MR. J. CLAY. I must say that the observations which have fallen from my colleague and other gentlemen who have taken a part in this debate, have strongly impressed me with the propriety of the motion under consideration. There appears to be a material difference of opinion as to the true construction of the message and the documents communicated by the President. It is apparent that I understand those communications in one way, and my colleague in another. We have been told that one nation, France, has been improperly dragged into this discussion. The message of the President, ought, in my opinion, to be published to show that this is not so. There are other sources of differences of opinion which can only be understood by giving publicity to the message. Gentlemen have gone into a long detail of the motives which governed them in the votes which they have given. It is not necessary for me to imitate the example they have set. I hope when my motives are called in question, it will be before the public and not here. I shall be ready to defend them by all the means I possess, the vote of this House notwithstanding. I believed when the injunction of secrecy was removed, it was removed from all our proceedings, and I considered all that was laid before this House as so far my property that I had a right to use it in my defence. We have been told there is one for voting against the resolution—that a standing army was proposed to be raised by it while the militia would have answered every useful purpose. This may be a very good and popular argument, but we have been within a few days told from the same quarter, that it is necessary to have a brigadier general in the armies of the United States to defend one of these very provinces attacked by Spain. Some allusion has been made to a conversation held out of doors; and my colleague has shown some squeamishness to act on such authority. But I will ask him if he invariably makes up his votes from official documents laid on this table, and whether he does not sometimes travel out of the record. When a gentleman tells you such and such a thing, in which the honor of the nation is implicated, ought he to be considered as out of order? Was it not his duty to give that information to the House? I will say, if I had been acquainted with these things, my doubts as to the propriety of the appropriation of two millions would have been much increased. Permit me here to observe, that when a gentleman intimated that the money was already gone out of the country, no man in his senses could have dreamt that it was intended to assert that it was sent out in so many actual Spanish milled dollars. Does the secretary of the treasury, when he informs us there is so many dollars in the treasury, mean to say there are so many round silver dollars there? No. He only means to say we have a credit to such an amount. So with regard to our transactions with Spain, I understand that our credit is in Holland, and that the fund is created there from which we are to draw. Is not this to all intents and purposes, the same as transmitting the money to Holland? When a man pays a debt, is it to be supposed that he carries the actual dollars with him? To say the least of such an objection it is a mere quibble. As there is a material difference of opinion as to the construction of the documents and the message of the President, it is a duty which we owe to ourselves, to lay before the people all the information on which we acted, that we may stand justified or condemned by it before them.

MR. EPPES. I rejoice that the period has at length arrived, when our public conduct is to be submitted to the people. When what we have done in our representative capacity is to be collected not from eloquent representations on this floor of what other gentlemen would not do, but from the record of our proceedings. The secret is out—the bubble has burst, and gentlemen find themselves and the public disappointed. I consider the publication of the secret journal as an appeal to the people. I am willing to indulge gentlemen in making it as perfect as they can. I shall vote for the amendment of the gentleman from Virginia, or for any other calculated to bring this subject fairly before those to whom we are responsible for our conduct. The journal is the best answer to their speeches. Amend it as they will they cannot realize the public expectations. Its publication, I firmly believe, will excite no sentiment but surprise. On the day the injunction of secrecy was taken off, your doors were crouded with persons anxious to hear this tremendous secret. I witnessed nothing but disappointment. Congress has appropriated two million of dollars to buy Florida. Is this all? Have you not confiscated the public debt? Or at any event the Louisiana stock? Most certainly you have voted money to bribe Talleyrand? No, I assure you, we have done nothing more than appropriate two millions of dollars for the purchase of Florida in a law, containing precisely the same words with the one passed for that purpose, in the year 1803, and supported by the very persons who have denounced this measure. Gentlemen have attempted to draw a distinction between the situation of the U. S. in the year 1803, & in the year 1806. I am not so uncandid as to say that the present differences with Spain, are precisely such as we had in the year 1803. This however, I will say—that every objection urged against the present appropriation, applies with equal force to the measure of 1803. Let us examine what was the situation of the U. S. with Spain at these two periods.

