

or at any time sooner, or in any greater proportion than that the government may think fit.

Sec. 12. And be it further enacted, That it shall be lawful for the legislatures of the states at any time or times within three years to cause a subscription to be made to the stock of the said corporation, as part of the aforesaid capital stock of twenty millions of dollars, on behalf of the states to an amount not exceeding six millions of dollars, to be appropriated among the states respectively as follows, that is to say:

The state of New Hampshire, five hundred and twenty shares; the state of Massachusetts, seven hundred and seventy shares; the state of Connecticut, seven hundred and thirty shares; the state of Rhode Island, two hundred and ten shares; the state of Vermont, four hundred and sixteen shares; the state of New York, seventeen hundred and seventy shares; the state of New Jersey, six hundred and twenty five shares; the state of Pennsylvania, eighteen hundred and seventy five shares; the state of Delaware, two hundred and ten shares; the state of Maryland, nine hundred shares; the state of Virginia, two thousand shares; the state of North Carolina, twelve hundred and fifty shares; the state of South Carolina, eight hundred and thirty three shares; the state of Georgia, four hundred and fifty three shares; the state of Kentucky, six hundred and twenty five shares; the state of Tennessee, four hundred and fifty three shares; the state of Ohio, three hundred and sixty shares; which said subscription may, as the legislatures of the states shall judge proper, be paid in any equal annual instalments within ten years; the first instalment to be paid at the time of subscribing, and the subsequent instalments at a distance of time not greater than one year from each other successively: Provided, That if any state shall decline or neglect subscribing within the period herein limited, or neglect to pay the whole amount of its subscriptions within ten years from the time of subscribing, in such case it shall be lawful for the United States to dispose of, or make any regulations they may judge proper in respect to any shares not subscribed, or any instalment remaining unpaid.

Sec. 13. And be it further enacted, That the bank hereby provided for, shall take effect and be established on the fourth day of March next; and that no other bank shall be established by any future law of the United States, during the continuance of the corporation hereby created; for which the faith of the United States is hereby pledged.

#### HOUSE OF REPRESENTATIVES.

THURSDAY, MARCH 22.

#### SPEECH OF MR. RANDOLPH.

On offering his resolution for the reduction of the military and naval establishments.

MR. RANDOLPH said he wished to submit a motion to the house, which was of a nature that would perhaps require, at least justly, some general observations. During his unavoidable absence from his duty in the house the present session, Mr. Randolph said it had been some consolation to him to reflect that if he had been unable to participate in any of the measures which the wisdom of the government might have devised to meet the necessities of the state, at least those measures were not in any wise retarded or impeded by any opposition of his. True it is (said he) that at the distance at which I was placed from the seat of government, and through the medium through which I viewed its measures, it was impossible for me to discern any thing like a system pursuing or about to be pursued, by the government of this nation. But this, sir, I attributed to my own want of information, not to the want of decision or wisdom in the government. I flattered myself that when I should have reached the seat of government, when I should be on the spot that I should then at least be enabled to discern a degree of something like a regular system of policy pervading the great councils of the nation. But, sir, using all the means accessible to me, during the time that I have been in Washington, I have been unable to detect any thing like design, any thing like concert, any thing like a plan about to be pursued by this house in relation to our national concerns—I ought perhaps to say, until this moment. But, I understand, sir, at length, the budget has been opened—that a system has been brought forward for raising supplies by loans and by additional taxes.—It is in relation to this system that the motion which I am about to make will stand.—I had indeed supposed, sir, that when the government of the United States should get into operation at this session, the first act would be (if we could not build up) to pull down that which every one seemed to acknowledge was inefficient, ridiculous and hurtful—I allude to the celebrated non-intercourse law—and I certainly should have felt it my duty to submit a motion on that subject as soon as I took my seat if I had not been informed that a bill was in transitu between the two houses to effect that object, and I had not the presumption to imagine that any suggestion of mine would contribute to accelerate it. Why indeed the nation should have tolerated this acknowledged evil, I have never been enabled to discover. I had supposed that the first step would have been to do away the confessed evil, by ways of preparation for some substantial good. In this, however, I have been unfortunately mistaken. Whether the people of the United States were ever to retrieve that flourishing commerce which had been so childishly thrown away, Mr. R. said it was not for him to undertake to determine. Commerce was a delicate, a ticklish thing—and when it had formed for itself new channels, like a mighty water course, it was difficult indeed to turn it back into the old. But, if the commerce of the United States was ever to be regained, he would venture to say that it was not to be brought back by the means of additional duties. The embargo and non-intercourse—he had almost forgotten to mention the non-importation act—had changed the habits and feelings and principles of the mercantile class in this country. A foreseen and predicted at the time, a system of smuggling, of illegal trade, the most ruinous to the fair trader, the most injuri-

ous to the agricultural interest and destructive to the revenue that could be conceived, had been organized. A man has nothing to do (said Mr. Randolph) but to go into the market, and give a premium to have his cotton or tobacco placed in Liverpool or London, or to have an assorted cargo of prohibited goods placed in any street of Baltimore or Philadelphia. Whether these habits will ever be checked, it belongs not to me to predict—but they certainly will never be checked by high duties operating as a premium on smuggling.

