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IMPERIAL PARLIAMENT.

HOUSE OF LORDS,

March 9.

STATE OF HIS MAJESYY'S HEALTH.

Lord KING roſe, and ſaid that he did not mean to oppoſe the ſecond reading of the Bill, provided he received a ſatisfactory anſwer to a queſtion which he felt himſelf called on, in the preſent ſtate of the country, to put to the Noble Secretary of State. There was an important bill depending in the other Houſe, previous to the diſcuſſion of which a queſtion had been put to miniſters in that Houſe, relative to the ſtate of His Majeſty's health. A favorable and highly gratifying declaration on that ſubject had then been made by the Chancellor of the Exchequer, that there was at preſent no neceſſary ſuſpenſion of the exerciſe of the royal functions. He wiſhed to know from the Noble ſecretary, whether he adhered to this declaration of the Chancellor of the Exchequer. It muſt give the higheſt ſatisfaction to the Houſe and to the country, to hear the renewal of ſuch a declaration, particularly ſanctioned, as it muſt be, by the preſence and concurrence of the Noble Lord on the Woolſack, who muſt unqueſtionably, in ſuch a ſituation, ſubject himſelf to the deepeſt reſponſibility. He believed that though the bulletin was ſigned only by four phyſicians, there were in reality five in attendance on his Majeſty. He wiſhed, therefore, to be informed by the Noble Secretary, whether the declaration as to the ſtate of His Majeſty's health was founded on the opinion of the four phyſicians only who ſigned the bulletin, or on that of the fifth, whom it had been thought neceſſary to call in?

Lord HAWKESBURY apprehended that it was not parliamentary in the Noble Lord to refer to, or to call on him to adhere to declarations made in another place. He did not, therefore, in that point of view, feel himſelf called on to anſwer the queſtion of the Noble Lord. He ſhould ſay this much, however, that he had no heſitation in declaring, that from the beſt information he could obtain on the ſubject, there did not exiſt any ſuſpenſion of the exerciſes of any one of the functions of royalty.

The queſtion, was on the point of being put, when

Lord GRENVILE roſe, and expreſſed the great ſatisfaction which he felt at the declaration of the Noble Lord, provided he and the Houſe underſtood the ſenſe in which his words were expreſſed. His Lordſhip then referred to the proceedings in the year 1788, relative to the ſtate of his Majeſty's health. On that occaſion, the two Houſes of Parliament called before them and examined, the Phyſicians in attendance on his Majeſty, and in conſequence came to two reſolutions. The firſt was, that his Majeſty was incapable of coming to Parliament, of tranſacting public buſineſs, and of perſonally exerciſing the functions of Royalty. This they followed up with a ſecond reſolution, declaring, that in ſuch a caſe, it was the right and duty of Parliament to provide for the exerciſe of thoſe functions. His Lordſhip then repeated the ſatisfaction which he felt at the declaration of the Noble Secretary. That ſatisfaction would be doubly increaſed to hear that he was correct in his interpretation of the declaration, and that the Noble Secretary meant that his Majeſty was not at preſent in the ſtate expreſſed in the firſt reſolution paſſed in the year 1788. Falſe delicacy, his Lordſhip contended, could not enter into a queſtion like the preſent. It was a duty which their Lordſhips owed to his Majeſty himſelf, to the country, to have every doubt and ſurmiſe, on ſo important a point removed. Would it be eſteemed by their ſovereign as a compliment that they had ſuffered his rights, and their own, to be invaded? Could falſe delicacy operate with him as an excuſe for ſuch conduct? With him, ſo much beloved by his ſubjects, and whoſe whole life has evinced an ardent deſire for their happineſs, liberty and independence.

Earl CARLISLE wiſhed to know, whether the declaration of the Noble Secretary was founded on the opinion of the fifth Phyſician, ſtated to be in attendance on his Majeſty, but who did not ſign the bulletin, as well as on the opinion of thoſe who did ſign it? he was anxious to have an anſwer to that queſtion, as it did not appear on what authority the declaration was made.

