TWELFTH CONGRESS.

HOUSE OF REPRESENTATIVES.

January 6, 1812.

The house resumed the consideration of the bill from the senate, to raise an additional military force.

Mr. *Williams* expatiated at length on all the topics involved in the bill before the house.* He observed that it was natural; not only natural, but justifiable, for gentlemen to be anxious to express their sentiments on measures of importance, more especially of such vital importance as that now under consideration. The question was not merely on the passage of this bill; but the question was, shall we have war? He too felt objections to the details of the bill. Its provisions were new. It organized an army on a new plan. It was not the plan of marshal Ney, as had been said. But he should vote for it, because he approved the principle upon which it had been brought forward.—Its adoption would produce war with Great Britain; and he was decidedly in favor of that measure. The only question was, would they repeal the non-importation and go to war with France; or would they resist the orders in council? For however unpleasant the fact might be to gentlemen, it was nevertheless time that our faith was pledged to France; that to repeal the non-importation, would violate that faith which was yet pure and uncontaminated. He himself had no hand in producing this state of things; this was not, however, any reason why he should not help to take us out of it——But he was for resisting the orders in council in preference to repealing the non-importation. He should not enter into petty details of what was, or what was done in '98——Shall Great Britain exercise an unqualified supremacy over us? Shall we submit to her taxation; to that despotism which she has set up over us? Honored with a seat in this assembly by his country, should he basely succumb to British supremacy? or should he resist? It was not the question, were the Berlin and Milan decrees revoked? For whether they were or not, the British orders would still be enforced. But shall we submit to carve out a channel for British manufactures and commerce to the continent of Europe? Shall we require, in her behalf, the abolition of all the domestic regulations of France and her allies? This was the question. In such a state of things, he felt humbled that he was unable to give that support, on this floor, to the country, which the occasion afforded. Indeed, he felt humbled at the necessity of arguments at all. But they were demanded by the observations of the worthy and distinguished gentleman from Virginia (Mr. Sheffey.) Of him he would say, "I respect the man; but I abhor his arguments." Even that gentleman had confessed that against G. B. we had ample cause of war. He would not go into a repetition of the nauseous details of British aggressions. No man could bear to hear the disgusting recital in this house. For notwithstanding the miserable slang that had been uttered by miserable wretches out of the house against the dominant party, there was not a solitary member who was not convinced of the numerous and aggravating causes of war which existed against that nation.

Great Britain imposes a transit duty on your produce going to Europe. No, I am wrong. The orders have been modified. Indeed! And has that proud unbending government, who is *never* driven from her purpose, say, gentlemen, yielded, to a modification of her principles? Sir, she confines you to trade to what port she pleases; she has intercepted you from the continent.—Is this, I ask, in the name of God, sir, better than the imposition of a transit duty on your commerce? Sir, the British ministry found that laying this duty, they had touched the spirit of the revolution. They saw in the burning of the gin at Baltimore, something like the destruction of the tea at Boston.—They had taken too rank hold upon you; they were obliged to change the mode of attack upon your commerce. But the objects of the war—what are they? The objects of the war are involved in its causes. The enfranchisement of your incarcerated seamen, the liberation of the seas from British dominion—these, sir, are simply, and in a word, the objects of the war. Sir, she scorns to respect the rights of any nation.—She advances in her pretensions upon every people that yield one inch to her. She claims the right to exclusive legislation over the ocean. Her acts of outrage have fixed a gangrene at our heart, which, if you submit, must continue to imposthumate, and soon issue in corruption and ruin. But, sir, you are told that your constitution is not calculated for war. Then its glories—yes, sir, its brightest glories are gone forever, and my solicitude for its fate has vanquished with its virtues. But,

* *It is impossible to do half justice to the speech of Mr. Williams.*—

AMERICAN REPORTER.

sir, I do not believe it. What is your constitution, I pray you, Mr. Speaker? It unites and protects the various and peculiar interests of the different sections of this vast union. He really felt for N. England, whose right to navigate the ocean was involved in the proposed measures, when he heard it advanced that the constitution was incompetent to protect that right by war; a right which was as exquisite to the heart of a New Englander, as the right of holding slaves was to a southern man.