In the year 1803, Spain had committed spoliations on our commerce to a considerable amount, the payment of which had been either wholly or in part refused. She had cut off the whole western country, from an outlet to the ocean, by prohibiting a deposit at Orleans, and refusing to assign an equivalent one elsewhere, as stipulated by treaty. The remedy adopted by the collected wisdom of the nation was holding in readiness a detachment of militia, and making a secret appropriation to buy Florida.

In the year 1806, Spain had refused an amicable adjustment of limits—had refused to pay spoliations on our commerce—had in one instance violated our territory. The remedy resorted to, has been to hold in readiness a detachment of militia, and to appropriate money for the purchase of Florida.

This was the situation of the nation at these two periods. Whether at either period, the wisest course has been pursued, I shall not attempt to prove. In both cases the nation adopted the same principle. To avoid war if possible, and to purchase territory, rather than fight for it. All the strong objections urged against the measure at present adopted, apply with equal force to the measure adopted in 1803. The two laws contain precisely the same words, and neither specify the object of appropriation. The law of 1803 was passed in secret, with closed doors. The law of 1806, was passed in the same manner. The appropriation in 1803, was not recommended by the executive, but founded on a resolution submitted by a member of the House of Representatives. The appropriation in 1806, was not recommended by the executive, but founded on a resolution submitted by a member of the House of Representatives also. The object of the appropriation in the year 1803, concealed from the people twelve months—In the year 1806, made public in a few weeks. Gentlemen may draw nice distinctions, but they will find it difficult to make the people believe, that the measure adopted in 1803, was wise and virtuous, and the same measure in 1806, infamous. I appeal with confidence to the people, they will and must see, that this is the very same measure adopted three years ago, without noise, in a law containing the same words, passed in secret in the same manner, and supported by the very persons who have denounced this measure.

When, however, this measure shall be fairly brought before the public, it will be found, that notwithstanding the noise and clamour which has been made, the difference between the majority and minority on this question is not very considerable. Every member of the House of Representatives admitted the necessity of doing something. What were the remedies within our reach? 1st. To declare war. 2. Either to increase our standing army for the purpose of strengthening our posts or holding in readiness a detachment of militia. 3. To exchange territory or to purchase.

As to the first of these, declaring war, no member of the House of Representatives wished to pursue that course. The gentleman from Virginia certainly did not. His report speaks only the language of peace—all the evils of war to this country, are dwelt on in that report with care and labor. If, however, we had not this proof, that he did not wish for war with Spain, he has given unequivocal proofs of it in his arguments on another question. A war with Spain, we know, must be a war with Spain and France combined. They are joined by alliance offensive and defensive. To a war against France and Spain combined, all the objections urged against war with England, would apply with full force. If war with England would have encreased executive patronage, and endangered the constitution and the liberty of the people, so also would war with France and Spain combined—we put war aside therefore, as a course which no man wished to pursue. The next course was either to encrease our standing troops, or to hold in readiness a detachment of militia. Here was room for an honest diversity of opinion. A majority of the House preferred depending on a militia—I was of that number. I thought the standing troops in that country sufficient for the protection of it, unless Spain determined to force a war. Subsequent events have shewn the correctness of that opinion. No violation of territory has taken place since the case of the Kempers, except by twenty Spaniards, who crossed the Sabine, and were driven off by the American troops. The next course was either to exchange territory, or to purchase. A majority of the House were in favor of both. I was of that number. On the east side of the Mississippi there was territory to which Spain had an undoubted right. There was territory to which the U. S. had an undoubted right—and there was territory which Spain and the U. S. both claimed. On the west side of the Mississippi, the situation was the same. Each nation had an undoubted right to territory, and there was territory claimed by both. It was not to be supposed that Spain, while she held the territory to the east of the Perdido, would be disposed to relinquish the claim which she sets up to the country between the Perdido and Mississippi. It was necessary to purchase the territory to the east of the Perdido, to which Spain has an undoubted right, and after disposing of which, it would certainly be her interest to relinquish her claim between the Perdido and Mississippi, on obtaining an equivalent surrender on the part of the U. S. to claims west of the Mississippi. I see nothing dishonorable in this transaction, and really it appears to me that the difference between the majority and minority is narrowed down to this. The majority were in favor of militia. The minority of standing troops. The majority were in favor of exchange and of purchase. The minority in favor of exchange only.

