

THE MINERVA.

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Congress.

House of Representatives.

Friday, Feb. 13.

DEBATE ON FORTIFICATIONS AND GUNBOATS.

The Speaker observed that he should accordingly put the question separately upon each resolution.

Mr. Quincy. When a motion was, the other day laid on the table, for a specific appropriation of a hundred thousand dollars for the fortification of New-York, with the honorable gentleman from Connecticut (Mr. Dana) I urged some objections to appropriations of that description. As the gentleman from New-York (Mr. Mumford) has suggested that there is some inconsistency between those objections and our former anxiety for large appropriations for the defence of the commercial cities, I feel compelled to make some observations on the subject.

I do not, sir, that when that motion was made in this house, it excited, in the minds of our constituents, and no little suspicion. I think a doubt might be naturally caused, under the circumstances, with which it was attended. What was the proposition? A specific appropriation of one hundred thousand dollars for the harbor of New-York. And from whom? From my honorable colleague (Mr. Varnum.) A gentleman not distinguished for his zeal, in favor of large general appropriations, and who has, it must be not, more than once expressed his disbelief in the practicability of an efficient fortification of this particular harbor. It was impossible not to apprehend, that a motion of this nature, originating in such a quarter was indicative of some great change in the views of the prevailing influences on this floor. My colleague is a distinguished member of this house. He is the friend and intimate of the secretary of war, who is not remarkable for his friendship to large general appropriations for such objects or for his belief in the practicability of efficient fortifications, in this particular harbor. The same dispositions, it is generally understood, are entertained in a quarter, where my colleague is so loved and honored, that he has, in consequence, acquired almost an official character on this floor. A motion of such nature as this, originating with a gentleman so connected was a natural source of curiosity. It was impossible not to ask—How happens this? what has produced such a sudden and great change, in the views of a gentleman so connected with the harbor of New-York included, to a hundred thousand dollars for this single harbor? To what is this new faith to be attributed? Is it a spontaneous regeneration? Or is it probable illusion? If the former, who has worked the miracle? What has purged the usual ray? If the latter, why have we not had the course of reasoning, the logical illustration, by which this great truth has been so recently discovered.

I have since had something that looks like light, thrown upon this mystery.—Certain things are circulating in whispers, which apparently, may have some relation to this new current, which has just begun to set on this floor. I would, however, not be understood as intimating that what I am now going to state, were the motives of my honorable colleague. I mean only to repeat what I have heard, that this great conversion, which his motion indicates, has happened at a moment, and under circumstances, so suspicious to a perfect confidence in its motive. Sir, it has been stated to me, in such a way that I cannot but believe it, that this subject of fortifications has become a great party question, in the state of New-York—that it has been seized upon and carried by the different political divisions of that state as an engine of popularity. It has been intimated to me, that it is absolutely necessary that something should be done in the way of appropriations for this city, to enable the influences, lately so prevalent, to maintain their past ascendancy.—And it is certain, that the mo-

tion of my honorable colleague was laid upon the table, I think, the day after, but at any rate, a very short time after news had arrived in this city, of certain proceedings which have taken place at Albany. Without attributing any motives to my colleague, or his political friends, he will give me leave to lament with him these unfortunate circumstances, which have attended his motion. It is truly to be regretted that such a memorable conversion to the true faith did not happen, under circumstances, which could leave no doubt as to the *spirituality of the views of the converts*; instead of happening under such as give too many reasons to suspect *worldly considerations*.

Anxious as I am, for large and honorable appropriations for the defence of the sea board and cities; believing as I do, that protection is their right, and our duty; and that it is entirely within our ability; I do now, unequivocally and without any reserve, declare my utter dissent to this scheme of specific appropriations, for individual cities. I warn gentlemen who have the real interests of the commercial cities at heart against ever acceding to them. I deem such a system a virtual abandonment of their rights, and, in effect, a forfeiture of all their hopes.