The soil, it seems, has not been touched, and we must not go to war; it would be foreign conquest. The soil not touched sir? yes sir, the soil *is* touched. Every farmer in the nation feels it; he feels that his plantation has been invaded, his produce destroyed. The export trade between Charleston & Bordeaux is as useful to him, as the trade between Charleston and Boston. Let your Bay and your river craft; your Potomac, your Chesapeake, Long Island Sound, sir, be invested by pirates; suppose them British pirates too:—mind, sir, your soil would not then be touched! Further—Let your harbors be blocked up, the castle of Boston levelled with the dust—still, sir the soil would not be touched! Suppose invasion—you drive the invader into Canada; but you dare not go over; it would be foreign conquest—as much then as now, sir. Really, Mr. Speaker, can gentlemen be serious in such arguments?

If the gentleman from North Carolina (Mr. Stanford) will have a comparison between '98 and now; if pounds, shillings and pence must govern us, let us see how it stands. For spoliations committed by France at that time upon our merchants, their claims, provided for by the treaty with her, amounted to 3,500,000 dollars. Since the condemnation of the Fox by Sir Wm. Scott, ninety others have been condemned, which valued at fifty thousand each, will amount to upwards of four millions of dollars plundered from us in that short space of time by British cruisers. The captures are daily increasing. In 1798 too, sir, we had a practicable chance of maintaining our neutrality; not so now. The treasures of golden harvests of neutral trade were borne into our country from every part of the world. Where are they to be found now sir? We were jealous of an army.—He wished not to excite unpleasant feelings; but the nation did then fear, that the army was raised to break down opposition. They thought that a great and powerful State [Virginia] was to be humbled in dust and ashes; that the government was to be subverted. The States were robbed of their right to appoint officers for the volunteers that were raised. Yes, sir, I say they were robbed of this right. But do all these powerful motives exist at this time for maintaining peace? No, sir.

The hon. gentleman then entered into calculations to prove the fallacy of those made by the gentleman from Virginia (Mr. Sheffey.) He exhibited a view of the exports and imports of the United States during several years preceding 1805; at one time the balance of trade was 14 or 15 millions in favor of Great Britain. He asked, whence did your merchants derive the means to pay the British this great balance? The answer was easy. They had pushed their trade into all the ports of the world, which had enabled them to make good their deficiencies in the British trade. The orders in council had deprived them of that resource: they had reduced their exports to France and Holland to two or three millions; and yet the gentleman from Virginia had made the effects of these orders to justify the orders themselves, and our submission to them. It was the deadly efficacy of these orders which had reduced our exports to the continent to a mere trifle. But, said the gentleman, would you sacrifice your exports to England, worth 32 millions, for your two millions to France? Sir, your Custom House Books might shew an export of thirty two millions to G. Britain. But what is the fact? Why, sir, your merchants cannot find sale in that country for more than a fifth of their produce, their tobacco and cotton. The balance which they might send would be a dead loss. Ask your cotton planters, and your tobacco raisers and merchants, what has become of their crops for 1810 and 1811? They are rotting on their hands. This is the effect of the orders in council. I, sir, know—I feel their effects myself.

But will you go to war for honor—a mere bubble, a phantom? Really, sir, I cannot believe that the gentleman from Virginia was serious in asking this question. Is that proud virtue which must be so dear to the gentleman himself as an individual; is it to be treated with disrespect, to be utterly discarded, when the concerns of the nation came to be considered? Of what is the nation composed? Of brutes, sir, or men—high minded men, honorable men, descendants of honorable ancestors? Is honor to be thus scouted out of this house? Sir, we are on the high road to ruin, when the interests of individuals are made, by calculations, to be at variance with those of the nation, or its government. Such doctrine must destroy you. But, it seems, this honor is nothing, because we pay tribute to the Barbary powers. The gentleman will excuse me, sir, if I say that I did not suppose he could stoop to use such an argument. It is even destitute of originality. The gentleman says we have purchased from France the privilege of going to England; we have purchased of Napoleon our passage to England! Sir, I had thought that *that* gentleman knew better. He must be too honorable himself to suspect others of such dastardly conduct. Did we not offer the same terms to England which France accepted? And *how*, sir, can the gentleman say we have purchased from France a right to go to England? I cannot think that he could be guilty of believing such an insinuation himself. It was not a fact. We had even gone much farther in conceding to England than to France. Our minister there had begged and entreated the repeal of the Orders in Council, until the nation was supposed by many to have been disgraced by his supplications. *I* did not think that he was wrong.