But it may be said that the nation is in that situation in which it is necessary to act, to do something. I agree, sir, that it is—although I hold it not to be the least of the qualifications of the statesman to be apprised when it is necessary not to act. A proposition is now in substance—and I wish to bring it in form—submitted to this nation whether they will encounter a system of additional taxation and loans, or whether they will make a reduction in their unprofitable establishments. I think, if I have not forgotten, that the Secretary of the Treasury, in his annual report, has stated that by an adequate reduction in the army and navy the necessary state of our finances may be relieved. But, perhaps, sir, it may be asked shall we, in the present undecided state as respects the belligerents of Europe, make any movement which shall indicate a disposition on our part to submit to those belligerents? Certainly not. But, Mr. R. asked was there any one who heard him who seriously thought of war, or believed it a relation in which we could be placed to either of those belligerents? He for one did not. War with whom? War with France!—Carried on where? By us here, and by France in old France?—For she had no possessions in our neighbourhood. War with England!—Carried on where? In the hospitals at New Orleans? Granting that our situation with either of the belligerents was a hostile one, Mr. R. said, he for one would in that case still be ready to accede to his proposition—for he saw no use in keeping up an establishment, a costly set of tools, which we could not, if we knew how to use.

It is probable, however said Mr. R. that all this time I may be under a mistake—that there is a system, that there is a plan, that there is a concert—and indeed if the old maxim be true, *ars est clare-erem*, ours must be one of the most refined systems—it eludes not only sight but touch and would defy even a chemical analysis. I would wish to ask this House, after all that has been said or that can be said on the subject whether we must not—we may make as many wry faces as we please—go back to that ground (if it be possible to regain it) which we have so childishly and wantonly abandoned? We must—we may begin upon the system of loans and taxation, but the people of the United States will tell us to stop, and we must obey. Will the people of the United States consent to keep up expensive military and naval establishments, of the very existence of which they are made acquainted with them by burdensome taxes and a debt entailed on their posterity—and for what? For what earthly end? If you cannot keep your army alive in time of peace, I ask in the name of common sense what will you do with them in time of war? Is there a man who hears me who feels one atom of additional security to his person or property from the army of the United States? Has it ever been employed to protect the rights of person or property? Has it ever been employed but in violation of personal rights and the rights of property—in the violation of the writ of habeas corpus and as a new modern instrument of ejectment? Sir, go through the country, and put to every freeholder in the land this question—Are you willing to pay one third more of duty, and an hundred per cent. on that third, upon sugar, coffee and so forth, for the sake of the establishment at New Orleans? We may say what we please, sir, but that expedition which, until ours, surpassed in folly every other expedition every undertaken—the famous expedition of a British army against Flushing, where they had an enemy as well as climate to contend against—that expedition, which even their own military dare not defend, but quarrel amongst themselves who shall have the blame of it, was surpassed in disaster by the mortality of the American army. And yet, sir, for this shadow, this skeleton—it is indeed a skeleton of an army, the people of the United States are to submit to loans and taxation. With respect to the navy, I say nothing of that. Its exploits are already registered in our Journals. And the fact of the frigate Philadelphia having run ashore on the tail of the Horse shoe, is the only one in our naval annals for several years past.

With respect to war—we have, thank God! in the Atlantic, a fosse wide and deep enough to keep off any immediate danger to our territory. The belligerents of Europe know, as well as we, that that war is out of the question. No, sir—our preparation was for battle, the state physicians have mistaken the state of the patient—we have been embargoed and non-intercourse and died almost into a consumption, and this is not the time for battle. If indeed the state was about to undergo inoculation for the small pox, this reduction would have been according to the best medical authorities.

