

DEC. 31, 1827.]

Protection of Public Buildings.—Protection to Manufactures.

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right. If intelligent men were ignorant, the poor and unlettered soldier might be presumed also to be uninformed of his just claims. Should this resolution pass, said Mr. M., and the information sought be obtained, it was my intention to propose another measure, that is, to give information in every State of the names of persons entitled to land warrants. But heretofore the War Department had, and very wisely, kept such information to itself, lest speculators should purchase up the soldier's rights for a mere trifle, and obtain all the benefits themselves. If information should be publicly given, this must be effectually guarded against. To provide such safeguard, at the same time that information, without which the soldiers could never obtain their rights, was a part of his plan. He would provide by law that no transfer should be valid for five years, nor then, unless approved by the Governor of the State where made, as the guardian of the soldiers' rights. With such provision, he thought the name of every person entitled to a warrant might safely be made public. But this was matter for future consideration. No such publication was now contemplated—no such information was now asked for. The information sought by the resolution could neither benefit the speculator, nor injure the soldier. It would be general, and of a character he thought useful and proper.

Mr. MCCOY opposed the resolution, as likely to be productive of more harm than good. Should the Secretary of War publish the names of these warrantees, it would lead to something worse than speculation: it would produce fraud and forgery. He could not see the use of calling for such a list. It may be inspected by any member at pleasure, on the books of the Department. Let gentlemen examine it there, and if they found the names of any of their own constituents, they would convey the information to them in a private manner, and thus avoid the dangers which would necessarily attend a publication of the names to all the world.

Mr. WRIGHT, of Ohio, presuming the gentleman who moved the resolution was not aware that a similar call had been made a few sessions ago, called his attention to that fact; and, referring him to the documents then received from the Department, moved that the resolution lie on the table, at least till the gentleman could have an opportunity of examining them.

The motion prevailed, and the resolution was laid on the table accordingly.

#### PROTECTION OF PUBLIC BUILDINGS.

On motion of Mr. MARTINDALE, it was

*Resolved*, That the Committee on the Public Buildings be instructed to inquire and report to this House, whether, any, and, if any, what provision it is expedient to make by law, to place the public buildings and paved walks, constructed at the National expense, under the supervision and protection of the permanent police of the city; or whether it be necessary and expedient to create a separate and distinct authority, whose duty it shall be specially to watch over the National property in this city; and to maintain the buildings and pavements in a state of constant preservation and repair, and in a condition suited to the purposes of their original construction; or whether these duties have already been devolved upon any agents of the Government, and how they have been performed.

In supporting this resolution, the mover said, that it could not have escaped the observation of every gentleman who was in the habit of walking on the Pennsylvania Avenue, that the intention of erecting and paving the side walks of that Avenue, and of various parts of the public ground, was almost, if not wholly defeated. In saying this, it was not his intention to cast censure on any individual, or on any public body; (for he did not know himself, under whose charge these works are executed,) but merely to bring the fact, as it existed, to the notice

of the House. It was a fact, that liquid mud, to a considerable depth, covered many parts of these pavements: by which, the very end for which so large an expense had been incurred, was lost. It must, he said, have struck the feelings of all those gentlemen who had visited the other cities of the Union, when they passed, from the neatness, cleanliness, and comfort, exhibited in the state of their streets, to the public Avenues of a City, placed by the Constitution under the immediate care and inspection of the Government. In these cities, the walks were kept in a state of decency, and comparative neatness, by some process of cleansing—and it was certainly very desirable that a similar system should be introduced here. With this view, he had introduced the resolution just read.

The resolution was agreed to.

MONDAY, DECEMBER 31, 1827.

#### PROTECTION TO MANUFACTURES. \* \* \* \* \*

Mr. MALLARY, Chairman of the Committee on Manufactures, rose in his place, and said, that, by direction of that Committee, he moved the following resolution:

*Resolved*, That the Committee on Manufactures be vested with the power to send for persons and papers.

Mr. McDUFFIE made some inquiry as to the object of this motion, when

Mr. MALLARY observed, that, in submitting the resolution, he had discharged a duty which he owed to the committee. He must now discharge another, which he owed to himself, in declaring that the resolution was not one which expressed his own views on the subject. He had opposed it in the committee, and should be equally opposed to its adoption by the House.

Mr. STRONG said, that the resolution struck him as of a very extraordinary character. His impression, with regard to it, might be erroneous; but it presented itself to his mind in such a point of view that he thought the House had a right to expect that some member of the Committee would at least state the reasons of asking a power so great and so unusual. He presumed there must be the most urgent reasons to have induced the Committee to request of this House authority to bring any citizens of the United States before them whom they might choose to send for, and compel them to give answers to every inquiry which should be addressed to them. If such reasons did exist, he hoped they would be stated.

Mr. RANDOLPH asked that the resolution might be again read, and it was read accordingly.

Mr. WRIGHT, of Ohio, said he agreed with the gentleman from New York (Mr. SROX) that the resolution proposed by a majority of the Committee of Manufactures, was one of extraordinary character, and required serious consideration. He was not aware that a demand for the like powers had ever been made in Congress by a Committee whose duties were similar to that of the Committee on Manufactures, since the organization of the Government. Propositions for a grant of power to a committee to send for persons and papers, had, he thought, hitherto been confined to committees exercising the judicial power of the House; others might have been introduced, but, if so, they had escaped his observation. He wished to vote on the question understandingly, and was desirous of hearing from the majority of the committee the reasons which, in their opinion, rendered the proposition necessary, and what object was to be attained. The Chairman had avowed his opinion that it was unnecessary, and his determination to vote against it. The gentleman from New York (Mr. SROX) had called for information from the majority of the committee, but no response had been given to the call. He (Mr. W.) seconded the call of the gentleman, and would unite with him in the effort to obtain a response. He could not vote for any proposi-

