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CONGRESS.

HOUSE OF REPRESENTATIVES.

MONDAY, APRIL 7.

SPANISH AFFAIRS.

Debate on the motion of Mr. J. Randolph to publish the President's message.

(CONTINUED.)

MR. G. W. CAMPBELL. Before the question is taken, I will take the liberty of submitting a few remarks to the House. I understand the question to be to insert the message of the President of the 6th December in the journal. In the remarks which have been made on the question, the proceedings of the House while in secret sitting have been brought into view. I was opposed to making those proceedings public; I thought then and I still think that we were thereby committing the honor of the nation, I did think when the majority had sanctioned a negociation that no measure calculated to frustrate it should have been taken, until the negociation had been fairly tried. It was for this reason I was opposed to removing the injunction of secrecy; and not because I was unwilling that the people of this country should be made acquainted with the proceedings which took place in this House with closed doors. My object was to prevent the interference of foreign nations, who might feel an interest in defeating the measure. The public will judge of the propriety, under these circumstances, of making these proceedings public. But as a part of them has been made public, I wish the whole could be made so, consistent with the interest of the nation; though I entertain strong doubts of the propriety of the measure, I shall not, however, oppose the motion before you. But before the question is taken, I beg leave to remark, that so far as relates to the observations between a gentlemen from Virginia, (Mr. Randolph,) and the head of one of the departments of this government, they have nothing to do with this business; and they can have no influence on the decisions of this House. I did not expect to have heard any such conversation introduced on this floor. We did not come here to hear such conversation or to act upon communications of that kind. What may be the private opinions of a particular head of department, it is not for this House to know—they cannot officially come before us, we have nothing to do with them.

It is said, sir, that a certain communication which was calculated to affect our votes relative to the bill making appropriation for the purchase of the Floridas, was detained some weeks *after it was received from our minister abroad*, before it was laid before us. I say, Mr. Speaker, that no communication made to this House was calculated, in my opinion, to alter the votes of the members of the House on that subject, certainly none that would have changed mine—but whether that communication was or was not made to us in due time after it was received I do not pretend to say. I do not know, however, that we have any claim to it from the head of department. It was not his duty to communicate it to us, that belonged to the Executive, and why the circumstance has been mentioned here, I cannot pretend to say. With regard to some other remarks made by a gentleman from Pennsylvania, (Mr. J. Clay,) I think it proper to state that there is no communication before this House which authorises the assertion that a threat has been made by France against the U.S. I deny, sir, that there is any document, which if properly understood, can be construed to have such a meaning. I say, likewise, that there is no documents before the House which authorises the assertion, that France told us, if you give Spain one blow, we will give you ten or two, as stated by the gentleman Virginia, (Mr. Randolph.) There is no such expression, nor any other that would countenance the idea. France was not brought into the question as being concerned in our differences with Spain. She has, indeed, been lugged in, in the place of argument; and we have been charged with truckling to France, when in all our proceedings the name of France has hardly ever been mentioned, except by gentlemen in debate who will not admit that Spain exists as a nation. I deem it proper also to say, that the assertion that any member of this House voted for a measure calculated to bribe one nation, to induce another to give up her rightful property, so far as it may be applied to *me*, is without foundation, and not authorised by any act of mine, & that no man will undertake to say so. The word bribery ought not, indeed, to enter the walls of this House, as applicable to any of its measures or proceedings. It will, Mr. Speaker, appear from the journals of the House, now made public, who have or have not supported the interests of this country. Who are willing to support just measures calculated to maintain peace; & are disposed to take a manly attitude, against those who violate our rights; and it will also appear who they are, whose proceedings tend to embarrass the nation, to bring the government into contempt, to produce schism, and to impair the confidence of the nation in the administration, at a time when I believe it is as high as it ever was; and, I apprehend, deservedly so. I believe, too, the nation will not be found ready to withdraw that well placed confidence from the head of department who has been denounced in this House. It will appear, too, who have taken measures calculated to disturb the peace of the union, and to produce an alarm of danger for which there is no foundation. I solemnly wish that not only the message of the President, but every document, and every word uttered in secret might be made known to the people. I wish it, because I think it would not then be practicable to impose on the nation by a coloring given to those proceedings, unauthorised by the facts that took place.