But we must not go to war with this England: she was fighting for her existence! If *her* existence, sir, depends on *our* destruction, then, I say, down let her go. She is contending for the liberties of the world too, it seems.—I would as soon have expected to hear that the devil had espoused the cause of Christianity! (*an universal burst of laughter*) Sir, we may trace her progress for years through blood! Did she raise the standard of liberty in India? Was it for liberty that she offered up to the sword so many human hecatombs on the plains of India? Was it to plant the standard of liberty in this country, that she immolated even infant innocence during the war of the revolution? Is it to extend or secure the blessings of freedom to us, that the fireside and the cradle are exposed to savage incursions in the west at this time? He scouted the absurd idea.

When the war should be commenced, he said it would, it must be carried on, be the expenses what it might. We should probably always find revenue or taxes—and he was for taxes, if they could not be done without—to pay at least the interest on the loans which it would be necessary to obtain. We need but appeal to the patriots, the spirits of the dead, to ascertain whether war could be prosecuted by this nation with success. The effects of the contemplated war, he said, on G. Britain, would be seen in the pressure on her manufactures and on the profitable cultivation of her West India Islands, and in the conquests of her provinces. The falls of Niagara could be resisted with as much success as the American people when they should be called into action.

But armies are to subvert our liberties.—The gentleman from Virginia might have spared the insinuation which he had uttered against the revolutionary army. That army was true to the core. The letters of Newburgh had proved it. Those letters had proved that there were traitors every where. He felt the profoundest adoration, if adoration of men were justifiable, to that patriotic body of men, who achieved the revolution; and Washington himself, justly as he had been described, "the sanctuary of a nation's best love," could, at no time during the war, have become a successful usurper. No, sir, impossible. But we must submit to every indignity, it seemed, every daring invasion of our rights; we must not make war because if we do, armies must be raised; the government would be subverted; the veil of the temple of the constitution might be rent in twain.

The question, "shall the bill pass? was then taken by yeas and nays, and carried as follows:

YEAS.—Messrs. Alston, Anderson, Archer, Avery, Bacon, Bard, Bartlett, Bassett, Bibb, Blackledge, Bleecker, Blount, Brown, Burwell, Butler, Calhoun, Cheeves, Clay, Cochran, Clopton, Condit, Crawford, Davis, Dawson, Desha, Dinsmore, Earle, Emott, Findley, Fisk, Franklin, Gholson, Gold, Green, Grundy, B. Hall, O. Hall, Harper, Hawes Hyneman, Johnson, Kent, King, Lacock, Lefever, Little, Livingston, Lowndes, Lyle, Maxwell, Moore, M'Koy, M'Kee, M'Kim, Metcalf, Milnor, Mitchill, Morgan, Morrow, Nelson, New, Newton, Ormsby, Paulding, Pickens, Piper, Pond, Porter, Quincy, Reed, Ringgold, Rhea, Roane, Roberts, Sage, Sammons, Seaver, Sevier, Seybert, Shaw, G. Smith, J. Smith, Strong, Sullivan, Tallman, Talliaferro, Tracy, Troup, Turner, Van Cortlandt, Williams, Widgery, Winn, Wright.—94.

NAYS.—Messrs. Bigelow, Boyd, Breckenridge, Brigham, Champion, Chittenden, Davenport, Ely, Fitch, Hufty, Jackson, Key, Law, Lewis, Macon, M'Bride, Mosely, Newbold, Pearson, Pitkin, Porter, Randolph, Rodman, Sheffey, Smilie, Stanford, Stewart, Stow, Sturges, Taggart, Talmadge, Wheaton, White, Wilson.—34.

