

YAZOO BUSINESS.

The debate on this subject has been too extensive to be inserted in a weekly paper; but as the question is important, we are of opinion our readers will be gratified by seeing two or three of the most prominent speeches upon it. We therefore give Mr. Randolph's, which opened the debate, and which, perhaps, is as luminous a speech as was ever pronounced in Congress.

The report of the committee of claims being under consideration, which concludes with submitting the following resolution:

*Resolved*, That three commissioners be authorized to receive propositions of compromise & settlement, from the several companies or persons having claims to public lands within the present limits of the Mississippi territory, and finally to adjust and settle the same in such manner as in their opinion will conduce to the interest of the United States: Provided, that in such settlement the commissioners shall not exceed the limits prescribed by the convention with State of Georgia.

It was agreed to in committee of the whole, and the house took it up; when

Mr. Clark moved a proviso as an amendment, that no part of the five millions of acres reserved should go to compensate the claimants under the act of Georgia, passed in 1795.

Mr. J. Randolph called the yeas and nays on the amendment.

Mr. Dana observed that the report on the table had been made on the application of persons claiming land under the act of 1795. The amendment, said he, is nothing more or less than a denial to comply with the prayer of the petitioners, and whether it was not to all intents and purposes a substitute for the resolutions agreed to in the committee of the whole, he would leave to the Speaker. If it were decided to be a substitute, it could not be received conformably to the rules of the house.

The Speaker said the resolution reported from the committee of the whole was a general one, including all claims; the amendment went to limit and confine the resolution to a particular class, and therefore he conceived it to be in order.

Mr. J. RANDOLPH. It must be manifest to the house that this discussion is forced upon those who are opposed to the report of the committee; that we are not prepared at this time to meet it. I am among those who hoped that some reasons would be assigned, if indeed reasons can be found, to warrant the step about to be taken. I did hope that, instead of a string of facts and statements which were a ready before the house, the committee would have given us something new in the shape of argument, justificatory of the resolution which they have recommended. But I have been disappointed. Nothing is offered either in the report itself, or in debate, which throws a single gleam of light upon the subject. I have particular reasons to deprecate a discussion at this time. I shall not trouble the house by detailing them, but briefly state that I feel myself unequal to an immediate investigation of this subject, as well from personal indisposition, as from the pressure of other important business, which has left me but little leisure to attend to this. The few moments which I have been able to devote to it, have convinced me that much new and important matter remains to be brought to light. But no apology will be received—we are driven to a vote by an inflexible majority.

The objection taken by the gentleman from Connecticut (Mr. Dana) and the doubt which he raised on the point of order, respecting the amendment offered by my worthy colleague, (Mr. Clark) discloses his drift, and that of the committee of claims, whilst it proves the necessity of some such amendment to save the citizens of the United States and their property

from spoliation and plunder. The gentleman has stated truly that his object was to further the claim of the New-England Mississippi land company. As I fear I shall have full occasion to exert my voice, I must beg that the memorial of the agents of that company may be read by the clerk.

The petition was read accordingly.

Mr. J. Randolph then called for the reading of the act of Georgia February 1796, generally called the rescinding act, and he hoped they would have silence whilst the act was reading, as it was a very important one and ought to influence the decision on the present question.

The act was read in compliance with the request.

After it was finished, Mr. Clark moved to adjourn.

On the division, there was 52 yeas and 55 noes; so the motion was lost.

Mr. Clark requested that the act of 1795, under which they derived their pretended titles might be read.

While the Speaker was reading the same, Mr. Dana rose and enquired whether it was necessary to read the whole of the law, or whether gentlemen would not be satisfied with the reading of such part of it as bore upon the present question.

Mr. J. Randolph called the gentleman in order for interrupting the Speaker in his reading.

Mr. Speaker. The objection ought to have been made (if at all) when the reading of the law was first called for.

The reading was continued to the end of the act—when

Mr. J. Clay moved that the house adjourn.

On a motion there were 53 yeas and 60 noes—Motion lost.

Mr. J. Randolph. Perhaps it may be supposed, from the course which this business has taken, that the adversaries of the present measure indulge the expectation of being able to come forward at a future day—not to this house, for that hope is desperate, but to the public, with a more matured opposition than it is in their power now to make. But past experience has shewn them that this is one of those subjects which pollution has sanctified—that the hallowed mysteries of corruption are not to be profaned by the eye of public curiosity.—No, sir, the orgies of Yazoo speculation are not to be laid open to vulgar gaze. None but the initiated are permitted to behold the monstrous sacrifice of the best interests of the nation on the altars of corruption. When this abomination is to be practised we go in to conclave. Do we apply to the press? that potent engine, the dread of tyrants and of villains, but the shield of freedom and of worth—No, sir, the press is gagged. On this subject we have a virtual sedition law—not with a specious title, but irresistible in its operation, which, in the language of a gentleman from Connecticut (Mr. Griswold) goes directly to its object. The demon of speculation at noe sweep has wrested from the nation their best, their only defence, and closed every avenue of information. But a day of retribution may yet come. If their rights are to be bartered away, and their property squandered, the people must not, they shall not be kept in ignorance by whom or for whom it is done.

