(Mr. Rowan's speech concluded from our last page.)

The gentleman from North Carolina was followed by the gentleman from Pennsylvania (Mr. Smilie) whose arguments were almost similar to theirs, except that he had not charged the advocates of the enquiry with an intention to slander, but equally indicated the necessity of extreme delicacy towards General Wilkinson. Mr. R. asserted the delicacy which proceeded from feelings of individuals to the national concern; he did not understand such delicacy and hoped he never should.

The gentleman from S. C. (Mr. Taylor) had expressed his fears that they were about to take away the vital by jury. Mr. R. was surprized at the confusion of ideas by which the gentleman's understanding (generally clear & luminous) was bewildered; at one time speaking of the evidence of trial by his peers and again that the life and liberty of this officer were in jeopardy. In the first place he did not, and; it was an enquiry for the national good, of which Gen. W. happened to be an object, but of no more importance than any other thing. No man should stand in the way of an enquiry for the people when it was demanded and Gen. W. was but a subordinate thing when compared with the object of enquiry. Mr. R. said after this enquiry shall have been made by the House, or if before, a court shall have to take cognizance of Gen. Wilkinson, then his trial by his peers would be attended to, and he would not be deprived, as he was suspected in such glowing colours, of the constitutional right of every citizen.

He was not less surprised at another reason which had been opposed to the enquiry; that the Executive was going on with an enquiry. If Gen. W. was going on with a process which would end in his trial, the prostration of our civil liberty, said Mr. R. we should be told, we should not interfere because the Executive was to see to it, he was analogizing it. If the Executive has instituted an enquiry, he hoped, said he, we do not wish to interfere with things we are carrying on at enquiry for a certain object, he for one would be some other; it might be for some particular act said to relate to substitutes, or for military conduct. It is the best him to such an enquiry as that obtained by the President, he must have data by which the rules and regulations of the army did not admit. Gen. W. had requested an enquiry, and he might direct it to the object he pleased. Mr. R. was for making a sweeping enquiry as to the whole of Gen. Wilkinson's conduct, he had been an officer of the United States. He felt the more inclined to this, because in drawing the net they might catch smaller fish. He had good grounds to believe that in the of disclosures numbers would come out of importance to the nation. If another enquiry moved by the gentleman from S. C. was to have influence, they might stop at the threshold, and all argument might cease; that they might not to quote the expression the extreme of good was evil: France went into an enquiry. She went, too far, she brought her guillotine into play; ergo, said the gentleman, it is improper to inquire. Will them, said Mr. R. let us stop. Let power and Burr carry on their dismembering plan, because if we go into an enquiry we might think of the guillotine; we might possibly think of taking off the head of the man who would do it; or such is not the dismemberment of the union? I am for conducting the enquiry freely and temperately, I have no idea of throwing the weight of the House of Representatives against Wilkinson; did he think that there is cause, or that there seems to be cause for suspicion on the part of a British officer.

As to the guillotine and the horrors of the French revolution, the way to avoid them was to fully restore the constitution, and not to break or dissolve it, or render capricious the sole rule of action. Instead of bending to Burr & Co. said Mr. R. let this House, the judiciary, the Executive and every other component part will do their sphere, do its duty, and look to the legitimate source of apprehension, and not to be misled by the minds of the people by exhausting the whole stores of eulogium on a man who, as he said, there was no occasion for it. If they were to speak less of confidence & endeavor to deserve it, it would be a lasting correct and independent course such, according not to executive, but his own, wishes and feeling, would be the only legitimate tribunal upon such subjects) to withhold or express their approbation as well of the Executive as the legislative functionaries, then there would be nothing to fear from a guillotine. If the Executive had done his duty, he would have in his favor the verdict of the people in his reception. A sanction worth more than a thousand fulsome and factious addresses; he would neither need, nor be gratified with that ascription of confidence of which so many are now so lavish.

But Mr. R. said his astonishment continued through the whole investigation on this subject. The gentleman from New Jersey (Mr. Sloan) while he contended that the prostration of the constitution and Union was greatful and meritorious, was extremely curious in thus taking so much care of the constitution. The gentleman had told them that the constitution had not said that this House should interfere in the conduct of a commander in chief, and because it had not, that they should take care of it; thus particularly expressing an apprehension of conduct in Gen. W. which the nation could not have empowered him to pursue; carefully guarding the constitution now, and yet pointing in his observation of the man for violating the constitution unnecessarily, and sending persons from place to place on business not expressly required by the constitution. This was the way that prejudice operated, the way of argument in discussion.

