I alluded to this information as exhibiting the intriguing disposition of the Spanish government from the peace of 1783 to the year 1797.

The gentleman from Pennsylvania has told us of some kind of an armistice entered into between the commander of our army and the commander of the Spanish forces. But I should be glad to know from what quarter he derives this information. I believe there is no such information. There may be some tacit informal understanding; but I believe there is no armistice. If there is I have not heard of it; and will this House confide in the tacit understanding between two commanders, when they have seen the government of Spain endeavoring to dismember the union after entering into a solemn treaty with us. In former days we have heard much of Castilian honor and virtue. But at the present day the thing is not—it dont exist. We have evidence that while that government was treating with one hand, she was preparing to stab us in the dark with the other.

I again invite the House to draw a proper inference from the indecent, insulting, outrageous demeanor of the minister of Spain. I did understand that he was to have been deported—shipped off.—On the contrary I find him still here; and is not the inference of my friend from Pennsylvania irresistible, that, considering the crowd of memorials presented by him to the government in the case of Miranda, and that a remonstrance has been made against this pretended expedition against Mexico, that he is acquainted with it—that he knows that it is ostensibly for Mexico, but really for Orleans—for the severance of the union.

Some gentlemen make extremely light of this conspiracy. I cannot, however, conceive, how a man in a state of ignorance respecting its nature or extent can make light of it. The very circumstance of not knowing the extent of danger has a tendency to magnify it beyond its natural size. But there is one fact, which has come so direct, that it cannot be doubted. I believe it will altogether depend on the circumstance of the conspirators getting to Baton Rouge before the troops of the U. S. arrived there, whether New Orleans shall fall; and the waters of the Red river are so low, that we cannot decide when our troops will arrive—they will get possession of the ordnance, and nothing can prevent the reduction of Orleans but a pitched battle.

But who can see, according to the intimation of some gentlemen, in the resolution under discussion, a proposition either for a war or peace establishment. It is no such proposition. It seems, however, that an expression of mine bore hard on the worthy gentleman from Pennsylvania, for which I am very sorry. But I can only say, "let the galled jade wince, our withers are unwrung." But I beg leave to repel in the most decided manner the charge that we are triumphing at the consequences of the measures of the last year. If I could triumph at the calamitous situation of my country, there is ample cause indeed for triumph. But let me change situations with the other gentleman. Let him have the finger of scorn pointed at him—Let him be denounced, let the cry of mad dog, of political defection be raised against him—and let him see all the measures for which this denunciation was made adopted and asserted by his adversaries—would he not feel some chuckling—or would he be so base, so mean, so abject, as to lay down and say that tho' he knew them to be right, he dare not declare them so. You may begin with these measures, and go on from alpha to omega. The first of them is the famous non-importation law. It is gone—abandoned, given up. Another great point of difference was the bill relative to the public debt, which we have had under consideration this day. It is passed. Then comes the salt tax—passed on a recommendation from the executive. We have next the measures for the increase of the public force—we have a bill from the Senate to that effect. And are we to be amused by a quibbling distinction between a war and a peace establishment? The force is the same, in either case ready to be used against foreign enemies or domestic conspirators; there is no difference, except this, that our proposition was less obnoxious than theirs; in as much as the peace establishment is for all time, the war establishment merely temporary. And is it not wonderful that gentlemen who avow themselves hostile to a standing army are against a temporary, but in favor of a permanent establishment. No, sir, I cannot take a retrospect of the past without feeling a degree of conscious pride that my aid was not given, that I had no hand in the acts of commission or omission that have brought us to this deplorable state of things. I am asked if I foresaw the conspiracy of this, as he has been called, modern Catiline, and if I did not, I am desired to take no credit to myself for the measure proposed. What! Will logic of this kind go down with the house or the nation? Because we did not point out individual danger, but foretold it in the general, are we to be denied the credit of warning the country against any danger? But I well recollect there was an argument urged, if not in these words, to this effect;—if you do not protect the western people, and extend to them the benefits of a free, equal, and strong government—I say strong, for none but an equal and free government can be strong—they will look out for friends and protectors elsewhere; and is not this prediction verified? It is, sir—I say not this in relation to the western people exclusively—the same would be the case in any other part of the union. Suppose the line of Vermont threatened—that British troops should pass it in hostile array; and that the British minister should act in the same way with the Spanish minister? What would the public sensibility be? What it ought to have been last year,—what it ought to be now.