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tion of so novel a character without being satisfied of its reasonableness and expediency. Sir, said Mr. W. what object is to be gained by conferring the power sought by the committee? Does the committee want information? If so, on what particular subject connected with its duties? If the House is informed of the specific subject, probably some gentleman on the floor may supply it, or refer to some document where it can be had. Is it desired to ascertain if it be expedient to encourage the manufacturing industry of the country, if in our power? On that subject, the committee are not, surely, destitute of information. Is the information sought connected with the propriety of protecting any given article manufactured in the country? What article is it? The House, before it grants the extraordinary power asked for, has a right to know. It is no new thing to enact tariffs, either for the purpose of revenue, or of affording protection to our own manufactures. Questions of that kind had been agitated in the country, from the time of the adoption of the present Constitution, and many of the most important articles, now sought to be protected, agitated the last Congress and the preceding one, and had attracted the attention and investigation of the whole community—had elicited much light. Shall we now be told, said Mr. W., we have no information on these important subjects? The facts disclosed throughout the country on these subjects, were numerous and important, and, he should suppose, sufficient to enlighten the Committee on Manufactures. He would again ask for the reasons, on which the proposition was predicated, and until he heard some satisfactory reason, he could not consent to vote to confer so extraordinary a power.

Mr. STEVENSON, of Pennsylvania, said, as one of the Committee of Manufactures who voted with those who, in committee, proposed the resolution before the House, he would, in reply to the call that had been made by several gentlemen on the committee for their reasons for recommending this resolution, assign the general considerations that induced its adoption.

The memorials on the subject of a reform of the tariff of 1824, which have been referred to the committee, are in many instances opposed to each other, and contradictory as regards facts. Assertions are made and contradicted, but data not furnished on which the committee can decide. From Boston a memorial, signed by 1546 persons, many of whom are alleged to be manufacturers, assert that the duties on woollens are sufficient, and that the establishments are flourishing. Others complain of the languishing condition of these manufactures. Information is desired on this and one or two other subjects; so as to establish the facts as to the necessity of protection, such as shall not merely satisfy the committee, but the House. We are also desirous to ascertain the extent of protection necessary, and the best mode or manner of ensuring the protection required. Our information is not as satisfactory as it might be rendered by investing the committee with the power which would be derived from the passage of the resolution. The committee wish authenticated information, in order to do justice to the manufacturer and to give him due protection with justice to other interests. The committee feel no solicitude as to the passage of the resolution. They are willing to act with what light they have, if the House requires it. They point to the means by which they can obtain further, and, as applies to one or two subjects, more accurate information than they can now command. Should the House not grant the power requested, we shall cheerfully agree to their being responsible who refuse. The committee have no feelings other than a desire to faithfully discharge their duty. But they deem it proper to obtain information in the manner pointed out, unless declared otherwise by the expressed opinion of the House. The committee submit the proposition, and devolve upon the House the responsibility of declining to authorize the committee to obtain information in the manner proposed. Should the

House refuse, the committee will be exonerated from any errors into which they may fall by want of attested facts.

Mr. STEWART, of Pa. rose, not for the purpose of discussing the resolution in its present form, but of proposing an amendment, which he would offer after a few remarks. The course pursued by the Committee was, he contended, novel and unprecedented, and one which, whatever might be the motives of those who had introduced it, would have in practice the effect to postpone indefinitely any measure for the protection of manufactures. It would not only put that measure off for the present session, but for the next also: as that would be the short session, and there would be no time to consider a subject of such extent. The House was now advanced nearly a month in its present session, and now, at the end of a whole month, the Committee of Manufactures come forward with a request, that, in order to enlighten their judgment, they may have power to send into all parts of the United States, and bring up the citizens of the country to testify before them. We are to send our Sergeant-at-Arms, (said Mr. STEWART) to New England, to Pittsburgh, to Charleston, to New Orleans. Manufacturing merchants, and all others who may be summoned, must come forthwith at the call of the House; and if they refuse, an adequate posse must be summoned to bring them, and all this at the public expense. At the session of 1823-4, when the general tariff was enacted, the bill for that purpose was reported to the House on the 9th January—it was taken up on the 10th February following, and its discussion occupied the House until the 16th of April—it was then sent to the Senate—and was not disposed of in that body until the 19th of May. Owing to a difference of opinion in the two Houses, a Committee of Conference was appointed, and the bill did not finally pass till the 24th day of May, which was within three days of the adjournment of Congress. Thus nearly five months were occupied on that bill, though it was reported on the 9th of January. The House had been repeatedly told, since the opening of the present session, that it was expected they should go home by the 4th of March—if this expectation was to be fulfilled, what would become of a measure so loudly demanded, and on which it had been expected the committee would, by this time, have reported a bill? Any bill they might report, must necessarily share the fate of that of last Session. That bill embraced a single item only, viz. the article of wool and woollens—it was reported by the 10th of next month, and taken up on the 17th, yet it failed for want of time. If the Committee, at the present session, are to send all over the country for persons and papers before they can so much as determine what articles are to be included in the Bill, it must certainly operate as an indefinite postponement of the whole subject. It inevitably put an end to it for the present session, and the session following was too short to admit any hope of better success. Under these impressions, he considered it his duty to press for a decision as early as possible, and with that view submitted the following amendment, to come in after the word Resolved:

“That it is expedient to amend the existing Tariff, by increasing the duties on the following importations:

1st. On raw Wool and Woollens.

2d. Bar Iron.

3d. Hemp and Flax.

4th. Foreign distilled Spirits.

5th. Fine and printed Cotton Goods.