Mr. R. said he would therefore submit to the house, under these views, the best he had been able to take, two distinct propositions in a single resolution, in order that the house and the people of the United States might determine whether they would submit to encounter the European system of loans and taxes, or whether they would reduce establishments, which (to say the best of them) that could be said) were mere incumbrances. It was, he thought, about nine years ago since he had the honor of making a similar motion in this house, which was the precursor of the abolition of the internal taxes. He hoped the motion he was now about to make, would be the harbinger of protection against the system introduced into the house yesterday—that, at least, if it was not made the means of taking off taxation, it might prove an antidote against it. Mr. R. then moved "that the military and naval establishments ought to be reduced"—not that he was at all opposed to a reduction in any other article of expence. He believed that many other

and important reductions might be made in the expences of the government. The spirit of reform, he said, had long slept in this house. He would go as far as any man in retrenching expences, but he confessed his object now was to take the bull by the horns. He considered these two objects to be the great drains & sinks of the public treasure. I do not (said he) profess a better acquaintance with the public sentiment than others, but I believe, if you were to propound the question to every man in the United States capable of judging, that not merely nineteen twentieths, but nine hundred and ninety nine hundredths of them—always excepting those who draw emoluments from these establishments, and their immediate connections, whether in this house or out of it—the good honest yeomanry of the United States, who never saw these things, whose only proof of their existence is in the money they call for, would say, in God's name, let us have none of them. If we are to have war, we know that we, the people of the United States, and not the invalids from the hospitals of the Mississippi must fight the battle.

The house agreed to consider the motion of Mr. Randolph.

Saturday, March 24.

TORPEDO EXPERIMENT.

The House resolved itself to a committee of the whole on the bill appropriating a sum for making an experiment on the practical utility of the Torpedo or submarine explosion, Mr. Desha in the chair.

Mr. Lyon expressed a hope that the bill would pass. He wished that a trial might be made of this invention that promised so much. He hoped this invention would not be influenced against it by laughter; they had got over the worst of it now the bill had been received from the Senate, and he hoped after going so far that they would go through with it.

Mr. Livermore said that as the non intercourse law was yet in existence, and as gentlemen declared they would not repeal it without a substitute, as that substitute had not been proposed in this house, this bill from the Senate perhaps was the substitute. If so, he would be very ready to give 5000 dollars for so desirable an object; and although he had heretofore opposed the bill, he felt disposed under this belief to withdraw his opposition.

Mr. Quincy said that if it was intended to make an experiment, he wished it might be made in such a way as to give satisfaction. No one doubt that a vessel could be blown up with gun powder; but in all experiments made, and to be made, the vessel which was the subject of the experiment, was placed under the control of the inventor, and just where he wished it. The vessel employed for the purpose might not be seaworthy, and if so, the blowing her up would be no proof that the same force applied to a ship of the line would have the same effect, any more than one could prove that he could blow up a ship of the line by blowing up an egg shell. Mr. Q. said his wish was, if Congress were to go to the expence proposed, that they should do it like men who understood the object proposed, and were desirous of a satisfactory experiment. He therefore moved to amend the bill by adding a section to this effect—that the Secretary of the Navy shall be authorised and required to superintend the experiment, &c. and to cause all such obstructions to be interposed as would or could be interposed by a vessel against which an attempt with the torpedo was about to be made, provided the life of no citizen be endangered by the purchase and preparation of the vessel on which the experiment is to be made not to be under the control of the torpedo inventor, who shall be prohibited from all communication with the said vessel except such as he could have in case of actual hostilities.

This amendment was opposed by mess. M. Kim, Lyon and Holland on the ground that the obstacles to the experiment would be interposed without giving the inventor an opportunity of repelling them; that if such extensive means were made use of to interpose obstacles, the same would be required to repel them, and a greater expence would be involved than this appropriation would cover.

Mr. Quincy replied that no force need be applied or expence incurred but that of booms or ropes thrown over the side to keep the torpedoes from the vessel.

Mr. Quincy's amendment was negatived—51 to 39.

Mr. Lyon moved the following amendment, which was agreed to: "Provided, that the Secretary of the Navy be and he is hereby directed to report to Congress, the result of the experiment, with his opinion thereon."

Mr. Hale moved an amendment to this effect: "Provided, that the Secretary of the Navy be directed to receive a sufficient crew on board to defend said vessel from the effects of the torpedo experiment, if a sufficient number of men will volunteer for that purpose?"

Mr. Smilie declared if the gentleman himself would take the command of the vessel and raise the volunteers, that he would not object to the amendment.

Mr. Hale's amendment was lost, ayes 30.

The committee rose and reported the bill. Mr. Quincy renewed the amendment he had proposed in committee. He said he wished to put it on record that he had done all he could to prevent the public money from being expended on frivolous and unsatisfactory experiments, merely to afford amusement to those who were to witness it.

Mr. Gholson said he had no objection to the amendment, for he thought it included no more than the secretary of the navy would do of his own accord, if the bill passed as it now stood.