But the gentleman from Pennsylvania says, by passing this resolution we shall betray a want of confidence in the executive, and more especially in the President—that he will give us such information as he thinks proper, and if we want more, we act like naughty boys, who call for more than comes to their share. Indeed! Did that gentleman, in the better part of his political life, utter such sentiments. I'll warrant him he did not, and when he feels how contradictory they are to all the good old maxims of the republican party I am confident he will abjure them. As to my confidence, I am not so fortunately situated as the gentleman from Pennsylvania; because my belief in men, politics and religion is a matter of reason as well as of faith. There never did, or can exist a President of the U. S. who will command my confidence to the extent of the gentleman from Pennsylvania, and I believe the cultivation of a degree of scepticism in politics would not to be unuseful to that gentleman as well as others. My confidence in the executive will depend on their conduct. If their conduct shall be such as it ought to be, they shall have my confidence. But I cannot go so far as to mortgage it to them, be their conduct what it may, without reserving even an equity of redemption. This may be an infirmity of my nature; but I cannot, I never could act otherwise. I think the gentleman said, that if on account of the acquisition of Louisiana, it were thought necessary to increase our peace establishment, he should be willing to go as far as the bill from the Senate goes. When was that territory acquired? Since the last session? If so, his observation is to the purpose; but to make an acquisition, obtained three or four years ago, the cause of augmenting the peace establishment of the present day, is rather unfortunate, & it appears to me that if the increase of the army be intended for pacific purposes, the greater the increase the worse our situation. As to standing armies, I have no great idea of them—*fruges consumere nati*—and with regard to our army they are so cut up that little reliance can be placed upon them. We find one company between the two states of Rhode Island and Connecticut, one company in Boston harbor and at the arsenal at Springfield, one company appointed to defend the important port of New York, and so on. How are these men to be made troops in garrison? I believe whenever they shall be called into action, they will prove they are not troops. I have no hesitation in saying, that if gentlemen depend on this broken staff they will be disappointed; and that if necessity calls for it, the best way to get an efficient army will be first to get rid of the present inefficient one. Is this arraigning the conduct of this or that department. No, sir,—but that narrow policy, which is pursued by the House—a policy, which it is high time for us to lay down, whether we regard the saving of expence, or the public safety. When *I* say that it is high time to lay down this narrow policy, let me be explicit. *I* have as much confidence as other gentlemen in the militia when at home; but if the U. S. were to conquer the Cape of Good Hope, *I* would not think of protecting the place by the militia. *I* believe the militia as adequate to the protection of New Orleans as the Cape of Good Hope; and after paying fifteen millions for the Mississippi and its delta, shall we be so penurious as not to defend this important point—this key to our strong box?

I hope the motion to postpone this resolution will not prevail, because *I* fear it has been already delayed too long. *I* have withheld it from the considerations *I* have already mentioned—from a belief that a disclosure of circumstances at the time of crisis might be injurious to the public good—from the hope that the best political measures had been taken for the public safety—and from the belief that the House of Representatives would be called in due season to take such further measures as the exigency of the state might require. But does it follow that if the affairs of the U. S. are in such a situation, and the Executive has not considered it necessary to take measures (conceding this for argument sake) that Congress shall take none? What does this amount to? As far as the Executive goes, we are authorised to follow—not to keep pace with, much less shoot a head of him. If there is a difference of opinion, you are in the wrong—you must submit to the mere duty of registering his edicts. I am one of those who do not feel disposed to stand on this ground—*I* have a respect for the opinions of the members of this House, for the opinions of well informed men out of doors, for those of the President and the heads of departments; but *I* do not entertain these sentiments to such an extent as to abandon my own opinions, to grope like a mole in the dark, and to be contented with what is shown me. Let us not call ourselves statesmen or legislators if we are ready to act without information. We may make a kind of Conservative Senate; but higher we can never rise, if we adopt a course of this kind.

MR. SMILIE. The gentleman from Virginia asks if I ever consented to call on the President for information. I have. But I never have called upon him for information during a pending negociation. With regard to what I said of the executive, I say it again, and I believe those who know me, will not doubt that I have as much independence as the gentleman from Virginia.

[MR. J. RANDOLPH explained. He did not, he said, question the independence of the gentleman from Pennsylvania. He only questioned the correctness of the principles which he advocated—principles on which he hoped he would never act—principles which would lead to a practical dependence which he hoped the gentleman would abjure.]