2d. Resolved, That provision should be made by law, to prevent, as far as practicable, defrauds and evasions practised by Foreign importers, to the injury of the revenue and American manufactures.

3d. Resolved, That the Committee on Manufactures be instructed to report a bill, or bills, conformable to the foregoing resolutions.”

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Mr. FLOYD, of Va. suggested that the amendment was not in order; and the Speaker decided, that, by the 40th rule of order, it was inadmissible.

Mr. STRONG said that he listened attentively to the remarks made by the honorable gentleman (Mr. STRANDBOX, of Pa.) on the other side of the House. As the gentleman was one of the members of the Committee, he supposed the reasons he had offered in support of the proposition were those of the majority of that committee. They did not, however, do away the impression upon his mind, that the proposition was of a most extraordinary character. What are these reasons? Why, that the committee want information to enable them to make up their judgment whether the duty on a yard of cloth, or a pound of wool, shall be a few per cent. more or less; and if the power of compelling the attendance of persons and the production of papers be not granted, that then the responsibility of acting without information will no longer rest upon the committee, but upon this House.

What is the state of the matter, in regard to which information is sought, and to attain which this compulsory power is demanded? The attempt to protect the domestic industry of the country is not new, it has been often made, and has often failed. It has for many years past agitated the whole nation. In 1816, '20, '23, '24, and '26 the question of revising and increasing the tariff was before Congress, with a view to protection. A great mass of facts and information was collected, and may be found in the records and proceedings of this House, in the shape of memorials and reports of debates. The people are still alive upon this subject, and every thing seems to have been elicited in relation to it which can be of any practical utility.

But if this enormous power of sending for persons and papers be given to the committee, what will be the progress of its execution? Will the committee confine its exercise to the District of Columbia? No. To gain all the information which the Committee seem to want, they must send to Baltimore, Philadelphia, New York and Boston—nor is this all—they must also send to Charleston, Savannah, and New Orleans. Can they perform their duty without collecting all the facts within the scope of this power, from Machias to the Gulf of Mexico? And when they have done, what have they but the disagreeing opinions of men? But, sir, can the information be obtained in the extraordinary way in which it is asked for, in twenty, or thirty, or even sixty days? Why incur this delay? If the power be exercised, there will not be time to report and pass the bill during this session. The tariff will not be revised. The industry of the country will not be protected against the ruinous effects of foreign competition. This proposition, if adopted, will delay, and probably put off altogether, the question of protecting the great agricultural, manufacturing, and navigating interests of the nation.

But, Mr. S. said, there was another objection, which he thought of some weight. What is the nature of the power proposed to be given to this committee? It is to send out the Sergeant-at-Arms, clothed with all the power of this House, to summon persons in any and every part of the nation, and to compel their attendance here, in this Capitol. There is no dispensing power. Whoever is summoned, whether he live in Maine or in Louisiana, must come, or be guilty of a contempt of the authority of this House. And for what purpose is this fearful power to be given to this committee? Is it to elicit fraud or crime, in order that the offender may be convicted and punished? No, sir—but it is to enlighten the judgment of this committee, as they say, upon a mere matter of ordinary legislation. Sir, the rightful exercise of this power is confined to a few cases. These are, where frauds or crimes are imputed, and where the sole object is to detect, expose, or punish the guilty. There is no in-

stance under this Government, within my recollection, where this power has been given for the mere purpose of enabling a committee of this House to adjust the details of an ordinary bill. What, sir! is this enormous power to be given over into the hands of a committee, of a tribunal of seven men, in this land of freemen, to drag before them, by force, if need be, the citizens of this Republic, to instruct the members of that committee, or of this House, in the common and ordinary duties of legislation! Mr. S. said he hoped not, and he trusted the House would reject the proposition.

Mr. STORRS said, that he had heard this proposition from the Committee on Manufactures with some surprise. He had hoped that, instead of asking for the aid of the House to obtain information, they would, by this time, have reported a bill that should give the farming and manufacturing interests of the country effectual protection. We have, said Mr. S., been in session nearly a month, and seem to have only discovered, at this day, that the Committee on Manufactures need this extraordinary interposition of the power of the House before they act at all on the numerous petitions and memorials already before us from our constituents. The power they now ask has not heretofore been thought necessary to enable that Committee to acquire correct information of the depressed state of our woollen manufactures, or the necessity of protecting them. At other sessions, and for successive years, this subject had been considered by the Committees on Manufactures in both Houses, and bills have been reported and passed without this appeal to us for our interference to coerce our constituents to come here and inform us, in person, of the ruinous condition of their interests. The representations made to us in the memorials on our tables, I believe to be true, and that we can draw from them, and other sources within our reach here, abundant information to enable us to act on the question, so as not to disappoint the just expectation of the country. It is unnecessary to vest the Committee with this power of issuing the parliamentary process of the House. There can be no difficulty in obtaining the attendance of the manufacturers, at this city, if the committee requests it of them. So far as we desire to know the opinions of the wool growers and manufacturers of the country, they have already anticipated us. Their petitions are daily furnishing us with all the information that can be necessary to satisfy us that it is our duty not to let this session pass without doing something to convince them that we are looking after their interests. Instead of waiting to be brought here by compulsion, our tables are groaning under the weight of their petitions. I believe, for one, that we can find all the information we want, as to the details of any measure the Committee will report to us, without first resorting to this legislative chancery process, and bringing the petitioners here, to be personally subjected to a catechism from the Committees of the House. They will answer interrogatories truly, if gentlemen wish them to do so, without asking that the Committee shall delay acting at all, until they can send to Boston or New Orleans, or any where else, to ascertain if they sincerely believe the representations they have themselves made on the thousands of sheets that are spread out before us. It may be that the committee, or some one of its members, may desire information even from New Orleans; and we all know that, if nothing is to be reported until they can bring witnesses from that quarter, we may not expect to hear of any bill until towards the first of March. We are not so destitute of information here, in my opinion, said Mr. S., from other sources, too, than the memorials of our own constituents. The report of the Secretary of the Treasury has presented us with a body of valuable information on the principal subjects that we shall act upon, if we do any thing at this session. It furnishes such a mass of useful facts, and presents to us, in

