

I assure you I did not court or solicit; but is an honor highly respectable.

Gentlemen, I have grown old, in the service of my country; I am near 50 years of age, and I have devoted all my exertions hitherto to my country and the cause of republicanism.

My friends, I shall do all I can for you in the Senate whither I go; as I have done, and wish you good bye. Though ten thousand daggers were aimed at my heart, I shall never forsake the cause of republicanism.

## CONGRESS,

HOUSE OF REPRESENTATIVES,

Monday, December 21.

Mr. Randolph made report from the joint committee appointed to take into consideration the subject of books and maps purchased in conformity to a law of April 24, 1800, appropriating 5000 dollars for that purpose. This report recommended their being placed in that room in the Capitol which was occupied by congress last session, and that the books belonging to the two houses heretofore kept in the separate apartments should be placed there also.

The Speaker laid before the house a letter from the Secretary of the Treasury accompanied by documents, which on motion of General Smith were ordered to be printed.

Mr. Davis moved to go into committee of the whole to take up the report of the committee of elections respecting the credentials of Mr. Hunter sent as a delegate from the Mississippi Territory.

Mr. Morris took the chair.

The report of the committee was that the Mississippi Territory was entitled to the right of sending a delegate to congress who might debate but not vote.

Mr. Milledge said the state of Georgia had always claimed the right of sovereignty and of soil to that district, and he therefore objected to the report of the committee of elections. He called for the reading of the remonstrance of Georgia against the proceedings of Congress. It was very long.

After the reading was finished—

Mr. Milledge said the state of Georgia had an undoubted right to the soil. The gentleman's claim to a seat was said to be grounded on laws of congress, but the constitution says no new state shall be formed out of another without the consent of its legislature, he would assert to that body, that the legislature of Georgia never gave her consent and therefore the gentleman could not constitutionally claim a seat. He stated that commissioners were appointed by Georgia to settle the boundaries of that state, and in 3 or 4 weeks he expected the business would be settled. He therefore hoped & trusted this business would not be insisted on at this time.

Mr. Bayard said the gentleman had mistaken the object of the report of the select committee. It was not to admit a new state into the union, or to erect one within the limits of any state, but only to admit a member here with the right of debating but not voting. This would not injure the state of Georgia.

The objections made by the gentleman from Georgia are directly in the teeth of the laws of Congress, and cannot be sustained in this committee. We are bound by the acts of congress and have no discretion left us in this business. The gentleman to reach his object should bring forward a resolution to repeal the act establishing the Mississippi Territory, which says they shall have a right to send a qualified representative. We are now bound by this act and must continue bound by it until it is repealed. The rights and privileges granted to the North Western Territory were transferred to this Territory. There it is clearly provided that as soon as their assembly is organized they may choose a delegate. Unless you say the law is void you cannot but concur with the select committee.

The United States had acted, he said, with moderation and propriety. There was a dispute with Georgia relative to this territory. It is referred to commissioners to settle. In the act establishing the territory there is a clause stating that it should not prejudice the right of Georgia. The report of the committee, Mr. B. said was merely to carry into effect the law in conformity with which the delegate was chosen, he claims his seat under the act of congress. To admit the member could not, he observed, prejudice the claim of Georgia.

Mr. Davis followed Mr. Bayard and was in favour of the report of the committee.

The subject was discussed at some length, Messrs. Randolph, Claiborne, Dana, Bacon, Grifwold and Macon were the speakers. The general opinion appeared to be that the law was clear as to the right in the legislature of the Mississippi Territory to send a delegate. There was some diversity of sentiment as to the manner in which they should express their opinion of Mr. Hunter's being entitled to his seat. The report of

the committee was finally agreed to by the committee of the whole. In the house Mr. Milledge called for the ayes & nays. There were 77 ayes, 8 nays, viz. Messrs. Macon, Cabell, Euliss, Leib, Milledge, Randolph, Smilie and Standford.

The speaker laid before the house a letter from the secretary of the Treasury with two statements respecting the internal revenue, on motion of General Smith they were committed to the committee of ways and means, and ordered to be printed.

Mr. Davis proposed a resolution to extend the privilege of franking to the member from the Mississippi Territory for the time being & making the same compensation for travelling to and attendance in congress as is allowed to other members. It was agreed to and Messrs. Davis, Tillinghast & Smith (of Mass.) were appointed to bring in a bill.

Mr. Claiborne presented a petition from a free negro, which stated that the petitioner had served in the revolutionary war and was disabled by wounds, he prayed for such relief as congress should be disposed to grant him. Mr. C. moved to refer it to the committee of claims.

Mr. Grifwold said he thought it high time that something should be done to prevent that committee from being burthened with such unnecessary applications, as the claims were uniformly rejected, he opposed the reference.

Mr. Claiborne did not wish to burthen that committee as he knew they had a great deal of business, and it might be referred to a select committee.