MR. SMILIE. I do not know what principle the gentleman alludes to. I will state what I said before. If we adopt this resolution we betray a want of confidence in the executive magistrate. I say so again. It belongs to us to provide the means, and to the executive to apply them. It is his duty to ask for means when he considers them necessary. I say, when the necessary forces are prepared, or about to be prepared, such a requisition betrays an improper jealousy, a want of confidence in his judgment or integrity. If the object of the gentleman be to declare war, I agree that a call for papers may be proper. But this object is not avowed.

I agree with the gentleman from Virginia in the opinion he has expressed of standing armies, and it is because I hold this opinion that I never will agree to raise them in a time of peace. For my part I am not disposed to the knight errantry of contending with Bonaparte; neither have I any fear of a French or British invasion. I apprehend no such designs, and with regard to this conspiracy, I think we have the means of crushing it within our reach, without resorting to an army. To me it is strange that we behold so much zeal in the east, when the western states are so little alarmed. My object is to avoid war as long as I can consistently with honor. I consider it as among the last of evils, and I never will resort to it but in case of necessity. If the gentleman is correct in the portrait he has drawn, I will not say that it would be altogether incorrect to make use of the means he has proposed. But I entertain a totally different opinion of the state of the country.

MR. EPPES. I shall vote against the postponement, as involving the principle contained in the resolution. I shall vote for the resolution, because I believe the information it calls for important to the House and the country; and because I think its terms such as ought to preclude every possible objection to it. If the gentleman from Virginia had confined his observations to the resolution, I should not have opened my mouth. But when the vote I gave last year is questioned here or elsewhere, I consider myself bound to justify it in the face of God and the nation.

Whether we shall retrace the ground of the last session I do not know. For one, however, I am against raising an army, and I call on gentlemen to shew its necessity in the present posture of our affairs. What circumstances have arisen to make an army more necessary now than then? Then the armies of the U. S. and of Spain were arrayed against each other on the Sabine, and there was an enterprise against the Spanish possessions. What is now the situation of the U. S. as to its force on the Sabine? It is sufficient. There has been no time when we had not man for man with the Spaniards. An agreement is made and our troops are withdrawn. But we are told that Orleans is to be attacked, that the safety of the country is endangered, that the very union is at stake. Where is this danger? Do gentlemen expect, as in days of old, an army to be raised from the ground? Is not Blennerhasset with his miserable party of 150 men, checked in every quarter? For my part, I do not know the existence of danger; and, although I shall vote for the resolution, I believe that the present force of the U. S. is sufficient to suppress the conspiracy and to meet the Spanish forces. The only reason that the conspiracy is not already suppressed, is that the laws do not provide for cases less than treason. But we have just passed a law for this purpose. At present, I ask gentlemen to point out any authority by which a single boat can be seized, unless under the state laws.

As to the situation of the western country I feel no alarm. I do not believe the fair fame of a state ought to be impeached by the misconduct of a few unprincipled men. We may sweep the whole bench without endangering the state. The conduct of the state of Ohio has been eulogised by the gentleman himself. And what is the conduct of the territories? In Orleans they are prepared to meet the conspirators. The merchants have patriotically come forward with a tender of their services. For my own part, I do not see in this case any indications of danger, but I am notwithstanding in favor of adopting the resolution, as the means of giving us information, which, I believe, will be valuable to the House and the country.

The question was then taken on postponing the further consideration of the resolution till Monday, and lost—Ayes 38.

MR. J. RANDOLPH. Before the question is taken, I will observe, tho' it may seem strange, that this is not a proposition to raise a standing army, or to declare war. Nor do I see how the opinions of gentlemen on these points are implicated. For my part, I have the same opinion of standing armies now as ever. I have no disposition to raise regular forces for the defence of New York, or Baltimore, or of my native state—there is sufficient population for their defence in all those quarters. But in the country I have spoken of, there is no militia.

Again, on the subject of the situation of the state of Kentucky, I have cast no odium on Kentucky. I am happy to find Kentucky contains within her bosom honorable men enough to keep in check those that are dishonest. But I cannot draw so favorable an inference of the public sentiment in any country, when I see a most extraordinary and ramified combination, composed of the most leading characters, and the most flaming patriots too, for the express purpose of severing the union.

In my opinion the true way of avoiding danger is not to despise it. Suppose even that gentlemen are right, and that *I* am wrong. If *I* am wrong no danger can ensue from my error; but if they are wrong, the greatest public calamity may ensue from theirs. So, on their own principles, gentlemen ought to agree to the resolution.