Lord HAWKESBURY did not think himſelf called to make any further declaration than that which he had already made. He had ſufficient authority to ſatisfy his own mind of the truth of that declaration, and this he conceived was all the Houſe could demand.

Lord KING again enforced the propriety of an anſwer being given by the Noble Secretary to the queſtion which he had put relative to the additional Phyſician. On the former occaſion, when an extraordinary Phyſician was called in to attend on his Majeſty, the name of the Phyſician did appear at the bulletins. He could not ſee why a contrary practice ſhould be obſerved at preſent.

Earl FITZWILLIAM, in ſo low a tone of voice as hardly to enable us to collect his meaning, urged the propriety of a full and explicit diſcloſure; warned miniſters of the monſtrous reſponſicility which they lay under; alluded to important bills preſently depending in Parliament; and declared that, in his opinion, no ſingle ſtep could warrantably be taken in any public buſineſs at the preſent criſis.

The LORD CHANCELLOR then left the Woolſack. He aſſured the Noble Earl that he poſſeſſed a juſt feeling of the reſponſibility to which the Noble Earl had alluded, though he ſhould not ſay how juſt the Noble Earl's expreſſions as to that reſponſibility were. Compelled as he felt himſelf to declare his opinion on this ſubject, he could aſſert from all the information which he could collect from every quarter to which he had a right to look for it, that the Noble Secretary of State, in declaring as he had done, had declared truly. This he declared under a complete conviction of the reſponſibility of his ſituation: impreſſed with a ſenſe of the delicacy of the ſubject; and alive to every feeling of attachment and duty to his King, to the Legiſlature, and to the country.

Earl CARNARVON ſaid that having come in after great part of the diſcuſſion had been gone through, he was only enabled to judge of it from what had fallen from the Noble Lord on the Woolſack. The queſtion which he underſtood had been put by the Noble Lord before him (Lord King) he tho't was one of the higheſt importance, and one which loudly called for a moſt explicit and direct anſwer. He had heard of the delicacy of entering into any inveſtigation on ſuch a ſubject. Was this, however, a time to talk of delicacy, when, beſides the alarm ariſing from the danger which menaced us from without, every perſon was ſtruck with terror, leſt a ſuſpenſion had taken place of the functions of the Executive Government? He, for one, did not underſtand ſuch ideas of delicacy. If the Sovereign himſelf could be conſulted, he would think it a miſtaken delicacy indeed, by which the country was to be left, even for a moment, without a ſuperintending hand. Such a delicacy would be equally falſe to his Majeſty and to his ſucceſſors, as it would be falſe to the people. It was of the laſt importance to take care that no Miniſters ſhould preſume even for a moment to exerciſe the functions of Royalty.—Every ſtep taken at ſuch a period was an uſurpation. Two bills of importance were at preſent before Parliament, into which he apprehended it would be impoſſible to enter without ſome evidence to ſatisfy Parliament on this head. He would aſk his Majeſty's Miniſters, whether they themſelves had any knowledge as to the actual ſtate of his Majeſty's health? Whether they were in the daily habit of receiving marks of his perſonal confidence, and whether they had the uſual acceſs to his perſon? If the queſtions could not be anſwered in the affirmative, he muſt regard them merely as private individuals, no longer exerciſing an official ſituation. It was not enough that they ſhould once have poſſeſſed his Majeſty's confidence, if they were not at this moment in the enjoyment of it. On a former occaſion, when a ſuſpenſion of the exerciſe of the kingly functions was apprehended, phyſicians were examined before that Houſe on the ſubject, and they were called on to act by ſimilar evidence when any, the ſmalleſt interruption of the exerciſe of the Royal functions took place. He had heard a great deal about reſponſibility. He knew of no ſuch term. The national ſecurity was what they were now called on to guard, nor were they warranted to entruſt ſo ſacred a pledge to the reſponſibility of any individual, or of any ſet of men, however reſpectable they might be. A pariſh miniſter, or any ſubordinate character, by taking on himſelf the weight of ſtate affairs, would unqueſtionably encreaſe his own reſponſibility, but would the public ſecurity be encreaſed in an equal degree?

