RALEIGH REGISTER,

AND

North-Carolina State Gazette.

Ours are the plans of fair delib[illegible] peace,
Unwarp'd by party rage, o[illegible] Brothers.

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General Assembly.

DEBATE

on

Addressing the President U. States.

Friday, December 11.

[CONTINUED.]

Mr HENDERSON, of Salisbury, made the following speech:

Mr. Speaker.

I regret extremely that the resolution which is the subject of debate, was introduced to the consideration of this House. I see no possible good it can answer, and I fear it will excite feelings and rouse passions which I had fondly hoped were doomed to sleep in lasting oblivion. But it hath appeared good to gentlemen to pursue this course. They have for reasons no doubt satisfactory and perfectly justifiable to themselves, called the attention of the House to an object entirely different from the duty which our legislative character imposes on us—A duty which our constituents did not require of us; and as far as I know, entirely unauthorised by them. But the resolution is now on your table, and must be disposed of in some way or another. It speaks a language which in my conscience I cannot approve, because I believe it is not true. It in the most unqualified manner approbates the whole of Mr. Jefferson's administration; and every man in this House who votes for its adoption declares to his constituents and to the world, that no single act of the President meets his disapprobation.

I do not feel disposed to go thus far. I do not believe that his conduct merits this unbounded applause.—Those gentlemen who really believe that the whole of the President's administration is founded on the most enlightened policy, and has guarded the honor and promoted the interest of the nation, will vote for the adoption of the resolution: those gentlemen, on the contrary, who think there are objections to some part of his conduct, and though they may approve of other parts, will, I apprehend be compelled to give their negative to the measure proposed. We are therefore forced, Mr. Speaker, by the very nature of the question, to examine the character of Mr. Jefferson's administration. It will be recollected that this necessity has been imposed on us much against our inclination: every mode in our power has been attempted to avoid this unpleasant discussion.——If the motion of my friend from Newbern (Mr. Gaston) to postpone the farther consideration of the whole of the resolutions had prevailed, the House would have been relieved from much trouble and the debate we are now engaged in, avoided. But gentlemen, conscious of a majority, and proudly determined not to listen for a moment to the voice of the minority, are resolved to force us to swallow the loathsome and sickening draught which they have proposed. I hope, Mr. Speaker, I shall be indulged for a moment, while I briefly and distinctly as I can, point out some of the reasons which will induce me not to lend my name to carry into effect the resolution on your table. I know, full well I know, that what I am about to observe, will not be pleasing to a number of gentlemen on this floor: But when imperious duty points the way which I should tread, and timid policy directs another, I hope I shall always have firmness enough not to hesitate for a moment what course to pursue; regardless of the frowns of the majority here, or the tumultuous cries of a deluded populace out of doors.

One of the greatest blessings which a nation can enjoy, is an able, independent and upright judiciary. This judiciary, sir, we had in its utmost purity, when Mr. Jefferson was called on by the voice of his country to fill the presidential chair. Scarcely had he taken the reins of government into his hands; scarcely had the members of Congress taken their seats at their first session after his election, when the first magistrate of the nation, in terms too unequivocal to be mistaken, recommends a repeal of a law under which Judges had been appointed, and had actually performed judicial duties. The doctrine was new in America. Before this period, it was believed that a Judge, once appointed, was secure in his office as long as he *behaved well*, and that no power on earth could deprive him of it. I will not now enter into an argument to shew the gross absurdity of construing the words *during good behaviour, to mean* at the *will of the Legislature*. Enough on this subject has already been said; and to that understanding which can yield assent to the miserable arguments which have been used to prove the power of Congress to displace their Judges by the repeal of a law, I am sure it is at this day useless to say a single word. But I must be permitted to say, that the time will come, of necessity it must come, when the bitter effects of this passionate act of the President and of Congress, will be severely felt and deeply lamented by the American people. Their judiciary is now prostrated at the feet of the Legislature: The independence of their Judges is gone I fear forever: A great department of government is destroyed, a department which engaged the anxious attention of the convention which framed our constitution, and which ought to be more dear to the people than any other; because in times of faction and tumult, it is the only one on which they can rely with confidence and safety. I think it unnecessary to press this subject farther on the House, for I conscientiously believe this Legislature could not be induced by any consideration, to pass a law which should deprive their Judges of their offices. So deeply rooted is the opinion that our Judges are independent of the Legislature as long as they behave well. I ask gentlemen if they approve of his act of the Chief Magistrate? I implore them calmly and dispassionately to give their opinion. Is it their wish that their rights should be tried by men perfectly free from bias? Can that man be supposed to be free from bias who holds his seat at the will of another? We know it is natural for man to be indisposed to thwart the views of those on whom he is dependant. Whatever may be the conduct of others, I for one will never give my confidence or express my attachment to a man who has been the great cause of producing an evil more extensively mischievous to the American people, and which is to entail upon them more lasting misery, than any act of the bitterest enemy of this nation.