Sir, what is our object? Is it not permanent, substantial defence, adopted on the principle of the importance of commercial deposits, begun on an adequate scale, pursued regularly, and terminating with nothing short of such protection, as the nature of their respective positions renders practicable?

How is this object to be attained? By dividing our interests and by submitting to become solitary applicants for special favors? By scrambling, each according to its strength, after special appropriations? No, sir. But as all other great and national interests are pursued and obtained by combining all those, whose principles and interests are similar, in common exertions for the attainment of the common object; by suffering no division to take place among us; by establishing our rights on solid principles and maintaining them firmly; by making the greatness of the interest understood by the people; by being intelligently zealous; constitutionally urgent. These are the means, which render success the most certain, and by which, it will be the best deserved.

But let this wise and honorable association once be broken, let the *principal member of the interest be exclusively served*, and what security for the rest? It with all her zeal, her weight and her exertions, combined with ours, we have as yet been able to effect *absolutely nothing*, what possible hopes can we entertain of success, after her ardor shall be blunted by specific satisfaction? The consequence of abandoning the system of general appropriations is undeniably this—Cities are reduced from a great, powerful, legitimate influence, arising from their natural importance and the greatness of their common interest, to the humble level of common petitioners, courting the patronage of leading members, on this floor; and licking the dust before every accidental majority, which may prevail upon it.—The question of fortifications, or no fortifications, will be made to depend, not upon the wealth, the numbers, or the exposure of the particular city, but upon the political sect there prevalent; and perhaps, a change in their political sentiments will be made the condition on which defence shall be extended.

Do I mean to deny that New-York is entitled to the first attention and to the largest share of whatever appropriation may be made? Certainly not.—The question of apportionment belongs to the executive discretion. It is wisely and may safely there be deposited. Unquestionably New-York has the greatest claim and the most urgent. She has more wealth, numbers, and exposure than any other city.—But this, is not the only city, which has wealth, inhabitants, or exposure. Nor is she, nor ought she to be more dear to us, or more coveted by the national wing than any other city;—*except in proportion to her excess in each of those particulars*.—Why

then will she, by accepting of a specific appropriation, withdraw herself from a common interest, as if her right was exclusive, and not in proportion to her share in that interest?

But the gentleman from New-York [Mr. Mumford] says "*we will vote for you, if you will vote for us*." And yet, at the very moment, he knows, that the same gentlemen, who would, in that case, join us, in voting for New-York, would abandon us, in the vote for every other city. As an evidence of which, he had scarcely set down, when the gentleman from Virginia [Mr. Eppes] who is one of the new converts, told us expressly, that *although he was willing to give something for New-York, he would not vote an appropriation for any other city*.

Sir, if the proposed appropriation was adequate to the entire fortification of the harbor of New-York, there would be some apology for its representatives, in thus yielding to the current and getting what they could under a temporary influence.—But is a hundred thousand dollars all that they want? Will they be satisfied with that? They know they will not. But if the gentlemen from New-York are content, I am free to declare, *I am not*. As a citizen of these United States, as one of the representatives of this nation, having, in common with every other citizen, a deep stake in the prosperity and the safety of the *commercial capital* of my country, *I do protest against all fortifications for that harbor commenced upon a hundred thousand dollars scale, and limited in extent, by that expenditure*. That city deserves, and has a right to many times one hundred thousand dollars, for such an object. And the time is not distant, as I believe, when, in the regular course of general appropriations, in common with other commercial cities, she might obtain the requisite sums. But then it can only happen upon the principle of her not abandoning the common interest, and disdaining to accept any sum upon a system, which has only the accommodation of a particular and a temporary influence for its basis. At any rate, let the gentlemen from New-York, remember—If they get a hundred thousand dollars upon the principle of specific appropriation, *they never will get any thing more*. The mouths of the advocates of that city are closed. They have admitted the principle of individual application and supply, and they must abide by the consequences. Until every other city in the United States has had a proportionate advance, with what face can New-York pretend to any thing additional? And if a vote can be obtained to leave other cities without future appropriations, New-York can lay no claim to any additional assistance.