The queſtion was again about to be put, when—

Lord GRENVILLE roſe, and read the two reſolutions in the year 1788, to to which he had formerly alluded. He then aſked the noble Secretary if he was ready to ſtate that the negative of the former of thoſe reſolutions was the fact as to the ſtate of his majeſty's health at the preſent moment. That he was capable of coming to parliament, of tranſacting public buſineſs, or of perſonally exerciſing the functions of royalty. It was not his intention to hold the noble Secretary down to anſwer in the affirmative to that part of the reſolution which regarded his majeſty's coming to Parliament. If it could be ſaid that he was capable of tranſacting public buſineſs he ſhould be ſatisfied. In the year 1788, in order to aſcertain this fact, the then Lord Chancellor had ſtated to their lordſhips, that he had requeſted and had received an interview of his majeſty, and that he had found him capable of tranſacting public buſineſs, and a commiſſion from his majeſty for opening Parliament was accordingly produced. He ſhould rejoice to have a ſimilar aſſurance on the preſent occaſion.

The LORD CHANCELLOR ſaid, that from that attachment and duty which he owed to his majeſty, no conſideration ſhould make him ſwerve ſo far as to make him go into what he conceived an unneceſſary and improper explanation. At the time of paſſing this reſolution to which the Noble Lord pointed, the two houſes of Parliament were about to exerciſe a very uncommon act of power, to the due and ordinary diſcharge of which, the concurrence of his majeſty was, by the conſtitution of this country eſſential. The beſt anſwer, therefore, that he could make to the queſtion put by the Noble Lord ſo as to evince his conviction of his majeſty's health, was, that, if a ſimilar act were now in agitation, and he were called on to affix the ſeal to it, he ſhould think himſelf guilty of a breach of his duty in ſo doing, under the preſent circumſtances, without firſt having an interview with his majeſty, and requeſting to know his will on the ſubject.

The queſtion was then put, and the bill ordered to be read a ſecond time on Monday.

CONGRESS.

House of Representatives.

WEDNESDAY, February 29.

Debate on the bill from the Senate, providing a "Government for Louisiana".

(Continued.)

Fourth section of the Bill under consideration.

Mr. JACKSON. As this ſection is the corner ſtone on which the whole ſuperſtructure reſts, and involves the moſt important principle of the bill, I will aſk the indulgence of the committee to make a few remarks upon it. It preſents two important queſtions, 1ſt. Whether it is proper on the broad principle of political juſtice to adopt it; and 2ndly, Whether it is conſiſtent with our treaty with France. Two queſtions ariſe out of the firſt propoſition, 1ſt. Is the ſyſtem conſonant to the habits of a free people? and, ſecondly, if not, is it the beſt calculated to advance the happineſs of thoſe who have never taſted the bleſſings of liberty. The firſt queſtion requires no diſcuſſion; it will be anſwered in the negative by every ſection of this union. Every ſection has been engaged in forming a conſtitution, and both the ſtate and federal conſtitutions have decided this point in the negative, becauſe neither partake of the ariſtocratical or monarchical features contained in this ſection. The queſtion remains to be conſidered whether it is beſt calculated for thoſe who have never enjoyed the bleſſings of liberty. Gentlemen ſay it is, becauſe the people are hoſtile to the enjoyment of the bleſſings of ſelf-government, and the gentleman from S. Carolina thinks we ought to look upon them as a certain portion of the people among us; meaning thoſe in ſlavery, and to treat them as ſuch.

Mr. Huger explained. He ſaid his meaning was not ſuch as the gentleman's language implied; he ſpoke of them barely by way of compariſon, to ſhew that nothing was more dangerous than to paſs from the extreme of ſlavery to perfect liberty.