I do conceive, and it gives me extreme concern, that the very mention of a disunion of these states is a great public injury; it goes to unhinge the tone of the public mind; it makes men familiar with the possibility of the thing, and once admitted into their breasts, they will not contemplate it with that abhorrence in which it ought to be held by every true patriot. If the mere talk of the thing be mischievous, what shall we think of a plan such as this is reported to be. I do not conceive it to be a thing of yesterday; but an affair of long standing. Look back to the times when the character implicated in this conspiracy first began to move in that country. It was at least cotemporaneous with the disappointment of his ambition. Look further back; look at the famous propositions of Thomas Powers. It appears to me that these are parts of the same disease, and that it is a most extraordinary thing that although so extensively incorporated into the body politic, the country should remain so long profoundly ignorant of it.

MR. THOMAS asked for a division of the question at the words "United States." He said he had no objection to the first member of the resolution, the agreeing to which would enable them to obtain all the information that was requisite to form a judgment of the magnitude of this national calamity. He was decidedly against the other part of the resolution. It would go to expose the military operations pursued under the President for the purpose of intercepting and defeating the conspirators. It was evident to every man acquainted with tactics, that military operations to be effectual must frequently be conducted with the greatest secrecy.

MR. EARLY enquired whether the Yeas and Nays would be taken upon each member of the resolution. The Speaker answering in the affirmative, Mr. Early moved to adjourn. This motion was disagreed to—Ayes 47—Noes 68.

MR. STANTON declared himself against the resolution.

MR. ELMER said he was opposed to both members of the resolution. He was not prepared at this time to vote for it; because when such a call was made, the House ought to have some specific proposition before them on which they meant to act. No such proposition at present was before them. He added that he had full confidence, that when the President was possessed of such information as he thought ought to be communicated, he would promptly impart it.

MR. JACKSON. I believe it has been decided by the Speaker that after the question is taken on the first member of a resolution it is out of order to debate the second. As I mean to vote for the first, and against the second member, I will now assign my reasons for the vote I shall give. The second member leads to a palpable absurdity. It calls on the executive to inform us what he means to do. I am at as great a loss as some other gentlemen to determine what connection there is between this proposition and the proposition of the last year to chastise Spanish insolence. I trust that the people will appreciate the force of the remark, that if the measure recommended at the last session had been adopted, there would be now no danger. The argument urged on this occasion is the constant pretext for raising standing armies. This measure was, however, rejected by the good sense of the people in 1799, and I trust to God, it will be rejected in 1807. The argument of the gentleman goes to this, that a state of things which no human reason could foresee, is to be overawed by raising a standing army long before its occurrence. If in this case it is necessary to resort to a standing army, why did we not do so in the case of Fries's insurrection, as well as in that of the preceding insurrection in Pennsylvania? I however rejoice to coincide in opinion with a great majority of the people, that the militia may be safely depended upon, and if I had not this reliance upon them, I would instantly yield up my confidence in the practicability of a republican government. But it appears to me that this question, from the extraneous circumstances mingled with it, has assumed an importance to which it is not entitled. It is merely a resolution to obtain information, part of which *I* think will be important, and which *I* am sorry gentlemen do not all agree in requesting. It has no connection whatever with a standing army; but the mover of it, having dragged an army into the parade, rendered it necessary for those who differ from him to repel his observations.

MR. SLOAN said he had hoped that the House would have agreed to postpone the resolution. It was in his opinion important, and a decision upon it ought not to be precipitated. He therefore still hoped the House would adjourn, and that after reflection they would entertain a different opinion from that which they at present appeared to hold. He said, that he was opposed to both members of the resolution; to the first, because it was only calling on the President to do his duty, when there was no doubt that every measure had been taken by him which was necessary, and because it would be injurious at this moment, as betraying a want of confidence in him. As to the second member it might be fraught with still greater evils.

MR. GREGG wished to know whether it would be in order to move a postponement of the second member of the resolution after a vote on the first. When he first heard the resolution read, he said he was disposed to vote for the whole of it. This was a practice, when information was called for, which he had always pursued. On further consideration, the first part of the resolution appeared to him proper; but he could not view a part of the second member in the same light. He alluded to that part of it, which called on the President to inform them what measures he meant to pursue. He believed that it was an unprecedented thing to require such information. He had hoped that the gentleman from Connecticut, who had offered to the House the proceedings adopted on like occasions, would have offered some precedents of this kind. If any such existed he had no doubt he would have found and submitted them. He must therefore conclude that there were none such. Mr. Gregg concluded by saying he had no objection to pursue the course adopted in the cases cited by the gentleman from Connecticut. He should therefore vote in favor of the first part of the resolution, but against the second, as it then stood.