When Mr. Jefferson came into power, we had a flourishing navy, and the means were provided for making it respectable. What has become of our vessels? Either sold for a sum far less than they cost, or suffered to rot in your harbors. It is confidently believed at this day, that few men can be found, possessing the smallest share of political information, and not blinded by party spirit, who do not see the necessity of keeping up a navy, sufficient, at least to protect our coast. Is it believed that we should not insult and in our ports and harbors by almost every nation with whom we have connections, if we were prepared to repel force by force? Let every candid man in this House answer the question, and if he will suffer his understanding, unclouded by passion or prejudice to make the answer, I do not fear the result.

Mr. Speaker, I have other objections to Mr. Jefferson's administration, which it is difficult to delineate, because they do not arise from any particular act of his, but from the general cast and complexion of his whole conduct. I have ever held it to be the first duty of a great Magistrate, to instil into the people a pride of character, a dignity of sentiment, an inviolable attachment to the honor as well as the interest of the nation. It ought to be impressed on them that a wholesome, energetic government is the greatest blessing which Providence in its mercy has given to man; and that it ought to command their reverence and excite their attachment. They ought to be told in a bold, manly and open language, that taxes are indispensibly necessary to support their government, and secure to them the inestimable blessings flowing from order and legitimate power. I appeal to the wise and dispassionate of this House, and ask them if the general character of the President's administration has not been to corrupt and demoralize the public mind? By corruption, I do not mean that he has bribed the people with money; by demoralizing, I do not mean that he has made them thieves or robbers: I mean to say that he has sufficiently evinced that manly pride and [illegible] independence which contributed to raise the revolutionary warrior at last gave his rank among the nations of the world. The people have become impatient of governmental restraint, and have lost all reverence for established usages, and the settled order of things. Honor, virtue and talents give no claim to public confidence. Few men can get into power who do not devote themselves to the caprice of the people: and, Mr. Speaker, there is a laxity in government which is truly alarming, and threatens, if not corrected, to destroy the political fabrick. There is a too a wretched thirst for gain, which has absorbed every other passion, and bids fair to make us what foreigners say we are, a *nation of shopkeepers*. Go into any company, the enquiry is not—Has our honor and character been protected? Has reparation been made for injury? Are our ports and harbors protected? But the question is—Has our national debt been diminished? These symptoms, sir, are the sure presages of impending ruin; they evidence a general debility, which if not speedily corrected, must end in a premature death.—I am not disposed to assert that all these evils have been produced by Mr. Jefferson, but I do say his general conduct has had a tendency to produce them.

I am of opinion, Mr. Speaker, that the President has been highly blameable in not exerting himself to discover the true interest of the country, and pursuing that with inflexible perseverance. But we know he has almost invariably waited to discover the temper and disposition of the people and then shape his measures according to their wishes. So that instead of being guided by wisdom and enlightened policy, he has been governed by *town meetings* and *popular assemblies*.

It has been said by a gentleman whom I do not see in his seat, (Mr Hamilton) that the President has purchased Louisiana, to obtain which the federalists were anxious to go to war. Permit me, sir, to correct that gentleman. When the king of Spain withheld the right of deposit at New-Orleans, which had been solemnly granted to us by treaty, the federalists were willing to seize by force that island, and compel a performance of that stipulation which had been guaranteed by compact; they saw in the conduct of the Spanish court, a determined hostility to the country; and if justice could not be obtained by friendly means, they thought the character and interest of the nation so deeply concerned, that they were anxious to enforce it by an appeal to arms. But sir it was the right of deposit alone which they claimed. We then had no right to Louisiana, nor do I believe it was their wish to obtain it on any terms. I have ever viewed the purchase of that immense territory highly pernicious to this country, & a damning evidence of the disposition of Mr. Jefferson to please the multitude, though he should sacrifice the permanent interest of the nation. Our country was sufficiently extensive before the acquisition of that boundless wilderness. The best informed statesmen were fearful that our empire would ere long be dismembered; but when this new world is added, that which we supposed doubtful before is reduced almost to a certainty. When this territory shall be settled, disunion must be the consequence. It is fanciful and against experience to suppose that people residing beyond the Mississippi will send their representatives to Washington to make laws for them; they will establish a government for themselves; and two great republics in the neighbourhood of each other, living in peace, is what no age or nation ever witnessed. I shall not trouble you, Sir, further on this delicate subject.—The consequence of a separation of these United States is big with calamities, easily foreseen, but difficult and perhaps improper to describe.