Mr. JACKSON. I will not pretend to ſay I comprehended the meaning of the gentleman; his words were, 'they ought to be looked upon as a certain portion of people among us and treated as ſuch.' If he did not allude to ſlaves, I do not know to whom he did allude. But as he ſays he did not allude to them, I will avoid any remarks that go to implicate him in ſuch alluſion. Admitting they are not to be compared to the ſlaves of the ſouthern ſtates, or to thoſe human beings who are made the ſubject of traffic, gentlemen alledge that a ſyſtem of free government will be inconvenient to them. I believe they are wrong in this poſition, and that man is the ſame, whether born in the United States, or on the banks of the Ganges, under an African ſun, or on the banks of the Miſſiſſippi, and that a love of liberty is implanted in his nature. If the gentleman from South Carolina meant to impreſs a belief on the committee, or is under the influence of that belief himſelf, that the inhabitants of Louiſiana are excluſively ſubjects of France or Spain, he is miſtaken. A great number of the inhabitants are Americans. Emigration has been carried to a great extent, many have gone from the Weſt, from the Eaſt and from the middle ſtates, and I will aſk gentlemen, whether thoſe perſons who have carried with them the habits of Americans, are not fit objects of free government; ſurely they are, and yet theſe muſt be excluded from the benefits of ſelf government, if this bill paſs in its preſent ſhape, I flatter myſelf that great good will reſult to the United States, and to the political ſyſtem we ſupport by the introduction of Americans into that country; they will explain to the natives and to thoſe who have emigrated from Europe, the nature and principles of our government; the language of liberty will captivate them; its principles are juſt, & will be omnipotent, and in receiving a free ſyſtem of government from the United States, they will feel a ſentiment of gratitude inſtead of abhorrence.

Allow for the ſake of argument that the people are ſlaves. This does not prove that they are not fit objects of a free government. Look at the inſanguined plains of St. Domingo, the oppreſſed have there broken their chains, and reſumed their long loſt rights. The example proves more than a volume. There, notwithſtanding the great debaſement of the human character, the ſacred fire of liberty is not extinguiſhed. Wherever it exiſts ſooner or later, it burſts forth into an irreſiſtible flame, and conſumes every thing oppoſed to it. And are the ſubjects of a monarchy, the inhabitants of Louiſiana, more deficient in manly ſentiment than the people of St. Domingo? This argument of incompetency in the people to govern themſelves, is the eſſence of deſpotiſm; its language is the people, are a mob; a ſwiniſh multitude & the Divine Goodneſs has pleaſed to ſend into the world, kings and nobles to keep them in order—A language well ſuited to bold and ambitious ſpirits, but which thank God, the American people know how to eſtimate.

One gentleman in the courſe of his remarks, in order to ſhew that the people of Louiſiana are not qualified for ſelf government, has informed us they ſhed tears at the lowering of the French flag, and the hoiſting of ours in it its room. Perhaps they were not unfriendly tears, but tears of joy; perhaps thoſe who ſhed them, were Sycophants of Mr. Lauſſat, and they were ſhed to gratify him; at all events whether they laughed or cried, I am unwilling to form a judgement of the character of the people from the conduct of a few perſons at New Orleans, who from proximity & the nature of a deſpotic government, felt themſelves obliged to weep, to ſmile, or dreſs their faces in ſunſhine, as the occaſion prompted, through fear of the inquiſition or incaceration for life.