I will state to the House while I am up, that I voted against increasing the army, because I believed that no emergency existed to require it. I saw no call for it, either in the information contained in the public message, or in the other communications made to this House. In the public message we were told, that Congress would, in the course of the session, be enabled to determine whether it would be necessary to increase our land force, by the events which would probably take place. No events had taken place when the measure in question was before the House that changed the former state of things. It was also my opinion that we ought not, on every trivial occasion, to increase our present military establishment, and abandon the ground we had taken, of reducing the number of our regular forces—acting on the principle, that standing armies are dangerous to liberty, & are the most fatal scourge in the hands of an usurper or a despot. On this ground I have been always opposed to them, and ever shall be unless an extraordinary emergency should render it indespensible to resort to them. I was of opinion, that even on an emergency the militia were, in the first instance, to be resorted to, not only as the constitutional, but as the most competent and safe defence that we could provide. I know of no reason why we should think them not competent, as we have always heretofore found them to be so. For these reasons amongst others, I was opposed to an increase of the army. I was also induced to be of this opinion from the documents on your table, from which it did not appear to me that Spain had any serious intention to commit hostilities against the U. S. or that her government or commanding officers had authorised any, in the territory of which we had taken possession. The inconveniences with regard to our undefined limits, and the embarrassments attending the passage of our commerce down the Mobille, together with the necessity of having those other differences existing between us and Spain amicably adjusted, induced me to vote for the principal measure adopted by this House with closed doors. I voted, sir, for the appropriation of two millions of dollars, to authorise the executive to negociate with Spain for the purchase of the Floridas. In doing so I did not authorise the government to bribe France, to coerce Spain into this measure, nor do I believe that there is the least ground for any such allegation with regard to any member of this House. No, sir, our object was to obtain a fair purchase of the Floridas. We believed it important to acquire them; because the acquisition would connect our disjoined territory—would give us the command of an extensive sea coast, including the outlets of many large rivers and some good harbors, and free us from the inconveniences to which we were exposed by neighbors who were likely to become more and more troublesome. In the vote I gave, I contemplated the measure to be carried into effect only in a just and legal manner, by a fair purchase. I know no other way in which a territory can be acquired, consistent with common right and principle. It was intimated, it is true, to us, that it would be easy to take possession of this country by force, & that it would be always in our power to take it, whenever we should wish to become the owners of it; but for one, I disclaim all disposition to wrest that country from its rightful owner, without any other ground of claim than superior force; so far as the country is ours by purchase, I am disposed to claim and hold possession of it, but not further.

But suppose, sir, we take possession of this country by force, we should not thereby acquire a just right to it. Such a measure would not be consistent with or authorised by the law of nations, and could vest in us no valid title. It was for these reasons, that I considered the only effectual way of acquiring a just title to this country, was by entering into a fair and honorable compact for it with its rightful owner. The measure was agreed to by a large majority, made by two thirds of the members of this House. It seemed to be agreed by all, we ought to acquire this country, and the principal question was, how shall we get it, or what shall we give for it? I was, sir, of opinion, that it would be best to give money for it, that we should in this way get it cheaper than by resorting to any other means, That it was much cheaper to pay for it with money, than with the blood of our citizens. I considered that the land would repay, and more than repay us for the purchase money—and that the additional revenue we should acquire, would give us a still further compensation for our trouble, and advance made in acquiring the country.

A proposition was offered about the same time, to exchange territory to the west of the Mississippi for the Floridas. I was decidedly opposed to that proposition. I protested against it then, and shall ever oppose it.

I conceived it contrary to the constitutional right of the people at large that Congress should assume the power of giving away, or disposing of a single acre of our territory to a foreign nation. I considered that the territory in question as part of the union, and if so, that we might as well attempt to give away a part of a state. I considered this as establishing a principle of a most dangerous kind, which might in time lead to a dismemberment of the union.

If you can dispose of this territory, to a foreign power, you can of a part or the whole of a state. You may transfer, at one time, a portion of country to the east and at another a portion to the south as well as to the west—and by this means, a designing majority would be enabled, if apprehensive of rivalship in power or influence, from the increasing population of any part of your country, to *round off* the union at pleasure, so as to suit their own particular views. I did, therefore, call upon this House to guard against such dangerous consequences. I also considered that the country in question would be settled by people of some nation. I preferred it should be possessed by those of the United States, and their posterity forever—that they might form but one great family from the Atlantic to the Pacific ocean—and I did not wish on the contrary, to enable the subjects of a foreign nation to increase and strengthen themselves in our neighborhood, who might at some future day, not very distant, become our rivals and our enemies.