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such clear and convincing lights, the necessity and policy of sustaining, by an adequate increase of duties, the manufactures which he recommends to our protection, that we can hardly expect to be better satisfied than we must be, if we candidly examine it. With all the means in our hands that we may have, if we prosecute this subject diligently, the vesting of this unusual power in the Committee is, in my opinion, useless. The Committee may differ essentially in their view from others in the House who are friendly to the system of protection. They may come to a conclusion on general principles of policy widely different from the House, as to the particular interests that need protection. On the question of a general policy, I hope they will not differ from us. But, before I vest them with the power of calling my constituents here, to be subjected to their interrogations, I should wish to know with certainty that they have made up their minds to report some bill at all events. We may then be acquiring some information for ourselves, if we desire it, beyond what we now have. As soon as we can ascertain what particular articles the Committee will recommend to our favor, we may easily settle the degree of protection that will effect the object. I thought that there were certain articles about which the friends of the system could not differ, and that, by this time, we should have had our attention called to some specific proposition in the form of a bill. The gentleman from Pennsylvania (Mr. STEVENSON,) informs us, that one object of vesting this power in the Committee is, that they may not incur the responsibility of any inadvertent errors that may find their way into their reports, and that, if the House deny them this power, that responsibility will then be upon the House. I am willing, said Mr. S. for one, to take upon myself my full share of any such responsibility, and if the Committee should err in any respect for the want of information, will most cheerfully acquit them. But there is a responsibility of another kind that I am not prepared to take, and that responsibility is the defeat of the whole measure, by the delay that must unavoidably succeed, if we adopt the proposition now before us. In my opinion, said Mr. S., the passage of this resolution will produce the defeat of the Tariff. Whatever the intentions of its advocates may be, the necessary effect of it will be to procrastinate the whole subject to so late a day, that it must at last go over the session; and if it now fails, it is in vain to expect its revival hereafter. We are now at the end of the first month of the Session, and have already heard the hope expressed openly, in the House, that we shall adjourn by the fourth of March. The bill of last year was not even acted upon in the other House for want of time, and we are now at the commencement of a new and unusual mode of proceeding, that must consume several weeks, if the examination which the Committee seem to propose is thoroughly made. Infer, too, from the remarks of the gentleman from Pennsylvania, that the Committee have not yet prepared a bill of any description. They ask for this power, that they may determine, in the first instance, what articles need protection, as well as the amount of it. If they cannot, in their own opinion, discreetly act, without this power from the House, then it is to be presumed that they have not yet prepared any measure; and if we grant them the power, we shall not expect to hear from them till all their examinations of the manufacturers have been completed, and till they have afterwards matured some project, to be founded on the information which they propose to acquire in that way. It requires no great share of sagacity to perceive, nor much temerity to foretell, that, if this proposition is adopted, and the Committee undertake to perform a duty commensurate with its full import, we may dismiss the whole subject from the House, as a defeated measure. I shall not be disappointed if those who are opposed to any increase of duties, should support the resolution: for I believe that

it will prove, in the end, to be the most effectual way to defeat all the petitions before us; but I hope that the friends of the farming and manufacturing interests will not sustain a proposition that must, by its necessary operation, indirectly disappoint their constituents. I consider that in voting on this question, I am virtually deciding whether I will act on the subject at all; and, in this view of it, the present proposition shall receive no favor from my hands. If the Committee intend to offer us any measure for the protection of the interests of those whose petitions have been referred to them by the House, (and I hope we shall soon have it before us,) I am willing to trust to the information already in their power. I hold their intelligence in too high estimation to doubt that they can offer us a bill that shall leave no doubt of our intention to meet the full expectation of the country.

Mr. OAKLEY said that the resolution, as moved by the chairman of the committee, appeared to him to be couched in too general terms. It did not shew with sufficient clearness the object for which the proposed power was asked. That object, as he understood it, was, that the committee might be enabled to examine witnesses on the subject submitted to them, and thus get at the facts calculated to enlighten the judgment, not of the committee merely, but of the House. That this was the object of the resolution, he thought was manifest, and he therefore proposed to amend it by inserting, after the word "papers;" the following: "with a view to ascertain and report to this House such facts as may be useful to guide the judgment of this House in relation to a revision of the tariff duties on imported goods."

Mr. STEVENSON thought the amendment ought not to prevail. Gentlemen had deprecated the delay which would result from adopting the resolution. The evident effect of the amendment would be, by requiring a detailed report, to delay the bill. The committee had a due reference to time, when they agreed to the resolution. The committee will not retard the report of a bill, so as to be too late for legislation. The argument of the gentleman from New York, [Mr. STORNS] is, therefore, fallacious. It is founded upon error. The committee have determined to report in reasonable time. The authority asked, it is not too much to presume, will be used with reasonable discretion. It is not intended to send to Orleans, Missouri, or to Maine, for information; much of it is at hand, even here, but it is wanted in an unquestionable form, and there is no power to command it.