Mr. R. begged that gentlemen would consider; that they would pause, and think, before they went too great a length in depying their own rights.

A great many minor objections had been made to the operations of this enquiry; one was that it was not valid, if the House had not the power to appoint a committee. If they could not appoint a committee, they could not compel attendance on that committee. What if the power of making a committee of enquiry was within their constitutional power, (and he hoped it would be so decided) they would be powerless to compel attendance. Who would dare to present it? When the nation received their information, and within the circle of constitutional powers, he should like to see the man who would dare to charge the nation with, that the nation thus move, said he, and show me the man who would dare to contend that it was a usurpation, and he wanting to do itself justice in such a case. Mr. R. had no doubt that there were members, who, if they had his eye, who would refuse to give testimony; he hoped that the committee would implore them to give testimony; evidence; is that the judge who would oppose it should also be made to feel the power. He had accounts of the action of the nation being imported by these little obstacles.

The gentleman was afraid that if they adopted this resolution they would be guilty of a violation of the government vested energy. If the government was deficient in energy, Mr. R. said it was time it should be asserted; if it had energy, they should redeem the nation from the imputation of weakness, by their conduct on this occasion, that the slander was unfounded. So that, take it either way, the gentleman was arguing against the resolution. He had no idea of acting in this way; he hoped there would be a unanimous vote of the House who was not satisfied of the propriety of the vote he would give on the principle of the thing; he hoped no member would be induced to vote against, or restrained from voting for this resolution by such observations as these.

Mr. R. did not know whether according to the doctrine had been of the same gentleman (Mr. Holland) corruption would rally round this committee if appointed; or whether perjury was to resort to it for an asylum. He hoped for the honor of the House and of the nation, for the honor of the Speaker (for the committee were appointed by him on this responsibility) and as he was an old member he hoped he could distinguish between the honest manufacturers, and those who were not) for the honor of the nation he hoped the gentleman's assertions were groundless; he hoped the body could be exculpated from such charges; but if too, Mr. R. had the doubts that the Speaker by his conduct clear'd, would secure the nation against those evils.

He therefore hoped that the Congress of the United States would not decline that they had not a power to execute a purpose of this kind; such a case as this; he hoped they would consider it as belonging to them by the constitution as a body politic, sent of the power to declare war and resist foreign corruption. The evil they believe them related to an attempt of this kind. What, said Mr. R. would be the language of foreign nations if they heard that this House "to enquire" you dare not to enquire," would be their expression "Spain is our neighbor-hood, and you dare not to enquire." The result of the enquiry might be cause for war, if not for the rupture of treaties now pending. It would belong to this House to say whether it would make appropriations for fulfilling those treaties or not. This enquiry had already produced important evidence; he would not accept a treaty now which he might have done before this evidence came out. In this point of view then this House had the power to make the enquiry. Upon principles of general reasoning, said Mr. R. every effort of a corporate body to preserve itself is legitimate, when on the wrong view of the subject with my feeble understanding, there is no doubt on my mind but a great deal of the cause of passing the resolution now upon our table.

(SHALL TO BE CONTINUED.)

WEDNESDAY, FEB. 3.

The following message from the President of the U. S. was yesterday received.

To the Senate & House of Representatives of the U. S.

Having received an official communication of certain orders of the British government against the maritime rights of neutral powers, on the 11th of November, 1807, I transmit them to Congress as a further proof of the increasing disregard of our rights and commerce which led to the provident measure of the act of the present session, and to my charge on our own vessels

TH: JEFFERSON.

Feb. 2, 1808.

Which being read,

Mr. Sloan moved to refer it to the committee of Commerce and Manufactures as to that committee had been referred so much of the message of the President of the U. S. as relates to imposition on our neutral rights, &c.

Mr. Lyon moved that it be referred to a committee of the whole on the state of the Union, as before that committee had been referred a message relative to our difference with Great-Britain.

The latter reference was agreed to—yeas 87.