It was observed that this money would go to France. It was then stated, and it has been repeated, that there was nothing to authorise the belief that France was to get this money from us. It is true it was well known, if we believe the public prints, that France had got money from Spain; that Spain previous to being engaged in the present war as the ally of France, had to purchase her neutrality from France, with money, and that the treasury of Spain was in a great degree the treasury of France. And suppose this to be the case, what have we to do with it? Are we to constitute ourselves the guardians of the Spanish treasury? Is it material to us what Spain does with the money after she gets it? And if Spain consults France who is her ally, with regard to the sale, has she not a right to do it? Has she not a right to be as submissive to France as she pleases? Would that be any objection to our acquiring the country from Spain? I can see no objection, even should we believe that France would eventually get the money we pay to Spain, to our making the purchase in question. But is it unusual for two nations in close alliance, to consult each other as to their transactions with a third power? Is it not, on the contrary, the constant practice to do so? The alliance may be such that Spain cannot alter her territorial situation without the consent of France. And is this a reason why we should not make a fair proposition to Spain to purchase territory which she has and we want? It cannot be, there is no foundation for this objection. Mr. Speaker, I think it proper here to state that there was no part of my conduct such as to authorise any man to say the measure I voted for was calculated to bribe any nation. This was not my intention; it was not the intention of the majority of this House, and such an allegation cannot be believed by the public or by any unprejudiced and candid individual. I have only one other remark to offer in regard to an observation made by the same gentleman from Virginia (Mr. R.) that the ground we have taken is calculated to show a dastardly spirit towards Spain or France, and to present a hostile attitude towards Britain. I do not consider it in that point of view. I do not think the conduct of Spain required from us the manifestation of any hostile intention. That government does not appear to have authorised, and her public officers have disavowed the aggressions alluded to. It is well known however, that we did take an attitude towards that nation calculated to shew a determination on our part to repell aggressions. Our soldiers were ordered to patrole the country, and they did so without meeting with any hostile opposition from Spain. There is no ground then to believe either that Spain has a hostile intention towards this country, or to say that we have been disposed to shrink from taking a manly position, or that we have manifested a dastardly conduct towards her. With regard to France, I will only say that I know of no differences existing between the United States and that nation—and so far as regards G. Britain, it is fully known to the public what her conduct was towards us, and what measures we have adopted in this House, in regard to her, on which I have already delivered my sentiments, and shall not here again repeat them.

MR. KELLY. I did not expect to offer any arguments either in favor of or in opposition to the decision lately made, from which there has been an appeal; but as that appeal has been made, I rise not for the purpose of going into any wide argument or of accusing any set of men, but for the purpose of justifying myself & the vote which I shall now give as well as that which I have given. It has been said on this floor with open doors that the reason of giving money was to prevent the necessity of raising a standing army; and that it was better to strengthen the arm of the executive with money than by a standing force. From this it might be inferred that the reasoning on the part of the minority went to raising a standing army. As I voted with the minority on this occasion, I will briefly state some of the reasons which influenced my vote. It is not in order to say any thing relative to the confidential message, but it is perfectly in order to speak of the message delivered at the opening of the session; and I believe it is perfectly fair to say that there was no occurrence between the 3d of Dec. when the public message was delivered, and the 6th when the confidential message was received to change the circumstances in which we were previously placed. I shall vote in favor of the publication of this message as being the ground work of the proceedings we have adopted in secret. I wish it published that the public may judge whether those proceedings were consonant to this message or not. I should wish the public to see whether the part taken by the minority, or the measures of the majority are the most consonant with it. To enable the public accurately to judge, I think it essential that it should be published; as the executive branch of the government is presumed to be the best acquainted with our foreign relations. The message of the President at the opening of the session specially mentioned and designated Spain. It informed us that, "Inroads have been recently made into the territory of Orleans and the Mississippi. our citizens have been seized and their property plundered in the very parts of the former which had been actually delivered up by Spain, and this by the regular officers and soldiers of that government." The message also advised us that something was necessary to be done. It said that some of these aggressions might perhaps admit of a peaceable remedy, but that others could be met by force alone. That message, it will be allowed on all hands, called loudly for some efficient measures on the part of the government—for taking against Spain, if not a hostile, at least a defensive posture; and I will undertake to say that nothing which has occurred in secret tended to inculcate the propriety of a different course; nor could there be any thing, for the one message so quickly followed the other, as not to allow time for any intervening circumstances. What followed? A report of a committee stating the aggressions of this power to be of a most atrocious nature; not recommending a war to check the rising growth and prosperity of the country, but recommending that a certain number of troops should be raised at the discretion of the President of the U. S. to repel the insults that might be offered, and to chastise those who offered them. This measure appeared to be proper in itself, and it appeared likewise to be recommended by the tenor of the message. It appeared to be the more necessary, as we had information of the collecting of a considerable force in the provinces of Spain and at Pensacola. For these reasons it appeared to me disirable that such a force should be raised as the President might deem necessary. This was not creating a standing army—The number of troops to be raised was to be left entirely to his direction. The resolution proposed is as follows:

Resolved, That such number of troops not exceeding as the President of the U. S. shall deem sufficient to protect the southern frontiers of the U. S. from Spanish inroad and insult, and to chastise the same, be immediately raised.