Mr. S. said the committee possess sufficient information on several of the subjects referred, but want it on others. He would not dwell on the arguments of gentlemen who urged that the adopting the resolution would delay a report; it was argument against fact. The committee had determined to report in January, and will do so. He again stated, that the committee were not solicitous on the question of passing the resolution; but would prefer it without the amendment, unless the committee would be sanctioned in extending the report to a later day. He was averse to the report and passage of bills without due examination of facts. For want of due reference to facts, this House last Winter passed a bill, apparently, in part, for the benefit of our farmers. Its operation, as may be now seen, by reference to the imports of the year, would have been a fraud upon the hopes of the wool-grower—so in effect, if not in intention. The bill seemed to increase the duty on imported wool, but was so worded as to add nothing to the duty on wool costing not more than ten cents. It left an opportunity to invoice the great part of the wool imported, at or below that price. To shew the facts, in part, if the House will pardon me, I will state the importations into the collection district of Boston, for the last three years.

From October 1st, 1824, to October 1st, 1825, costing above ten cents, \$157,424. Not over ten cents, \$40,143.

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From October 1st, 1825, to October 1st, 1826, costing above ten cents, \$118,801. Costing not over ten cents, \$54,980.

From 1st October, 1826, to 1st October, 1827, costing above ten cents, \$93,273. Costing not over ten cents, \$132,450.

The quantity of wool imported into the Boston district for the year ending October 1st, 1827, costing above ten cents, was three hundred and fourteen thousand six hundred and ninety-six pounds. Of that costing not over ten cents, one million four hundred and seventy-three thousand two hundred and ninety pounds. Here, then, you have brought into one port alone this enormous amount, and that costing not over ten cents, would, under the fallacious provisions of the woollens bill, have paid no additional duty. The present duty of fifteen per cent. on the cost of the above, is an average of about one penny per pound. A vast protection to the wool-growing farmer, indeed. The woollens bill would not have increased this. Sir, I am the friend of the farmer and of the manufacturer, and seek information in order to do their interests justice. The agriculturist and manufacturer of Pennsylvania are willing to be judged by facts, and will not suppress inquiry.

I have pointed out what would have occurred, in part, under the provisions of the woollens bill, in order to shew how necessary it is to do something more than to cry tariff: we prefer information from the first sources. The committee will not delay their report beyond January, and it is better to so frame their bill, and arrange its provisions to existing exigencies, than to cast it crude and indigested into this House, founded in error, and fraught with discord.

The amount of wool imported into Boston, costing over ten cents, has been diminishing for three years; that stated as costing not over, has been greatly increasing. The revenue may be suffering, and the farmer too, by the great advantage of invoicing wool not over 10 cents.

Mr. MALLARY said that the reasons which induced him to oppose the resolution had been stated by him when last up, and he should not have risen at present, but for the last remark of the gentleman who had just taken his seat. Mr. M. was here proceeding in a course of general remark, by way of reply, when—

Mr. OAKLEY suggested that it was not in order to go into the merits of the resolution itself, when an amendment to it, only, was under consideration.

The SPEAKER pronounced the remarks of Mr. MALLARY to be not strictly in order.

Mr. MALLARY then resumed, that he could not perceive that the amendment varied in the least the principle of the resolution. It rendered it, indeed, somewhat more specific, but the same reasons which applied to the one, applied with equal force to the other. His objection to the amendment, like that to the resolution, was, that the People of this country have already acted on the general subject with full knowledge and great intelligence. Their wishes had been explicitly stated; and, if they were all summoned here to testify, the committee could get no more, in substance, than they had already. If gentlemen wished to know the actual condition of the various branches of manufactures throughout the country, they had already all the requisite information to guide them. Did the committee want light on the general question, whether farther protection was needed on our woollen manufactures, or did they doubt that those of hemp and iron ought to share in a system of protecting duties?—Surely not. Such knowledge as they had, was all they needed as practical men, and was sufficient to enable them to come to such a result as would answer the public expectation. It certainly looked very much as if the object of the gentlemen, in introducing such a resolution as this, was merely to produce delay. The committee had

been in session nearly four weeks, and now the gentleman first perceives the want of information as to the objects to be protected; and, in order to get it, asks for the power of sending for persons and papers. But all that was now known, was equally well known weeks ago, and every reason that operates now, operated then.

The committee, said Mr. M., had before it the testimony of some of the most respectable men in the United States—most of whom are personally known to many of the members of this House. But if we had all those before us whom the People of this country sent to represent them in the late convention, and could examine them from this New-Year to the next, we should get but few new facts, and no new views on the general subject. We have abundant information to enable us to judge whether it is not important that something should be done for the benefit of this branch of the national interests. The gentlemen of this House are well acquainted with the interests and wishes of their constituents; nor have they derived that knowledge from examining the price current of one or of two years, which had been calculated, he would venture to say, for the express end of producing an effect. The gentleman from New York, opposite, for example, [Mr. Strong] knew, as well as any one could inform him, what was the state of the manufacturing interests in the county of Oneida. Other gentlemen had the same knowledge in relation to their respective districts; and, if the committee wanted light, they had only to come to the members of this House and they would obtain it. Such were some of his views in opposing the resolution.

As to the bill of last session, Mr. M. said, the gentleman had certainly gone to the tomb for the subject of his remarks. What was done in the last Congress could not be brought forward as of much avail on the present occasion. That bill, the gentleman says, operated as a fraud on the agricultural interests of the country. It was reported, it seems, by the committee, from a want of knowledge, and its passage by the House was an egregious blunder. Now, what was the real history of that matter? The committee were informed, that, in laying the protecting duty, it would be productive of injurious consequences, if they made the duty on the raw material and on the manufactured article to commence at the same time. It was shewn to them, by satisfactory evidence, that there was an immense capital which had been invested in the manufacture of woollens, and was then idle; and that unless some time were suffered to elapse before the duty on raw wool should be enforced, serious injury must necessarily ensue. Such were the views under which that bill was passed. If they were erroneous, it certainly was not for a want of knowledge of the facts. Does the gentleman suppose that the committee stand in need of having the farmers of this country coming to their committee room to see they are not cheated by the measures of this House? Was it necessary for them to testify in person, before the committee could determine whether the duty on the raw material and on the manufactured fabric, should or should not be simultaneous? The gentleman's whole argument from that bill was inapplicable and out of place. The question which the committee had to decide, and on which the House had afterwards to pass, was a question of expediency. The House did pass upon it, and they fully knew what they were doing.