On the importance of Florida to the U. S. I shall not say any thing. The foes to this measure have admitted its importance in the fullest extent, and their willingness to acquire it on fair and honorable terms. All their objections have been made not to the purchase but to the mode. It is said we have appropriated money not for the purchase of Florida, but to induce France to bully Spain out of her right.

On this subject, I have never had but one opinion. I have always believed, and I still believe, that the money will be fairly employed in purchasing Florida of the rightful owner. The gentleman from Virginia will do me the justice to recollect, that I held this language with closed doors. I hold it now in the presence of the people. That France may ultimately get the money is highly probable, and why? Has not the gentleman from Virginia told us the sovereignty of Spain is annihilated, that the powers of her minister are signed Charles Maurice Talleyrand? But of what importance is it to us what becomes of the money we pay Spain? Are we to become the guardians of Spain? Shall we not purchase a territory important to the U. S. because Spain may be bullied or cheated out of the money she receives from us? If Spain is really in such a degraded state that she has no will of her own, has her conduct towards the U. S. been such, as to induce us not to avail ourselves of the situation in which we find her? For my own part, I care not what use Spain makes of the money paid to her for Florida. It is of no importance to me as a representative, nor to the people. That the purchase will be fairly made of Spain, and the money paid to Spain, I have no doubt. The government dare not employ it in any other way.

I shall vote for amending the journal, by inserting the message. I know, however, that this will not satisfy the gentlemen. They will next want the correspondence of our foreign ministers, and this they know cannot be printed. I am willing, with these observations, to trust my conduct with those by whom I am elected. A representative is not responsible for the wisdom of measures. All he is answerable for, is an honest exercise of his judgment. On the present, as on every other occasion, I am certain, I have honestly exercised for the public good, that understanding which God and nature has bestowed on me.

(Debate to be continued.)

BY AUTHORITY.

AN ACT

Making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and six.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for defraying the expence of the military establishment of the United States, for the year one thousand eight hundred and six; for the Indian department, and for the expence of fortifications, arsenals, magazines and armories, the following sums be, and the same hereby are respectively appropriated; that is to say:

For the pay of the army of the United States, three hundred and two thousand, five hundred and fifty-six dollars:

For forage, four thousand six hundred and eight dollars:

For the subsistence of the army and corps of engineers, two hundred and twenty four thousand, nine hundred and ninety four dollars five cents:

For clothing, eighty five thousand dollars:

For bounties and premiums, fifteen thousand dollars:

For the medical and hospital departments, twelve thousand dollars:

For camp equipage, fuel, tools and transportation, eighty five thousand dollars:

For fortifications, arsenals, magazines and armouries, two hundred and eighteen thousand, five hundred and forty two dollars, five cents.

For purchasing maps, plans, books, and instruments, one thousand five hundred dollars:

For the contingent expenses of the war department, eighteen thousand dollars:

For the pay and subsistence of the commandants in Louisiana, six thousand and sixty dollars, sixty seven cents:

For the Indian department, ninety six thousand six hundred dollars:

SEC. 2. *And be it further enacted,* That the several appropriations herein before made, shall be paid and discharged, first, out of any balance remaining unexpended of former appropriations for the support of the military establishment; and secondly, out of any monies in the treasury, not otherwise appropriated.

NATHL. MACON,
Speaker of the House of Representatives.
S. SMITH,
President of the Senate pro tempore.
April 18, 1806.
APPROVED,
TH: JEFFERSON.

AN ACT

For erecting certain light houses in the state of Massachusetts; for building a beacon, or pier, at Bridgeport, in the state of Connecticut; and for fixing buoys in Pamptico sound, in the state of North Carolina.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby authorized and directed to cause to be erected the following light houses in the state of Massachusetts:

One on Franklin island, at the mouth of St. George's river, in the district of Maine.