If the commercial cities are ever protected, it can only be by their adherence to each other, their claim for protection, on a common principle, supported by their united interest, and by the natural and just weight, which their wealth, enterprise and numbers always ought to command in this nation.

Mr. Varnum. It is very easy for gentlemen to make false statements of facts to this house and then to draw their own inferences.

According to the best of my recollection (and if I am mistaken I wish to be corrected) I have spoken but once on the subject of fortifications. At that time I took a view of the sums which have been heretofore appropriated for this purpose, but I expressed no opinion that 20,000 dollars was a sum large enough to put New-York in a complete state of defence. The house had previously decided on that subject, and I therefore studiously avoided that question. *And my colleague [Mr. Quincy] knows it*. I said it would be in my opinion impracticable to fortify New-York against a large fleet, but I maintained the practicability of fortifying it against marauders and pirates, and I declared myself willing to go so far as was necessary to secure that object.

As to the jealousy of my colleague that some proceedings at Albany might have influenced me in bringing forward my resolution, I must suppose it altogether an

imagination of his own mind. What secret information he may have had, I know not; but for myself, I declare I heard nothing of any proceedings at Albany till the day after.

I am willing that my colleague should entertain all the suspicion he chooses concerning my character or conduct. It is not in his power to degrade me from the standing which I hold in society. I was risking my life and spending my property in defence of my country, when my colleague was rocking in his cradle. I have always been and shall continue to be willing to vote whatever sums I think necessary for the defence of the country. I shall say nothing of my services or of those of my colleague, and I am perfectly willing that he should indulge any suspicions in regard to my motives, as they will neither disturb the tranquility of my mind or alter the course of my conduct.

Mr. Quincy. I made no allusion to any particular speech of that gentleman [Mr. Varnum.] but only stated my general impressions from his language, and from the course of his conduct on this floor. I said, that he was not distinguished for his zeal, for large general appropriations for the commercial cities, and that, if I mistook not, he had expressed a disbelief in the practicability of an efficient defence for the harbor of New-York. If my colleague will declare that he has been zealous for such appropriations, or that he has been a uniform believer in the practicability of such defence, I am ready to retract my opinion.

As to its being my design to degrade my colleague, nothing was further from my intentions. I intimated that he was eminently beloved and honored by the executive of the United States. Is that degradation?

Wednesday, Feb. 18.

Debate on the resolution offered by Mr. Broom (of Del.) to make further provision by law to secure the privilege of the writ of habeas corpus to persons in custody under or by colour of the authority of the United States.

Mr. Broom. It will be recollected by the house that I had the honor of submitting a resolution to make further provision by law for securing the privilege of the writ of habeas corpus to persons in custody under or by colour of the authority of the United States.—It was then my wish that it should be upon the table in order that members might have an opportunity of considering the subject, being fully persuaded that the more it was considered the more evident would the importance of it appear. As it now becomes my duty to call the attention of the house to the subject I shall move that the resolution be referred to a committee of the whole house—and I should not offer a single observation in support of this motion but for the doubts which have been suggested by several members, of the necessity and propriety of a legislative interposition at this time.—I trust therefore that I shall be indulged in pointing out the necessity and importance of the provision which it is contemplated to make. I am sensible that this subject is not familiar to the majority of this house; for until now no circumstance has occurred in this country which could make us duly appreciate the value of the privilege of the writ of habeas corpus. In ordinary times the laws which already exist may be sufficient for, in such times there is no temptation to transgress the limits of constitutional or legal privileges; but in times of turbulence and commotion the mere formal recognition of rights will afford too feeble a barrier against the inflamed passions of men in power whether excited by an intemperate zeal for the supposed welfare of the country or by the detestable motives of party rancor or individual oppression. I could have wished that circumstances had never occurred which would make it necessary to fortify, by penal laws, the constitutional privilege of habeas corpus, and that the whole nation from the first to the least had regarded it with such religious veneration that no officer either military or civil would have dared to violate it. But recent circumstances have proved that such a wish