Mr. M. said that, from information, he was satisfied that the stock of domestic wool was not now sufficient. He had no doubt but that there were spindles enough now idle that could be put in motion, in a short period—perhaps in twenty-four hours—to use an amount equal to the foreign supply. The farmer could not furnish the additional raw material for some time; the manufacturer could put his machinery into immediate operation, &c.

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As to the statements which the gentleman had quoted, with regard to the importation of the different qualities of wool, in two successive years, he did not see what it proved, nor did he distinctly understand for what purpose it was introduced. Gentlemen all knew that much coarse wool had been imported, and much of it under the value of ten cents.

[At this point the debate was arrested by the Speaker, who announced that the hour allotted for reports and resolutions had expired.]

On motion of Mr. MALLARY, however, the rule on that subject was for this day suspended, two-thirds of the House sustaining his motion to that effect.

Mr. MALLARY then resumed his speech, and was proceeding to make some remarks on the effects of the provisions of the tariff bill of 1824, when he was called to order by Mr. INGHAM, of Penn., on the ground that these remarks had no necessary connexion with the amendment.

The SPEAKER so decided: when

Mr. MALLARY observed, that the gentleman on the other side, had not, he believed, been checked in a course of pretty general remarks on the same subject, and he had supposed that he was at liberty to follow his example: but he should certainly submit to the decision of the Chair; and Mr. M. then took his seat.

Mr. LIVINGSTON said, two objections had been stated to grant the power requested by the resolution. First, that it is unnecessary, inasmuch as the House and the committee are already possessed of all the information which can be produced by the examinations which the resolution authorizes. Secondly, that the inconvenience attending the delay necessary to procure the testimony will more than counterbalance any advantage we might expect in obtaining it. If the first suggestion be true, there is an end of the question: it will be nugatory to give the committee power to examine witnesses, to procure evidence which we already possess; but the manner in which the objection is made, I fear, will show conclusively that we are not quite so well informed as those who urge it would have us believe. But, however gentlemen may be satisfied with the extent of their own knowledge, we owe something to the respectable committee that has asked us for this delegation of power. They tell us that there are material points of the subject on which they desire to be informed before they can present us such a bill as they can recommend to be passed, and they ask the means to procure it. What answer shall we give them? Shall we say, we understand the subject perfectly; bring in your bill as well as you can; we want no information from you? Shall we reverse the rule of business in this House, and, instead of employing a committee to state facts, and give us their deductions from them, shall we oblige them to bring in a bill without any knowledge of the subject, and supply the gross deficiency by our superior knowledge? But, before we take this course, it is worth enquiry whether we ourselves possess this knowledge, and to what extent? We will take this from the gentlemen who oppose the resolution, if any member in the House possess the information. They have it, and they have not left us in doubt as to the kind of evidence on which they rest their belief. What more, say those gentlemen, can be desired? Have we not memorials from all the manufacturers? Do not our tables groan with the weight of their complaints? What more can be desired? Something more, in my opinion; and if this is the best evidence—and it must be supposed to be such, for it has been relied on by all who spoke against the resolution—it is the strongest argument that could be used in favor of the measure proposed. I will believe that many of these memorialists are very respectable people; but are they disinterested? Their object is to obtain a protecting duty amounting to a pro-

hibition of all foreign manufactures. And to persuade us to tax the whole community to the amount that such a measure necessarily involves, they tell us that, with the present protection, high as it is, their establishments cannot exist; that it is a losing business; that they are obliged to discharge their workmen; but that, if we will agree to tax the rest of the community, to enable them to become rich, as soon as this object is attained, their prices will fall, and we shall obtain their manufactures cheaper than we can import them now. But, sir, before I yield to this fine reasoning; before I agree to impose this tax upon my constituents, I must be permitted to say that I want evidence; that my duty will not permit me to rely on the bare assertion of any one, much less on that of interested persons, be they ever so respectable. I want to know whether it is true that the manufacturers of wool are really going to ruin with a protecting duty of more than fifty per cent. I want to know the reason of this, if it be true; and I want to know from what facts the conclusion is drawn that the same manufacturers which cannot exist now, as we are told, with this enormous protecting duty, and the corresponding price it produces, will be enabled to sell their goods cheaper, at a future day, than they can be imported without that duty? A long professional practice has taught me the danger of relying on the testimony of interested witnesses, and has also shown me the great utility of cross examination. From disinterested witnesses it is calculated to elicit truth; but it is invaluable, for the detection of all those subtleties to which interest resorts, in order to hide the truth, or give a false color to a true statement.