Mr. Lyon made some observations against the amendment. He said if it was agreed to he should be for voting a larger sum, and for voting annually a sum, to be deducted from the expences of the navy, till the utility or utility of the invention was ascertained.

Mr. Quincy's motion was negatived by Yeas and Nays, 53 to 45.

The bill was then passed to a third reading, ayes 63, and was ordered to be read a third time to-day.

The bill was then read a third time.

Mr. Dana commenced a speech against the bill—

Before he concluded a motion was made to adjourn and carried.

Monday, March 25.

MR. PINNEY'S LETTER.

Mr. Livermore offered the following resolution: Resolved, That the President of the United States be requested to cause to be laid before this house a copy of any letters or despatches which have been received in the Department of State, and do not require secrecy, from Mr. Pinney, our minister at the court of London, since receipt of the letter of the 23d of November, from the Secretary of State, communicated to this house by the President on the 29th of November.

Mr. Smilie said he saw what was intended the mover of the resolution. It was wished the house would deny the call. It had been denied in Massachusetts that such a letter existed; and if the call was refused, they would produce the refusal as proof of their assent. If it was proper to publish a private letter, said he, he wished to see it, to put to silence people in Massachusetts.

Mr. Cook wished the resolution to pass, said it would be inferred from a refusal to pass it that there had been no such letter or that it was not of the purport which it was said to be. It might be an unofficial without being a confidential letter. Whether it was confidential or not, some answer would be received.

Mr. Livermore said that he had been in gentlemen in conversation that information had been received by the secretary of state, of the doings of the British minister here were proved by his government, & that a new one would be sent out. If this was a fact, it was important that the house should know it, a gentleman from Pennsylvania, seemed to say that the mover wished the resolution not adopted. How in the name of common sense or candor, Mr. L. asked, could it be said that the resolution was introduced for the purpose of being rejected? He said it gave him no ground that he should make any motion in good of his country which should be adopted by a gentleman who was so influential, from powers of his eloquence, from his standing in society, and other considerations, as his colleague (Mr. Cook) Mr. L. said he had some satisfaction he felt in announcing that he should be in the majority before the close of the present session; and he should be glad to find himself in that predicament in relation to the resolution.

Mr. Van Dike said he had heard it said a letter had been received by the secretary of state, going to this object: that, notwithstanding the dismission of Mr. Jackson, the British government retained an amicable disposition. Mr. Jackson's conduct was disapproved of, would be recalled, and that another would be sent. A motion had been submitted to reduce the army and navy—it was not previous to a decision on this motion, what was the situation of affairs? And if a letter was in existence, ought not the representatives of the people to have it for their information?

Mr. M. Kim said he had not seen the letter, but he had understood the purport of it, and he had understood it correctly, and satisfactorily to himself, might not have had the same satisfaction, and he had no objection that it should be made public. It could not be got except calling on an unofficial letter, because it would be corous in the President to submit it to the house without a call for it.

Mr. Dana was not disposed to call on the President to violate private confidence, not imagine where the President or Secretary of state in their private capacity received as private gentlemen, that the house should call for them. But if information from a minister as to the manner in which he had discharged his public duty had been received in the department of State, it was an abuse to call it a private letter. And if such a letter had been received, he was decidedly for it.

Mr. Bassett said he had at first viewed the resolution, conceiving it to be going a step further than they had ever gone before. But on reflection he conceived the letter in question stood much in the same position as other papers that had been heretofore for the house, and should therefore be for the resolution.

Mr. Burwell said he had not seen any extracts from it; but as far as he understood its character, it was a letter intended to give the government of the United States an idea of the temper and disposition of the British government than to a statement of facts. It stated a conversation with a leading member of the British government, which he had expressed himself to be friendly to, and stated that nothing which had occurred altered the existing relations. How important this information, it formed no part of which the house could act; and he was opposed to calling for it, more especially the next arrival from England would bring some official act of the British government, which would decidedly indicate its disposition.

Mr. Lyon said that this private letter had been made so public, reminded of a letter which had been seen of a private entertainment, that it was advertised by a sign. He was for the resolution.

Mr. Cook said he felt more inclined to call for this letter for several reasons, of which was his great reliance on the standing and great powers of Mr. Livermore, and great powers of Mr. Livermore, thought proper to offer the motion, when it was so successful and generally approved of the house so much, his conduct was characterized by so much propriety, that his motion would be adopted.

Mr. Goldborough protested against the practice of attributing improper motives to the members of the house, for the purpose of inducing the house to pass a resolution on would be found in this crucial