But gentlemen ſay, men of information who have been amongſt them are convinced they are not qualified to receive a free government; that it would indeed diſguſt them; I believe, however, that this impreſſion has been founded on the ſame ex parte views. Perſons going to New-Orleans, where deſpotiſm rages with unbounded ſway, beholding a few perſons around the deſpot, ready to ſacrifice every thing to his caprice, are not proper to give a character to ſeveral hundred thouſand people. I believe if the interior of the country be explored, among thoſe who have heretofore been ſubjects of Spain and France, we ſhall find many deſirous of receiving civil and religious liberty, and as oppoſite to the fawning ſycophants at New Orleans, as light from darkneſs. We were told ſome time ſince, that Mr. Lauſſat could not obtain the ceſſion of the country, ſo great was the hatred of the people to France, and their love of Spain. But in a ſhort time we perceive this hatred turned into affection, ſo ardent as to produce extreme diſtreſs at the transfer of the country to America from France, after but a few days poſſeſſion. If this ſtatement be true, and the people are ſo verſatile, we may predict that they will be as ſoon attached to us, and as willing to receive a free ſyſtem of government as they were lately enamoured of ſlavery.

It is urged by gentlemen, that we ought to give to this people liberty by degrees—I believe, however, there is no danger of giving them too much of it; and I am unwilling to tarniſh the national character by ſanctioning the deteſtable calumny, that man is not fitted for freedom. What will the world ſay if we ſanction this principle? They will ſay we poſſeſs the principle of deſpotiſm under the garb of republicans; and that we are inſincere, with whatever ſolemnity we may declare it, in pronouncing all men equal. They will tell us that we have emphatically declared to the American people and to the world in our firſt act evincive of emancipation from the tyranny of England, that all men are equal; and that all governments derive their rightful power from the conſent of the governed;—and that notwithſtanding, when the occaſion offers, we exerciſe deſpotic power under the pretext that the people are unable to govern themſelves.

I come now to the ſecond queſtion; is it conſiſtent with the treaty, for the performance of which we have pledged our faith, to withhold from the people of Louiſiana the privileges of ſelf-government?

The article on this point is in theſe words:

"The inhabitants of the ceded territory ſhall be incorporated in the union of the United States, and admitted, as ſoon as poſſible, according to the principles of the federal conſtitution, to the enjoyment of all the rights, advantages & immunities of citizens of the United States; and in the mean time they ſhall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profeſs."

A gentleman from Maſſachuſetts, who advocated this ſection, aſſerted that the treaty does not apply, becauſe the people are not yet admitted into the Union; but what does the treaty ſay? "The inhabitants of the ceded territory ſhall be incorporated in the Union of the United States, and admitted as ſoon as poſſible, &c."——*as soon as possible*, not as ſoon as conveniently can be admitted; there is no ſuch limitation;—and unleſs gentlemen can make it appear impoſſible to admit them to a participation of rights anterior to their admiſſion into the Union as an integral part of it, this proviſion does require the extenſion of political rights to them, unleſs contrary to the conſtitution.—Cannot we do this under the conſtitution? We certainly can—it is not denied that we have the right and poſſeſs the power to authoriſe the people to elect their own magiſtrates; and as this is not inconſiſtent with the principles of the conſtitution, we are bound to admit them "to the enjoyment of all the rights, advantages and immunities of citizens of the United States." Upon the whole, whether we view the ſubject on the principle of policy, ſo far as it reſpects the propriety of extending the principle of free government to this people, or ſo far as reſpects the treaty, to the execution of which we have pledged our faith, I have no heſitation in ſaying, that policy no leſs than moral obligation dictate the eſtabliſhment of a ſyſtem of government different from that contained in the 4th ſection. I ſhall, therefore, moſt cheerfully vote for ſtriking it out.

Mr. HOLLAND—As my ideas are very different from thoſe of the gentleman who has preceded me, and as I do not believe that either policy or moral obligation recommend the adoption of ſyſtem, ſuch as he has avowed to be proper, I will in a few words ſtate the ſentiments I entertain. I do not view this diſcuſſion as involving the queſtion, whether the people of Louiſiana ſhall be admitted into the United States; the only queſtion is, whether we ſhall extend to them the right of free ſuffrage in its fulleſt extent and ſuch as it is enjoyed by the people of the United States. Gentlemen in favor of ſtriking out this ſection ſeem impreſſed with the idea, that every gentleman friendly to the ſection is in favor of an abſolute deſpotiſm, is inimical to their rights, is de-