Mr. J. C. Smith thought if a reference was made to any committee, it should go to the committee of claims. Although he had no idea of shrinking from the duty properly attached to that committee yet he thought it unnecessary to load the records of the house with all these applications. The report of the committee had been uniformly against the prayers of such petitions. If the motion would be in order he would move that the prayer of the petition be now rejected. (Some further observations were made on the subject in the course of which it was stated that if upon the face of the petitions there were grounds for rejecting them it would be improper to trouble the committee of claims with the reference.)

Tuesday, December 22.

Gen. S. Smith moved to go into committee of the whole on the state of the union for the purpose of fixing the military peace establishment.

Mr. Grifwold thought the unfinished business of a former day would have preference, to wit, the bill for the apportionment of representatives.

Gen. Smith read part of a letter from Baltimore stating that application had been made to the Marshal of Maryland respecting the census of that state, upon examining he found a mistake had been made of 14,000 in the county of Hartford—He had not added the columns himself, he would go over them carefully and forward the result by this day's mail.

Gen. S. hoped therefore, this business would be postponed until to-morrow which was agreed to.

Mr. Morris took the chair.

Gen. Smith then offered the following resolution.

Resolved that it is expedient to fix the military peace establishment of the United States.

Mr. Randolph moved to amend the resolution by striking out the words *fix* & insert *reduce*. If a committee should be appointed in consequence of the resolution as it then stood they would be quite in the dark as to what was to be done. He considered it necessary for the committee of the whole to determine whether they would increase, reduce or let the military establishment remain as it now is.

Dr. Euliss rose to ask for information. He wished to know what it now is, before he agreed either to increase or diminish it.

Gen. Smith hoped the motion of the gentleman from Virginia would not prevail. If he had used the word *increase*, some gentlemen might have objected to it, if *diminish* others might have opposed it, he had therefore used the word *fix* which he supposed would please all parties as it left the subject at large. If this resolution prevailed he intended in the house to move for the necessary documents.

Mr. Randolph thanked the gentleman for the information, wished it had preceded or accompanied his resolution. He withdrew his amendment.

Mr. Davis was opposed to adopting the resolution. He wished to have the documents before he gave his vote.

Mr. Grifwold said it appeared to him they were unnecessarily precipitating themselves in their business. They had no data on which they could fix the peace establishment. If the resolution were agreed to it would be doing nothing, or rather it would be imposing on the select committee what should be done by the house. He would

therefore move that the committee rise and report congress.

Mr. Gregg hoped the committee would not rise, he had prepared three resolutions on the subjects mentioned in the president's message. Mr. G. read the resolutions—The first related to the militia system, the 2d to the arsenals, the 3d to the fortifications of ports and harbors.

General Smith spoke again in opposition to the rising of the committee. Mr. Grifwold and Mr. Randolph in favor of it. General Smith then said he would withdraw his resolution for the present that the gentleman from Pennsylvania might have an opportunity of offering those he had read.

Mr. Gregg said the subject of organizing the militia had been frequently before congress that it had been referred to a select committee who usually reported a long bill, but the house never agreed to the principle and the bill fell of course. He offered a resolution in substance as follows—

Resolved, That the laws for regulating the militia of the United States ought to be revised & amended—that the militia should be divided into two distinct and separate corps, one to be called the select militia the other the reserve corps. (Some farther regulations were proposed.)

Mr. Davis objected to there being two separate distinct corps. There had been great diversity of opinion on that subject. He moved to amend the resolution by striking out the latter part.

Mr. Bayard was in favour of the amendment proposed. He had no doubt the militia system required revision and amendment. It was the opinion of all military men that the system was defective. He was not prepared to decide upon the latter part. The committee of the whole were not so competent to decide on the principles as a select committee, of men of experience in that way. When the plan was reported others could judge of its merits. They could not decide on the abstract proposition in that way. He thought it would be best to unfetter the hands of the committee who can best judge of the proper detail.

General Smith observed the subject had been frequently before the house and men of military talents had been employed upon the committee. They had reported a system too strong for the temper of the house, perhaps for the temper of this country. If the subject is taken up for the purpose of utility let it go to those whose walks in life have given them an opportunity of knowing what plan will be efficient. If it is to carry the militia into the field for mere parade and show, then those who are not military men should compose the committee.

The proposed amendment of striking out was carried and the resolution agreed to.

The second and third resolutions were then read and adopted.

Resolved, That a committee be appointed to enquire whether any and if any what additions are necessary to be made to the military stores.

3d. Resolved, That a committee be appointed to enquire whether any alterations are necessary in the laws respecting the fortifications of the U. States.

The committee rose and the resolutions were taken up by the house.

The first was agreed to as amended, and referred to a committee of 9.

The two other resolutions were postponed until Monday next.