Mr. Van Rensselaer reported a bill for the relief of Jacob Ten Eyck and Rent twice & referred to a committee of the whole.

Mr. Sloan moved that the unfinished business of yesterday be postponed.

The *Speaker* decided that this motion was not in order, for the motion under consideration when the House adjourned was for an indefinite postponement.

Mr. Lyon moved and offered the following resolution:

Resolved, That a committee be appointed to report a bill to repeal the act, and if any what amendments are necessary in the act entitled "An act, for laying and collecting duties on import and tonnage within the territories of the United States by the treaty of the twelfth of April 1803, between the United States and the French Republic; and for other purposes" and that the committee have power to report thereon by bill or otherwise.

Mr. P. moved that the resolution be referred to a select committee to obtain a more immediate decision of the opinions of the members of the House already before the committee of Commerce & Manufactures.

After some discussion it was amended so as to refer it to the committee of Ways & Means, and adopted.

The House then resumed the consideration of Mr. Sloan's resolution for making the war of government; and Mr. Lewis's motion for indefinite postponement was under consideration, Messrs. Eppes and Love supported, and Messrs. Gardenier & Bayard opposed the motion for postponement. When the House adjourned without taking the question.

THURSDAY, FEBRUARY 4.

The following message was received from the President of the U. S. and documents enclosed, ordered to be printed:

To the House of Representatives of the United States.

In my message of January 20, I stated to the Speaker by a letter addressed by Mr. Daniel Clark, of New Orleans, to the Secretary of State in 1803, had not been been delivered to the Secretary of State; and that a letter had been addressed to the former chief clerk, in the Department of State, to enquire where they should be sought for. By indications from him they are now found. Among them are two letters from the Baron de Carondelet to an officer serving under him at a separate post in the Spanish views of disinembermement of our union are expressed. Extracts of so much of them as have a direct bearing on the resolution of the House are now communicated. With these were found the letters written by Mr. Clark to the Secretary of state in 1803. A part of one only of these relates to this subject, and is extracted and enclosed for the information of the House. In no part of the papers communicated by Mr. Clark, which are voluminous, and in different languages, now in his letters, have we found any information of the corrupt receipt of money by any officer of the U. S. from any foreign agents for dismembering the union; these papers or letters offer nothing which was not probably known to my predecessors, or which would call anew for enquiries, which they had not thought necessary to institute, when the facts were recent, and could be better proved. They probably believed it best to let pass into oblivion transactions which, however culpable, had commenced before this government was established, and had been finally extinguished by the treaty of 1795.

TH: JEFFERSON.

February 4, 1808.

[Documents accompanying the message will be given hereafter.]

On motion of Mr. *Nicholas*,

Resolved, That the committee of Commerce and Manufactures be instructed to enquire into the necessity of making a proper distribution of the charts of the coast of North-Carolina published in conformity with a resolution passed in March, 1807.

Mr. Cantrell presented the memorial of Thomas Paine praying for compensation for services rendered in negociating a loan for the United States—Referred to the committee of Claims.

A bill from from the Senate, to revise and amend certain laws of the district court of Columbia, was read twice and ordered to a third reading to-morrow.

A bill o provide for payment of expences incurred in an enquiry into the conduct of John Smith of Ohio was read and referred to a committee of the whole.

Mr. Sloan moved the consideration of the resolution offered by Mr. Sloan for the removal of the seat of government to Philadelphia; when Mr. Lewis withdrew his motion for an indefinite postponement.

Mr. Sloan moved that it be committed to a committee of the whole House, with a view to fix a day for the order of the day for Monday two weeks.

This motion was largely debated, Messrs. Moore, Holland, Sloan, Lyon, Livermore, Bibb, Kelly, Alexander and Lyon supporting the motion, and Messrs. Lewis, Bayard, Eppes, Gardenier, Holland, Taylor, Macon and Blount opposing it; and at length decided in the negative—53 to 41. When the House immediately adjourned.

In the course of discussion Mr. *Sloan* made a motion for postponing the subject; which not being in order could not be received.

If those who voted for the commitment some members declared themselves against the motion of Mr. *Sloan* but in favor of a further discussion of it.