We have often heard of party spirit, of caucuses, as they are termed, to settle legislative questions—but never have I seen that spirit so visible as at this time. The out-door intrigue is too palpable to be disguised. When it was proposed to abolish a judiciary system reared in the last moments of an expiring administration, the defested offspring of an iniquitous hour, when the question of repeal was

before this house, it could not be taken until midnight, in the third or fourth week of the discussion. When the great and good man who now fills, and who [whatever may be the wishes of our opponents] I hope and trust will long fill the executive chair, not less to his own honour than to the happiness of his fellow-citizens: when he, Sir, recommended the repeal of the internal taxes, delay succeeded delay, and discussion was followed by discussion, until patience itself was worn threadbare.—But now, when public plunder is the order of the day, how are we treated? Driven into the committee of the whole, and out again, in a breath, by an inflexible majority, exulting and stubborn in their strength, a decision must be had, instanter. The advocates for the proposed measure feel that it will not bear a scrutiny, if once this precipitancy. They wince from the touch of examination, and are willing to hurry thro' a painful & disgraceful discussion. But it may be asked why this tenacious adherence of certain gentlemen to each other on every point connected with this subject. As if animated by one spirit, they perform all their evolutions with the most exact discipline, and march in firm phalanx directly up to their object. Is it that men combined to effect some evil purpose, acting on previous pledge to each other, are ever more in unison than those who seeking only to discover truth, obey the impulse of that conscience which God has placed in their bosoms. Such men do not stand compromised.—They will not stifle the suggestions of their own minds, and sacrifice their private opinions to the attainment of some common, perhaps some notorious object.

Having given vent to that effusion of indignation which I feel, and which I trust I shall never fail to feel and to express on this detestable subject, permit me now to offer some crude and hasty remarks on the point in dispute. They will be directed chiefly to the claim of the New-England Mississippi land company, whom we propose to debar (with all the other claimants under the act of 1795) from any benefit of the five millions of acres reserved by our compact with Georgia, to satisfy such claims not specially provided for in that compact, as we might find worthy of recompense. I shall direct my observations more particularly to this claim, because it has been more insisted upon, and more zealously defended than any other. It is alleged by the memorialists, who style themselves the agents of that company, that they, and those whom they represent, were innocent purchasers:—in other words, ignorant of the corruption and fraud by which the act from which their pretended title was derived, was passed. I am well aware that this fact is not material to the question of any legal or equitable title which they may set up,—but as it has been made a pretext for exciting the compassion of the legislature, I wish to examine into the ground upon which this allegation rests. Sir, when that act of stupendous villainy was passed in 1795, attempting under the form and semblance of law, to rob unborn millions of their birth-right and inheritance, and to convey to a band of unprincipled and flagitious men, a territory more extensive, and beyond comparison more fertile than any state of this union, it caused a sensation scarcely less violent than that produced by the passage of the stamp act or the shutting up of the port of Boston;—with this difference, that when the port bill of Boston passed, her southern brethren did not take advantage of the forms of law, by which a corrupt legislature attempted to defraud her of the bounty of nature: they did not speculate on the

necessities and wrongs of their abused and insulted country men.—I repeat, that this infamous act was succeeded by a general burst of indignation throughout the continent. This is matter of public notoriety, and those, (I speak of men of intelligence and education, purchasers too of the very country in question) those who affect to have been ignorant of any such circumstances, I shall consider as guilty of gross and wilful prevarication. They offer indeed to virtue the only homage which she is ever likely to receive at their hands—the homage of their hypocrisy. They could not make an assertion within the limits of possibility less entitled to credit.