A message was received from the Senate by Mr. Otis their secretary, informing the house they had agreed to certain resolutions respecting maps and books purchased for the use of congress, for placing them in a library and regulating it. Taking up committed to committee of the whole house, and made the order of the day for to-morrow.

Mr. Randolph proposed the following resolution.

Resolved, That the secretary at war be directed to lay before this house a statement of the estimate of the military establishments of the posts and stations where garrisons will be necessary and of the number of men requisite for each garrison. This was agreed to.

The engrossed bill extending the privilege of franking to the delegate from the Mississippi Territory and providing for his compensation was read.

A message in writing was received from the President by Mr. Lewis, his secretary, accompanied by sundry documents. Among them were a schedule of the number of persons in the state of Tennessee, a letter from Colonel Humphreys, dated Madrid, October 18, 1801, respecting the Barbary powers, a letter from the Secretary of the Navy to Commodore Dale, dated in May, one from Commodore Dale, dated October 8th, 1801, a letter from the Bashaw of Tunis, of April 15, 1801, and a letter from William Eaton, Consul at Tunis.

General Smith called up the resolution he laid on the table yesterday, proposing

that congress should adjourn from the 24th inst. until the 3d of January.

Gen. Varnum, Mr. Bacon, Mr. Mott, Mr. Elmer, and Mr. Sprigg opposed it as a waste of public time and money.

When the question was taken on the resolution it was not carried, only 23 rose in favor.

Wednesday, December 23.

The speaker said he had received a plot or map of the lands belonging to the United States North West of the Ohio, which was designed to accompany the report of the secretary of the treasury of the 13th of December, 1801. Referred to the committee of ways and means.

On motion of Mr. Randolph the house went into committee on the resolutions from the senate respecting a congressional library.

Mr. Rutledge in the chair.

The resolution appropriating 1000 dollars annually for increasing the library brought on a debate of very considerable length. It was finally agreed in the committee to appropriate 1000 dollars and leave it to every future session of the legislature to act on the same subject as they should think proper.

The committee rose reported the resolutions as amended and they were taken up.

Mr. Bayard in the house moved that there should be an annual appropriation of 1000 dollars for ten years. After some observations in favor of this amendment he said after congress had resolved that the people of the United States were the most enlightened people in the world they surely would not complain that 10,000 dollars should be applied for the purpose of procuring a library.

When the question on the amendment was put 48 rose in favor of it and 42 against it. The resolutions were finally referred to a select committee of five members.

A communication was received from the president by his secretary enclosing another return of the census of Maryland recently made out by the Marshal, in consequence of a letter from Dr. Archer intimating a mistake in the return from Hartford county.

Thursday, December 24.

The Speaker laid before the house a letter from the secretary at war, enclosing a statement of the military establishment, of the posts and stations where garrisons will be expedient, & of the number of men requisite for each garrison.

On motion referred to the committee of the whole on the state of the union.

A letter was received from the Post-Master General, accompanied by a statement of six post roads which did not produce one third of the expense of carrying the mail.

On motion of General S. Smith referred to the committee appointed on the subject of Post-Offices & Post roads.

Mr. Grifwold mentioned that he understood our minister at London had sent to the Secretary of State a table of the duties payable on goods imported into that country in American vessels. He offered a resolution as follows.

Resolved that the Secretary of State be directed to lay before this house a table shewing the comparative duties paid in the ports of Great Britain on goods imported in British, Foreign and American bottoms since the year 1788.

This resolution was agreed to.

Dr. Leib presented two petitions, one from G. Snider Miller of the Northern Liberties (Philadelphia) praying to be exonerated from the payment of duties for 6 months having already paid for two months more than he owed his stills. He moved to refer it to the Secretary of the Treasury which was opposed and the petition referred to the committee of ways and means.

The other petition presented by Dr. L. was from the cities of George and Jacob Gilbert taylor of Philadelphia who had contracted to supply the army with clothing, on account of the rise of cloth, &c. said Gilberts were ruined and their securities were sued for a balance of 16 or 1700 dollars, which they prayed to be released from. Referred to the committee of claims.

Mr. Dennis observed that considerable inconvenience was experienced by persons holding lands in W. of the Ohio, respecting taxes imposed on the lands of non-residents. For the payment of these taxes lands were frequently sold for a very small part of what they were worth. Mr. D. considered that it would be expedient for congress to take some measures on this subject and moved the following resolution:

Resolved, that the Secretary of State be directed to lay before this house the laws of the North Western and Indiana Territories imposing taxes on the lands of non residents. Agreed to.

Mr. Talbot presented a petition from persons residing in the counties of New-Ha

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Aug. 15th, 1796; in other in reply,  
dated 20th October, 1798.

The last letter is presumed to have

long debate ensued, and the motion was finally negatived, ayes 44, noes 46. The bill was then gone through, ought to prevail.

A quantity of Red Cedar for ship building. Apply as above.

May 1.