In the course of the debate Mr. *Sloan* stated that he had this day received opprobrious language as he was on his way to the Capitol; whereupon

Mr. Lyon declared his intention to have moved a resolution that the House take the matter into consideration as a breach of privilege by an insult offered to one of its members; but that a letter had been received from the Mayor stating that proper steps were taken to secure the offender.

ORDERS IN COUNCIL.

At the court of the queen's palace, the 25th of November, 1807, present, the king's most excellent majesty in council.

Whereas his majesty, by his order in council, dated the 11th of November last, respecting the trade to be carried on with his majesty's enemies, was pleased to exempt from the restrictions of the said order, all vessels which shall have cleared out from any port or place in the kingdoms, or from such regulations as his majesty may think fit to prescribe, and shall be proceeding direct to the ports specified in the respective clearances; his majesty, after mature consideration of the expediency of making such regulations, is pleased, by and with the advice of his privy council, to order and direct it is hereby ordered, that all vessels belonging to countries not at war with his majesty, shall be permitted to take in any port of the United Kingdom, any goods being the produce or manufacture of Europe, or East-India goods, or prize goods, (all such goods having been lawfully imported in ships or vessels) and freely to convey the same to any port or place in any colony in the West Indies or America belonging to his majesty's enemies, such port or place not being in a state of actual blockade, subject to the payment of such duties as may at the time when any such vessels may be cleared out, be due by law on the exportation of any such goods, or in respect of the same being declared to the ports of the colonies belonging to his majesty's enemies; and likewise to lade, clear out with, and convey as aforesaid, any articles of foreign produce or manufacture which shall have been lawfully imported into this kingdom, provided his majesty's licence shall have been previously obtained for so conveying such foreign produce or manufacture.

And it is further ordered, that any vessels belonging to his aforesaid, shall be permitted to take in any port of the United Kingdom, any goods, not being in or under military stores, which shall be the produce or manufacture of this kingdom, or of which shall have been lawfully imported, (save and except foreign sugar, coffee, wine, brandy and salt cotton) and to clear out with, and freely to convey the same to any ports to be specified in the clearance, not being in a state of actual blockade, although the same shall be under military stores, and that the said order and likewise to lade, clear out, and convey foreign sugar, coffee, wines, brandy and salt cotton, which shall have been lawfully imported, provided his majesty's licence shall have been previously obtained for the importation and conveyance thereof: And it is hereby further ordered, that no vessel belonging to any country, or from any port or place of this kingdom to any port or place of any country subjected to the restrictions of the said order, shall be permitted to take in any goods, which shall have been lawfully imported into this kingdom; and that no vessel shall be permitted to clear out from any port or place in this kingdom to any port or place in any country subjected to the restrictions of the said order, without proof of the goods being or manufacture of any country, subjected to the restrictions of the said order, which shall have been lawfully imported into this kingdom, and shall have been duly entered and landed the same in some port or place in this kingdom; and that no vessel shall be permitted to clear out from any port or place in this kingdom to any port or place in any country, without proof of the goods being or manufacture of any country, subjected to the restrictions of the said order, which shall have been lawfully imported into this kingdom, and shall have been duly entered and landed the same in some port or place of this kingdom, except the goods mentioned in the order of flour, meal, grain, or any article or articles of the produce of the soil of some country which is not subjected to the restrictions of the said order, except such articles which shall have been imported in an immediate vessel, direct from such country into this kingdom, in a vessel belonging to the country from which such goods have been brought, and in which the same were grown and produced.

And it is further ordered, that any vessel belonging to any country not at war with his majesty, shall be permitted from Guernsey, Jersey, or Man, to any port or place under the restrictions of the said order, shall have been imported in an immediate vessel, direct from such country into this kingdom, in a vessel belonging to the country from which such goods have been brought, and in which the same were grown and produced.

And it is further ordered, that any vessel belonging to any country not at war with his majesty, shall be permitted from Guernsey, Jersey, or Man, to any port or place under the restrictions of the said order, such goods shall be specified in the clearance, and shall be in a state of actual blockade, without military stores, or in actual military stores, as shall have been legally imported into such islands respectively, and shall be proceeding to this Kingdom direct; and with respect to all such articles as may have been imported into the said islands respectively, from any port or place under the restrictions of the said order, it shall not be permitted in any case to clear out with the same from any of the said islands, except to some port or place in this Kingdom.

W. FAWKENER.

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