The manufacturers say that their present profits are an insufficient inducement for carrying on their business. They have told us so for years; yet they carry it on. They told us they must cease to exist, if we did not increase the duty; yet they still exist. Yet they increase; and we do not hear that one million of dollars that we were last year told was invested in the business, has been withdrawn. Nay, I have been informed, (but do not vouch for the fact,) that, during the last session, at the very moment we were told that the manufacturers were discharging their hands, preparatory to their dissolution, at that very moment, I have been informed, that several new incorporations were made, with very large capitals, for carrying on the same business. Be this as it may, there is certainly some inconsistency between the allegations of impending dissolution, and the actual existence of these valuable establishments; it is this that I wish to penetrate by evidence, by publicity. Let us examine these manufacturers, and know what they mean by a fair profit. If it should appear on this examination that they make ten per cent. clear profit, but do not think that a sufficient encouragement. I should be glad to know whether the House would coincide in that opinion; and go on protecting until they can make 15 or 20—not 1 for one; I will never consent that my constituents shall pay such a tax in order to produce such an enormous profit. It may be, sir, that the representations are true: if they are, it is to the advantage of the manufacturer that the truth should appear by such testimony as will give it credence. Now, sir, how is it proposed to legislate? On our own information, and that which we may chance to obtain from interested sources. Gentlemen give us their opinion. I have the utmost respect for it, but I want to know on what it is founded; it cannot be from practical knowledge, it must be therefore from information; but I want that information on oath; I want it in the shape of evidence; and as much as regular judicial testimony is superior to hearsay, so much is the evidence which the committee desire to obtain, superior to that which the House now possesses.

The bill which passed this House, the last session,

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strongly shows how useful this mode of obtaining information would have been. Wool under ten cents cost was left untaxed, because it was supposed that little of it entered into the fabric of cloth; yet the information given by the gentleman from Pennsylvania, shows, that the quantity imported of that species, the last year, was more than four times that of the higher priced. Then we acted from general information, perhaps from the allegation of those interested to deceive us. If we had tested this by a cross examination on oath, the truth would have appeared, and we should never have passed a bill so ungenerous to the farming interest.

As to the delay, I do not apprehend it. All the information wanted can be procured in a few weeks; but were the delay greater, the advantages to be obtained from it would more than compensate for any disadvantage attending it.

But the practice is new! Too new, sir! Too rare in our legislation. All our laws, particularly those for the protection of commerce or manufactures, would be better, more stable, more wise, if we had sooner resorted to it. But, though new to us, we know its effects. The Parliament of Great Britain, sitting in the most commercial town of Europe, where information may be procured on every subject by every member, at his will, does not rely on that information: they pursue this course. Not an alteration is made in any department until witnesses have been examined and cross examined before an open committee, and their examinations reduced to writing and submitted to the House. We have in our library forty or fifty folios filled with these examinations. If found necessary there, how much more so here, where we are shut out from all information but that which we can procure by letters from a distance, without the sanction of an oath, frequently from interested persons, and without the advantage of cross examination, to elicit the truth. Suppose, as may be the case, that the representations we have received are true; certainly the truth will appear, and the more convincing, when supported by legal proof, than by loose opinion. If this resolution do not pass, it will be said that the truth was concealed; that the parties feared to be brought to their oath. But, if it pass, and the statements should prove correct, we may then vote conscientiously, because we shall vote with a knowledge of the facts before us.

For these reasons I give my support to the resolution.

Mr. OAKLEY now expressed his apprehension, that the House was in danger of being prematurely involved in the discussion of the general subject. The question now to be decided, was on the adoption of the amendment, and, on this point, he had supposed, when he offered the amendment, that there would have been but one opinion. If, said Mr. O. you grant the power asked, shall or shall not the object of granting it be expressed in the resolution? That is the question, and the sole question before the House; but, as the amendment I offered appears to involve some gentlemen in difficulty, and is especially disapproved of by a member of the committee opposite, (Mr. STEVENSON,) I will now withdraw it, and if in order, will move another in its place. Mr. O. then moved to strike out the whole of the original resolution moved by Mr. MALLEAN, after the word "Resolved," and in lieu thereof, insert the following:

"That the Committee on Manufactures be empowered to send for, and to examine persons on oath, concerning the present condition of our manufactures, and to report the minutes of such examination to this House."

Mr. STEWART thought that this amendment was substantially the same as the other. As a friend to the policy of protecting the home interest of this country, he had hoped that the House would, by this time, have received from the Committee of Manufactures, a bill, rather than a resolution for enquiry. He had hoped so

especially, when he perceived the anxiety manifested on this subject, by so large a portion of this community.

[Mr. STEWART was here called to order by Mr. McDUFFIE, on the ground that he was discussing the original proposition on a question of amendment, when, admitting that the amendment did not go to change the character of the original resolution. The CHAIR did not sustain the objection of Mr. McDUFFIE.]

Mr. STEWART then proceeded to observe, that the power asked by the committee was not only novel and extraordinary, but wholly unnecessary. The honorable gentleman from Louisiana, had asked, with much emphasis, whether the House would deprive its own committee of information which they considered necessary to a right discharge of their duty? To this question he answered No; but he would in turn enquire whether this committee had not all the ordinary means of obtaining such information as was indeed necessary? Had they not the same means that all other committees had, and might not every other committee of the House ask for this power with equal reason? Did they not possess more information on the subject of manufactures than had ever been accumulated before? Had they not all the facts which had been collected by their predecessors? Certainly. But he would ask further, what has this committee done? If they want further information, have they addressed letters to such persons as are able to furnish it? Could there be any doubt, that if they did this, full and correct answers would be received? For himself, he had none, but would be glad to know if the letters had been written. The committee, said Mr. S., have the reports of those who introduced the tariff bill of 1816, that of 1821, and that of 1824, which was reported by the committee on the ninth day of the next month. My colleague [Mr. STEVENSON] says that he wants information, and has referred the House to certain facts in a statement relative to the importation of wool: but where did the gentleman get that statement? He got it from the Treasury report. Does he want the committee to be clothed with power to send for Treasury reports? Sir, before I confer such a power as is now asked for, I should be glad to know how it is to be exerted, for what end, and to what extent? For whom are these gentlemen going to send? Is it for the manufacturers? If it is, will they not also send for the various Chambers of Commerce in our Atlantic cities, (for I presume witnesses are to be heard on both sides,) and, sir, must they not send to the South? Must they not bring Governor Giles and Doctor Cooper to enlighten them on the constitutional question? Nay, sir, will they not have to send for the farmers of the United States to testify as to the effect of the tariff on agriculture? Sir, we shall want a whole regiment of Sergeants-at-arms to carry their warrants into effect. But, for my part, I want no information from the manufacturers. I am not now legislating for them, I am legislating for the farmers. I have nothing to do with the manufacturers. I repeat it, I am legislating for the farmers, I am trying to build up a home market. I am endeavoring to provide for the farmers of the United States peace markets for their raw materials, for their flour, for their pork, for their corn, for their beef, for their butter. And this measure I cannot consent to see delayed by what amounts, in my judgment, to an indefinite postponement. I want to see neither our manufacturers, nor our Chambers of Commerce, nor our farmers coming before this committee. They have all told us what they want. I do not wish to see them brought from their various homes—and, sir, I ask at whose expense? Certainly at their own, for it is they who at last must pay for it.