One on West Passamaquody head, at the entrance into the bay and harbour of Passamaquody, in the district of Maine.

And a double light house at or near Chatham harbour, on the back of cape Cod.

Provided sufficient land for the accommodation of the said light houses can be obtained at reasonable prices, and the legislature of Massachusetts shall cede the jurisdiction over the same to the United States. And the secretary of the treasury is hereby authorized to agree for the salaries, or wages, of the persons who may be appointed by the President for the superintendance and care of said light houses, and otherwise to provide for the same, at the expence of the United States.

SEC. 2. *And be it further enacted,* That the secretary of the treasury be, and he is hereby required to cause a beacon, or pier, to be erected near the mouth of the harbour of Bridgeport, in the state of Connecticut; and to cause buoys to be fixed on Bluff Shoal, Royal Shoal, north west Shaddle, and south west Shaddle, in the waters of Pamptico sound, in the state of North Carolina.

SEC. 3. *And be it further enacted,* That there be appropriated, for defraying the expence of erecting each of the aforesaid light houses, the sum of five thousand dollars; for the expence of erecting the said beacon, or pier, the sum of one thousand dollars; and for the expence of fixing the said buoys, one thousand dollars, to be paid, respectively, out of any money in the treasury not otherwise appropriated.

NATHL. MACON,
Speaker of the House of Representatives.
S. SMITH,
President of the Senate, pro tempore.
April 21, 1806.
APPROVED,
TH: JEFFERSON.

WASHINGTON CITY.

WEDNESDAY, APRIL 30.

REMARKS

On the measures of the last session of Congress.

[CONTINUED.]

Events of subsequent occurrence have fully justified the opinions expressed in the foregoing report, by proving that so long as this country shall be held by a foreign government, the free passage of the streams that empty themselves into the gulf will be obstructed, as its sense of interest, however mistaken, shall dictate. There is one consideration which demonstrates the justness of the opinion of the committee that this country, at least so far as respects the free navigation of its great streams, must be ours either by purchase or force. Such will be the vast mass of interest at stake, and dependent on their free passage, when the population of the western country shall have reached but a small stage of that extension to which it is rapidly progressing, that no power, possessed by the government of the U. S. or by any foreign nation, can restrain the people from availing themselves of what they will deem, their natural rights; and hence, if the enjoyment of these cannot be acquired by amicable arrangements, they will inevitably be got by the exertion of physical power.

It is the province of a wise government to foresee events such as these, and to avert evils instead of waiting for their arrival.

It was on the basis of this report, and the resolution it recommended, that the purchase of Louisiana was made.

This measure has passed the ordeal of investigation, and has been sanctioned by a vast majority of the nation. If it was correct, can a measure *then* right be *now* wrong; for though the negociation that ensued issued in the purchase of Louisiana, the whole tenor of the report shows that the *real object* was the purchase of the Floridas.

Let us very concisely compare the circumstances attending the appropriation in 1803, and those attending the appropriation in 1806, to determine whether they are or are not sufficiently alike to justify the conclusion that if the first appropriation was correct, so likewise is the last.

In 1803 an undisputed right, a right actually possessed, was violated under circumstances of peculiar aggravation. An important right was taken from us, which we actually enjoyed. This was, therefore, an act of perfect hostility, and we should have been justified, so far as related to Spain, in applying force to force. But true to ourselves, and paying less regard to the usages of other nations than to our own interests, we determined to negociate—for what? For the purchase of the Floridas, *and New Orleans.* We then considered it no violation of national honor, though our undoubted right to a deposit was violated, to negociate for remedying this evil, *in connection with the obtaining another important acquisition.*

Just so in the present instance. Spain had invaded our territorial rights—had kept possession of what *we deemed ours,* had violated what *she acknowledged to be ours.* For the redressing these evils, for the ascertaining disputed boundaries, for the amicable adjustment of differences, we say to Spain, we offer you a certain sum of money for the undisturbed enjoyment of what we consider ourselves *rightfully* entitled to, *in connection with another important acquisition.* Agree to a boundary to the north, and cede to us the Floridas, not merely West Florida, already in dispute between us, but both the Floridas, and we will pay you a proper price for them.