It will be recollected, Mr. Speaker, that Aaron Burr has lately been tried in the circuit court of the district of Virginia, for high treason, and after the most patient and able investigation which was ever made in this, or perhaps any other country, [illegible] the chief justice, [illegible] was expected that the transcendant talents, the unclouded fame, the spotless virtue of this distinguished man, would have shielded his name from the shafts even of jacobinic fury; his able and luminous exposition of the law of treason and of evidence, will remain a lasting and imperishable monument of the correctness of his understanding, and the purity of his heart.

What, sir, has been the conduct of the Chief Magistrate? Congress has been called on to review this decision, and to ascertain whether there is a defect in the evidence, in the law, or the administration of the law. Is it possible to suppose that Mr. Jefferson really believed that Congress has a power to correct the decisions of the courts of the United States? No sir; he knows they have no such power, and that they cannot interfere except there is ground to impeach the judge. The papers which he has laid before Congress cannot furnish matter even to institute an enquiry. I have understood that these papers contain nothing more than the documents and evidence which were offered to the court and jury on the trial of Burr. It is impossible for them to collect anything which might justify a criminal prosecution: At most they could only prove that the Chief Justice had mistaken the law of evidence, or had drawn from it incorrect legal deductions: and we all know that this furnishes no just cause of impeachment.—Then, I ask what was the object in making this communication? Was it to impair the confidence which the nation had in the integrity of this celebrated man? Was it to *give weight to the vile calumnies* which had been heaped upon him by the public prints? Whatever was the object, I will venture to say it strikes a deadly blow at the independence of your courts. If every judicial opinion which is not pleasing to the President, is to be brought under the revision of Congress, and the judge in effect denounced who gives this opinion, we may bid a long farewell to an independent judiciary. No man who is worthy to fill the important office of a judge, will hold it on terms so humiliating to his character and distressing to his feelings.

These, Mr. Speaker, are some of the reasons which compel me to give my negative to the resolution on your table: they have been offered to the house with freedom, and I hope will be received with candor. I have no wish to wound the feelings of any gentleman on this floor—I hope no member will believe I have. The advocates of the resolution have bestowed the most unbounded encomiums on Mr. Jefferson—I have taken the liberty of pointing out what I believe to be his defects. The spirit of party distracts public opinion too much at this day to expect a correct decision on his conduct: but posterity will sit in awful judgment on his character: the fulsome adulation of his friends will not rescue his name one moment from that just sentence which awaits him. If he has really been the benefactor of man, this impartial tribunal will do him justice. I will trouble the house no farther—I fear I have already trespassed too much on their patience.

Mr. HARRIS would vote against his Address, because he believed it to contain a gross violation of Republican principles, and a gross assumption of power not belonging to them—but to the people, a power upon which their Liberty and Independence depend—and without which we are no longer freemen, but Slaves.

The question was then decided by Yeas and Nays as follow:

YEAS—Messrs Arnold, Atkinson, J. H. Bryan, Bell, Burton, Burn, J. C. Bryan, J. Bryan, Boazman, Baker, Ballard, Collins, Carter, Cotton, Cradle, J. Cochran, Cator, Cherry, C. L. Davidson, Daniel, Eason, Forsythe, Fraser, Gillaspie, Gliesson, Griffin, Haden, Hoskins, Hudgins, Hannah, Harrison, Hoyle, Hamilton, Horn, Harden, Hand, Howel, E. Jones, W. R. Johnson, Jones, Lindsay, Love, T. Lanier, S. Lanier, Lutherman, C. Lanier, Mebane, McGimpsey, McIlwaine, Moody, Mason, Norcum, Perkins, Pickens, Porter, Perry, Roberts, [illegible] Richardson, Ruffin, Rid[illegible] Shepard, M. Scott, Sal[illegible], J. [illegible] Tate, Theams, Tool, Thompson, Townshend, Terrill, Vanhook, R. Williams, Walters, W. Williams, Wooton, Wade, Wynne, H. Yancey, J. Yancey—82

NAYS—Messrs Abernathy, Blackman, Brown, Barringer, Cameron, Cooke, Caldwell, Dowd, Deans, Farnell, Grist, Gaston, J. Harris, Hatch, Henderson, L. Harris, Houston, Wm. W. Jones, C. Jones, Wm. Johnson, Leonard, Moring, May, M'Lennan, Norwood, Pearson, Shaw, Speed, Skinner, Smith, Jas. Williams, Jonas Williams, Random White, E. Williams, J. B. White—36.