Yes, the act of the 7th of January 1795 excited emotions of detestation and abhorrence, equal to those produced by the stamp act, or port bill of Boston. But this was not all. It drew upon it the immediate attention of the federal government. The authority which is about to be produced to the House is one which I am not in the habit of prostituting to every light occasion. It is one from which those who are daily endeavouring to shelter their crimes and their follies under its venerable shade will not dare to appeal. Upon looking into the journals of this House, I find the following message from the President, dated on the 17th of February 1795:

“Gentlemen of the Senate, and Gentlemen of the House of Representatives,

“I have received copies of two acts of the legislature of Georgia, one passed on the 23th day of December, 1794.” [This, sir, is the act which the wavering virtue of the Governor induced him to reject.] “The other on the 7th of January, 1795.” [The act under which the different companies, from one of which the memorialists derive their pretended title, claim “for appropriating and selling the Indian lands within the territorial limits claimed by that state. These copies, though not officially certified, have been transmitted to me in such a manner, as to leave no room to doubt their authenticity. These acts embrace an object of such magnitude and in their consequence may so deeply affect the peace and welfare of the United States, that I have thought it necessary now to lay them before Congress.”

Here, sir, is ample notice to the whole world. This message was referred to a select committee consisting of Mr. John Nicholas, Mr. Macon, Mr. Emdley, Mr. Murray, Mr. Boudinot, Mr. Ames, and Mr. Sherburne; on whose report, after solemn deliberation in the committee of the whole, the House on the 26th of the same month came to the following resolution. “Resolved, That the President of the United States be authorized to obtain a cession from the state of Georgia of their claim to the whole, or any part, of the land within the present Indian boundaries.” [The very land which the act of the 7th of January had attempted to alienate and sell;] and the bill which I now hold in my hand, was accordingly brought in, pursuant to the resolution and passed the House on the 2d day of March. But unfortunately the session closed, of necessity, on the following day, and this House is well apprised that the forms of the Senate will not permit any bill to be hurried through that body. A single negative is sufficient to prevent it. The subject was not sufficient to sleep.—An act was subsequently passed opening negotiation with Georgia for the territory in question, of which we have received from her a solemn transfer. Is this notice, or is it not? On a formal message from the President laying before them the act of 1795—so totally invalid and worthless was that act in their eyes, in such utter contempt did they hold the pretended rights of the grantees under it—that

the House of Representatives immediately passed a bill empowering the President to receive a grant of the very land which that act had previously & fraudulently attempted to convey to the four companies. With what face could the President recommend, or Congress endeavour to obtain from Georgia a cession of the whole, or any part of the land within her Indian boundaries, if they believed that the land in question had been conveyed to others by a fair and bona fide sale? If they attached to the act of January 1795 any idea of validity? The man who answers this objection shall have my thanks. But, perhaps I shall be told that this was the act of a single branch of the legislature and not a law. True, sir; but it was a solemn avowment to the whole world that Congress had a right to legislate on the subject. It was noticed on the 17th and 26th days of February, 1795, that the act passed by the state of Georgia, in the preceding month, was void and of no effect—it was loudly proclaimed by the contention of that state, which met in the succeeding May, and was finally consummated by the rescinded act of the 13th of February, 1796, which was consequently engrafted on the constitution of Georgia. And yet the New-England Mississippi land company, under a deed of contemporaneous date (as they say) with this last act, a deed containing not merely a special warranty, but a special covenant that no recourse shall be had against the sellers, for any defect of title in them: a covenant which clearly indicates a notice on the part of the buyers of such defect; claiming under a deed by which they purchase such title only as the grantees of 1795, had to sell, in whose stead and place they agree to stand, this company affect to have no notice of any defect of title in those of whom they bought. Sanction the claim of this company, or any other derived from the act of 1795, and what in effect do you declare? You record a solemn acknowledgment that Congress have unfairly and dishonestly obtained from Georgia a grant of land to which that state no longer possessed a title, having previously sold it to others for a valuable consideration, of which transaction Congress was at the time fully apprized. Are you prepared to make this humiliating confession? To identify yourselves with the swindlers of 1795? To acknowledge that you have unfairly obtained from another that to which you knew he had no title? I trust, sir, we have not yet reached this point of moral and political depravity.

The agents of the New-England land company are unfortunate in two points. They set out with a formal endeavour to prove that they are entitled to their proportion of fifty millions of acres of land, under the law of 1795, and this they make their plea to be admitted to a proportional share of *fove*. If they really believed what they say, would they be willing to compute a good legal, or equitable claim for one tenth of its value. Their memorial contains moreover a suggestion of falsehood. They aver that the reservation of five millions for satisfying claims not otherwise provided for, in our compact with Georgia, was specially intended for the benefit of the claimants under the act of 1795, and that we are pledged to satisfy them out of that reservation. Now, sir, turn to the 6th volume of your laws, and what is the fact? In the first place so much of the reserved five millions, as may be necessary, is appropriated specifically for satisfying claims derived from British grants not regranted by Spain, and so much of the residue as may be