The House adjourned at half past three.

AN ORDINANCE,

To amend the Ordinance, entitled, "an Ordinance concerning the conflagration of the Theatre, in the City of Richmond."

(PASSED THE 28TH DEC. 1811.)

WHEREAS it is represented to the President and Common Council of the City of Richmond, in Common Hall assembled, that the remains of their unfortunate fellow citizens, who perished in the conflagration of the Theatre, on the night of the twenty sixth inst. cannot with convenience, be removed from the spot on which they were found, & some of them were so far consumed as to fall to ashes—and that it would be more satisfactory to their relations that they should be interred on the spot where they perished, and that the scite of the Theatre should be consecrated as the sacred deposit of their bones and ashes.

Be it therefore ordained by the authority aforesaid, That the Committee appointed by the ORDINANCE, entitled an Ordinance, concerning the conflagration of the "Theatre in the City of Richmond," instead of burying the remains of our Fellow Citizens in the public burying ground, shall cause them to be interred within the Area formerly included in the walls of the Theatre. And the said Committee is hereby authorised and empowered to purchase of the proprietors thereof as soon as may be possible, all the ground included within such walls.

And be it further ordained, That in addition to the duty imposed upon that Committee by the before recited Ordinance, they be requested to inclose with suitable walls of brick of the height of five feet at the least, the whole of the ground formerly covered by the said Theatre; and that the Common Hall of the City of Richmond hold the funds of the City pledged to defray the expenses of purchasing the said Area, & of the inclosure thereof, to be paid out of any money in the hands of the Chamberlain, at the time the said inclosure shall be erected by the said Committee, and to be paid by him to their draft or drafts.

This Ordinance shall take effect from the passing thereof.

A Copy, N. SHEPPARD, C. C. H.

INTERMENT OF THE DEAD.

The arrangements for this melancholy occasion could not be completed before Sunday—and as the place of interment had been changed from the Church to the Area where the Theatre stood, to that fatal & devoted spot, the funeral procession did not move, as was originally contemplated by the Committee, from the Baptist Meeting House, near the Theatre, whether the relics lay, to the Church where the interment was intended to be made.

The mournful procession began at Mr. Edw'd. Trent's on the main street, where the remains of the unfortunate Mrs. Patterson lay.—In front, the Corpse—then the Clergy—Ladies in Carriages—the Executive Council—Directors of the Bank—Members of the Legislature—the Court of Hustings—Common Hall—Citizens on foot and on horseback.——Why paint the the length and solemnity of the line? They moved up the main street until they struck the cross street leading to the Bank—here they were joined by the corpse of poor *Juliana Harvie*, who expired at her brother-in-law's, the Cashier of the Bank—they moved up the Capitol Hill, & at the Capitol were joined by the bearers of two large Mahogany boxes, in which were enclosed the ashes and relics of the deceased.—The mournful procession then moved to "the devoted spot;" & in the centre of the Area where once stood the pit, these precious relics were buried in one common grave. The service for the dead was read by the Reverend Mr. Buchanan.—The whole scene defies description. A whole City bathed in tears!—How awful the transition on this devoted spot!—A few days since, it was the Theatre of joy and merriment—animated by the sound of music and the hum of a delighted multitude. It is now a funeral pyre! the receptacle of the relics of our friends!—and in a short time a monument will stand upon it to point out where their ashes lay!

Register of the Dead.

☞ In addition to the 63 persons who were published in our last, from the Report of the Committee, we are pained to be compelled to subjoin the following melancholy list:—

Perished in the flames.

Miss. Elvira Coutts, Mrs. Picket, not wife of Mr. G. P. Miss Littlepage, Jean Baptiste Rezen, Thomas Lecroix, Robert Ferrill, a mulatto boy.

Expired since.

On Saturday night, Mrs. Boshert.