So far the cases run parallel. In both we ask to be secured in an invaded right, and negociate for the acquisition of new rights, on the payment of a stipulated sum of money.

Other differences, it is true, exist at present between the U. S. and Spain; such as the spoliations on our property and the injury derived from the suspension of the right of deposit.

Similar differences, to a certain extent, however, existed in 1803; and as in the purchase of Louisiana, in which the negociation then issued, a part of the price paid for that country was appropriated to the payment of our citizens as an indemnity for the violation of their rights; so in the present instance, should the negociation succeed, it is extremely probable a like reparation will be made in the same way.

By the measures pursued in 1803, *peace* was preserved. The same result will follow from the present measures, if they terminate in the like success.

This short view is a sufficient answer to the charge of pusillanimity brought against the administration. If the measures of 1803 were not considered pusillanimous, can those of 1806, so similar to them, bear this construction? The republicans in the former year said, let us in the first instance resort to negociation, and let us offer to make a bargain on the terms of fair reciprocity;—they say the same thing now. The result was then successful, and the administration received the thanks of their country. The result in the present instance may likewise be successful, & a grateful nation may be equally lavish of its thanks.

In making these remarks it is not our intention to criminate the motives of those who voted for measures different from those adopted. We know full well that on this point an honest difference of opinion may have prevailed. Nor are we insensible of the many strong arguments which might be urged in favor of strengthening our southern frontier against *possible* aggressions. We know full well that the maxims of justice are not the invariable guides of those with whom our foreign relations are conducted. But we are, nevertheless, firmly of the opinion, that in the first instance, in compliance with the policy of the United States, it becomes us to exhaust every means in our power to adjust our differences, without resorting to offensive operations, or incuring that great expence which would necessarily have attended the adoption of defensive measures on a large scale. We are the more strengthened in this opinion from the decided conviction that in case the aggressions of any foreign power shall hereafter be of such a nature as to justify retaliation, we shall have in our hands the means of resorting to it, & of inflicting a fatal vengeance. Should the property of our citizens be attacked by violence, our hardy yeomen, enured to toil and danger, will, at a moment's warning, repulse the assailants. Can the government of Spain say the same thing? Is not every possession she holds vulnerable, and are not the seeds of dissolution sowed in all her institutions? Let us then patiently, though confidently wait for events, & not resort to extreme measures till necessity not less than justice shall demand them. By pursuing this course we shall follow the advice, so emphatically given us in the memorable report of 1803. In the language of that report we may say,

"The great question which presents itself is, shall we at this time lay the foundation for future peace, by offering a fair and equivalent consideration; or shall we hereafter incur the hazards and the horrors of war?—The government of the United States is differently organized from any other in the world. Its object is the happiness of man; its policy and its interest, to pursue right by right means. War is the great scourge of the human race, and should never be resorted to but in cases of the most imperious necessity. A wise government will avoid it, when its views can be attained by peaceful measures. Princes fight for glory, and the blood and treasure of their subjects is the price they pay. In all nations the people bear the burthen of war, and in the United States, the people rule. Their representatives are the guardians of their rights, and it is the duty of those representatives to provide against any event, which may, even at a distant day, involve the interests and the happiness of the nation. We may indeed have our rights restored to us by treaty, but there is a want of fortitude in applying temporary remedies to permanent evils; thereby imposing on our posterity a burthen which we ourselves ought to bear. If the purchase can be made, we ought not to hesitate. If the attempt should fail, we shall have discharged an important duty. War may be the result; but the American nation, satisfied with our conduct, will be animated by one soul, and will unite all its energies in the contest. Foreign powers will be convinced that it is not a war of aggrandisement on our part and will therefore feel no unreasonable jealousies towards us. We shall have proved that our object was justice; it will be seen that our propositions were fair; and it will be acknowledged that our cause is honorable. Should alliances be necessary they may be advantageously formed. We shall have merited and shall therefore possess general confidence. Our measures will stand justified not only to ourselves and our country, but to the world."

[To be Continued]