It has been alledged that the militia would have been competent to defend the frontier. But this could not prevail on me to abandon the measure, as I could not think it proper that the militia, even if competent, should be forced out into so unmeritary a service. The resolution embraced no other idea but that the standing force in that quarter should be strengthened. I considered this safe and proper, to make provision for cases which might arise. I could not believe that the militia would be competent to defend the country. They are too remotely situated, and the country too sickly; and the only just calculation was that they would have found their graves there. It was not contended that a large army was necessary; but that it would be requisite, in case the Spanish troops should be superior to ours, to raise a few recruits.

These are the reasons that induced me to vote for the resolution. I had others. We were informed of the necessity of having additional land batteries, of putting our ports and harbors in a state of defence, and of building an additional number of gun boats. If these measures were carried into effect, I thought, as militia would not be competent to these objects, it would be requisite to have an addition made to our troops. Under all these circumstances I was in favor of empowering the President to raise a small number of troops. But while I was in favor of this measure, I was as strongly opposed, as any man on this floor, to any thing like a large standing army. I will never consent to such a measure without an urgent necessity for it.

I was opposed to the measure adopted by the House on many grounds. It appeared by the report of the secretary of the treasury that there was not in the treasury more than a surplus million of dollars. I considered it improper, when we were threatened from every quarter, to lay a magic hand on the two millions appropriated, to anticipate the receipts of revenue by a million of dollars, and thus drain the treasury when money might soon be wanted for the most urgent purposes.

I was opposed to it on other grounds. It did not appear for what purpose it was to be applied. It is true, I heard one gentleman say it was in correspondence with the secret wishes of the President, but I could pay no regard to that declaration. We had before us no communication, either public or private, which declared that it was either with Spain or France that the negociation was to be carried on. Nor had we any reason for entertaining the idea that the two millions, whether they are gone or not, would make one farthing difference. It was necessary for me, voting on this occasion, to see the necessity and propriety of the measure. We had been told in the message of the President that the negociation with Spain had come to an issue, and that that issue was not favorable. But we had received no intimation that Spain was disposed to adjust her differences with us respecting boundaries. We had, on the contrary, different information. Neither had we any intimation that the contemplated negociation would be agreeable to Spain, or to the President of the U. S. Was it then proper for the House or myself to vote for appropriating two millions of dollars for the Lord knows what, when it neither appeared from any communication from the President, or from any other official source, to be desirable. If we had had such an intimation from the President, what security was there that the negociation would have been made—and I am inclined to believe that I should have been opposed to its having been entered upon. What gave rise to the first purchase? The right of deposit stipulated by treaty to us had been refused. It is well known that a considerable number of vessels come down the Mississippi, which from their peculiar construction could not reach the ocean—and thence resulted the necessity of a place of deposit. The refusal of that right first gave rise to the idea of a purchase. We got possession of New Orleans and of the river, and found ourselves also possessed of a strip of land on the other side of it, after having thought we had purchased West Florida—and when I find instead of this, we have been swindled out of our money, I am unwilling to negociate again, and give away the public treasure. Even after this shall have been done, it will be extremely easy for France or some other government to raise a difficulty, and claim an additional sum for its adjustment. Was it not believed on the part of our government, that we had made a fair purchase, not only to the Rio Bravo in one direction, but to the Perdido in the other? I had another reason against this measure. I thought this an improper time to accomplish it. Having already got the navigation of the Mississippi and the island of New-Orleans, I thought it most advisable to delay the negociation till a general peace, when we might make an engagement with Spain as an independent nation, and have some assurance that the nation which sold would be able to guarantee the country. On these grounds I voted in favor of the resolution reported by the select committee, and against the measure adopted by the House. I have thought it proper to assign these reasons, that all may understand the grounds on which I voted. And this consideration will justify me in voting to give publicity to the message, that the public may see what is the ground work of the measures we have taken. I wish the nation to see whether that message recommended taking the ground which we have assumed, or that which we refused to take,