And at 11 o'clock on Sunday night, Edwin James Harvie, Esq.—in consequence of the injury he received in his efforts to save his *unfortunate sister* from the flames!!

☞ Not one life has been lost from Manchester. Mrs. Hatcher has broken a limb.

The following affecting letter has been received by Matthew Clay, Esq. one of the Representatives in Congress from Virginia, from his friend in Richmond:

RICHMOND, 31ST DEC. 1811.

My truly unfortunate friend.

By the mail of this morning, I received together your communications 28th and 29th inst. No human heart knows how to sympathise with you more feelingly than mine; but be assured, that after the lenient hand of time has, in some degree, soothed the anguish that now tortures your mind, you will regret the painful disappointment which it becomes my duty, in answer to your last, to give your fond parental wish. Your beloved Mary, on that fatal night, wore no ornament that could resist the action of the devouring element. It was the same case with the amiable Miss Gatewood & Miss Gwathmey. My own child, dear little innocent, had buckled round her neck that morning, a double gold chain, attached to a locket, with the inscription, "The Gift of Grand Papa." By this, *her* beloved relics were distinguished; and a communication of the circumstance, made in the kindest and most delicate manner by one of the Committee. At first, precisely the same thought occurred to me, that seems so forcibly to have influenced you; but after mature reflection, I determined, and oh glad am I, that I did! to consign her remains to the common tomb of her companions. My note to Mr. Temple, on this occasion, a copy of which I annex, will best explain to you my sentiments and feelings on this subject.

Farewell, my dear friend; may heaven tranquilize and console you.

Copy of a note to Mr. William Temple.

"No, my dear friend, I have no wish to separate the remains of my beloved child from those of the amiable & dear companions, in whose embrace, perhaps, she died. Side by side they sunk, together their immortal spirits took their flight, and it is even a melancholy satisfaction, that their dust will mingle in one common tomb, social even in death.—Under different circumstances, it would perhaps, have been a mournful consolation to deposit her dear relics near those of her departed mother; but on the present occasion, no private arrangement of individual feeling, seem so welcome and consolatory as that * which the humanity and benevolence on of a sympathising society is preparing, to honor the memory of all. For your kind and tender attention accept the gratitude of a weeping father.

"Let the chain remain on her dear neck—I wish it not removed."

* All that perished in the flames, or that have since expired, have been buried on the fatal spot, which has been purchased for the erection of a monument, with appropriate commemorative inscriptions. The city of Richmond has honored itself by its generous sensibility and attention on this mournful occasion.

The purport of Mr. Clay's letter (as we are informed) was to request, if the person of his daughter could possibly be designated, it might be preserved until his arrival—it being his wish, it should be interred in the family vault with her mother and sister—the latter of which died on the 3d of May last, aged 21 years, five months and 11 days—the present Miss Clay was aged 16 years and 14 days. *Nat. Intel.*

LAW OF THE UNITED STATES.

(BY AUTHORITY.)

AN ACT

For completing the existing Military Establishment.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the military establishment, as now authorised by law, be immediately completed.

SEC. 2. *And be it further enacted*, That there be allowed and paid to each effective, able bodied man, recruited or re-enlisted for that service, for the term of five years unless sooner discharged, the sum of sixteen dollars: but the payment of one half of the said bounty shall be deferred untill he shall be mustered and have joined the corps in which he is to serve; and whenever any non commissioned officer or soldier shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion or regiment, a certificate that he had faithfully performed his duty whilst in service he shall moreover be allowed and paid, in addition to the aforesaid bounty, three months pay and one hundred and sixty acres of land; and the heirs and representatives of those non commissioned officers or soldiers who may be killed in action, or die in the service of the United States, shall likewise be paid and allowed the said additional bounty of three months pay, and one hundred and sixty acres of land, to be designated, surveyed and laid off at the public expence, in such manner and upon such terms and conditions, as may be provided by law.

H. CLAY, *Speaker of the House of Representatives.*

GEO CLINTON, *Vice-President of the United States and President of the Senate.*

December 24, 1811

Approved, JAMES MADISON.