LETTERS

Now in the Post Office at Raleigh, on the 31st of December, 1807.

WILLIAM Andrews, Thomas Alston, Samuel Alston, Moses Allen, Mark Barby, Mrs Rachel Bocom, Major Bledsoe, Mrs Sarah Burch, Joseph Brasfield, Edmund Barker, Capt. James Burton, Boswell Brown, Henry B. Burger, (2) Player Barber, John Bell, Anderson Bagley, Southey Bond, Thomas Cocke, Thomas Crowder, William Kilgoe, Henry H. Cooke, Blount Cooper, John Chavis, David Cochran, John Daniel, Miss Parsey Edwards, Roger Fitch, Henry Francis, Cliff Finch, Thomas Gent, Henry Gahm, Esq (2) John Godwin, jr. Joshua Griffis, John M. Goodloe, (2) William Hill, Theophilus Hunter, Miss Sally Harper, William Hubbard, William Heflin, Robert Hannah, Sarah Jones, Jno. Jones, Jesse Kemp, John Kimbrough, Samuel Lundy, Mark Moore, Thomas Morris, Nathaniel Morris, Turner M'Invail, Lewis S. Muse, Alexander Miller, Lewis Morris, jun. John Matthews, [illegible] Nicholson, [illegible] Joseph G. Norwood, Col. Abner Perry, Thomas Price, John Parton, William Peace, John Roan, William Ruffin, Jas. D. Riley, Henry Stavell, (3) Charles Smith, James Shaw, James M'Kee, Samuel Suggs, Reading Sauls, Arcadah Shelton, Sion Smith, (2) Benjamin Tarver, William Terrell, William L. Turner, Caleb Thomas, William Tate, William Thorn, Solomon Terrell, William White, (3) Messrs Woodson & Beverly Daniel, Henry Warren, Nathaniel Warren, Meredith Yeatman.

WILLIAM SHAW, P. M.

NOTICE IS HEREBY GIVEN,

THAT the Subscriber qualified as Executor to the last Will and Testament of John Hunt, dec. at the last Franklin Court, held at Louisburg, on Monday the 4th December. All persons having any lawful demands against the said Estate are hereby requested to present them well authenticated, as the law directs in such cases, within the time limited by law, otherwise they will be barred of a recovery; and those indebted to the said Estate, are requested to make payment immediately, as I intend to settle the affairs of the Estate as soon as possible.

NATHANIEL M. HUNT.

January 5th.

FIFTY DOLLARS REWARD

FOR DANIEL, delivered to Mr. Pucket, Attorney at Law in Spartanburgh District, S. C. with his Tools. He is a Carpenter by Trade, 22 or 23 years old, about 5 Feet 10 or 11 Inches, is of Indian extraction, but somewhat whiter, has Features being a white man. He is very thin made, long Legs and Thighs, and walks like an Indian; his eyes are as black, and also his Hair, as People of that Nation; and his Hair has the glossiness, tho' it curls a little more than theirs, unless it is cut very short. His Face is handsome, and his Head small for so tall a person. He has a free Pass, which it is also desired may be secured. J. F. GRIMKE.

South-Carolina.

☞ He was working at his trade in Morganton all the Summer of 1807, and was afterwards apprehended in Wilkes county, whence he made his escape.

ADVERTISEMENT.

LOST, near Fayetteville, on Monday the 21st of Dec 1807.

A POCKET-BOOK, containing a Note given to me by Adam Alberston of this County, for five Hundred Dollars, payable the first day of January, 1808, and a Note given to me by John Morning, for forty two Dollars and fifty Cents, with some other small Notes and other Papers, of no value to any Person but the Owner. I do hereby forwarn all persons from trading for the said Notes, as the necessary steps have been taken to stop the payment of them.

HENRY CASON.

Pitt County, Jan. 1, 1808.