[Here Mr. S. was called to order by Mr. CAMBRELENG: but the CHAIR pronounced him not to be out of order.]

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Mr. S. resumed his speech, and further insisted on the impropriety of conferring a power so great as was now demanded, and so novel in its character, without some very extraordinary reason for its exercise. His objections to the grant was, that it was unnecessary—as all needful information was within reach of the committee without it. He hoped the committee had at least made the trial of obtaining this information by correspondence. If they had done this; and failed to obtain it, they would come before the House with a better grace. The House was now within a few days of the time when the former bills on this subject had been reported. To begin at such a period of the session, to send for persons and papers, was virtually to postpone, and certainly to defeat the whole measure.

Mr. BUCHANAN said, as my colleagues [Mr. STEVENSON and Mr. STEWART] have expressed opinions directly at variance with each other, I shall state my reasons for the vote which I intend to give. I am in favor of the amendment proposed by the gentleman from New York [Mr. OAKLEY]; not because it varies in principle from the resolution reported by the Committee of Manufactures, but because it expresses more fully and distinctly the objects which that committee had in view.

It has been stated and urged by gentlemen, in this debate, that the vote which may be given in favor of the resolution, ought to be considered as a vote against the policy of protecting domestic manufactures. I protest against any such inference. It is at war with the fact. It assumes the principle, that, because the friends of the resolution wish to cast all the light which can be shed upon the subject—because they wish to act with knowledge and deliberation—that, therefore, they are opposed to the protection of domestic manufactures. It assumes the position that the desire to obtain information concerning a measure, necessarily pre-supposes hostility to it. This is a singular mode of argument. I feel confident, that, when the House shall have acquired a knowledge of all the facts—and when they shall be spread before the nation, in an authentic form, we shall pass a bill much more satisfactory to ourselves and to our country, than we can do without the information.

But, it has been stated that the delay which must follow the adoption of this resolution, will defeat the bill, at the present session. I have been astonished to hear this argument urged, after the explicit declaration of the Committee of Domestic Manufactures. One of its members [Mr. STEVENSON] has solemnly declared, that delay has not been the object, nor will it be the effect of the measure. They have determined to report a bill during the next month, and hope they will be enabled to do so, some time before its close. After such a declaration upon this floor, will any gentleman again repeat, that the intention of the majority of the committee is delay? I trust not. Upon the ground of delay, therefore, there is no reason for voting against this resolution. Much as I desire more information concerning the manufacture of woollens, if I could, for one moment, believe, that the passage of this resolution would prevent us from acting efficiently upon the tariff, during the present session, I should vote in the negative. I apprehend no such result.

Gentlemen have argued, that the power to send for persons to testify, which the respectable Committee of Manufactures desire to obtain from the House, is dangerous and unprecedented. What a mere bug-bear is this argument! If two of your citizens engage in litigation, no matter how contemptible the subject in dispute may be, your laws will compel the attendance of witnesses, whatever may be the individual sacrifice. Justice must be done between them. And shall it be said, that, when a measure, deeply affecting the interest of every man in the United States, is before the Representatives of the People, that it is the exercise of extraordinary power,

to compel the attendance of witnesses who can give us practical information upon the subject? This power has never before been questioned, since I have been a member of this House.

For my own part, I am a sincere friend to the Tariff, and have no doubt that the manufacture of woollens requires additional protection: the great question is, in what degree? We must know the extent of the evil, before we can proportion the remedy to it. Upon this subject, my principles have never changed. I have ever been in favor of affording such protection to our domestic manufactures, as will enable them to enter into fair and successful competition with foreign manufactures, in our domestic markets. If you go beyond this point, you reach prohibition; and thus afford an unnecessary and unjust protection to the manufacturer, at the expense of the consumer. On the other hand, if you fall short of it, you disappoint the just hopes of the manufacturer, and withdraw from him the foundation on which he has a right to expect that he shall stand. It is not easy to determine the precise point to which we ought to go. To err on the one side, will injure the manufacturer—to err on the other, will injure the consumer. The woollen manufacturers themselves differ, as to the degree of protection necessary. How, then, can we decide between them, without calling them before us, and ascertaining the facts upon which their respective opinions rest? My colleague [Mr. STEWART] may know the precise degree of protection necessary. I confess I do not. Even the Committee of Domestic Manufactures are in the dark upon this subject.

Who are the manufacturers, that we dare not approach them? Shall we be so careful of their accommodation, that we must act blindly, rather than send for them to give us information? Shall we run the risk of injuriously affecting the agricultural interest, and all the other interests of the country, rather than send for a few of those gentlemen who are our petitioners, to inform us as to the degree of protection which their establishments require? This would be ill-timed and injudicious kindness. If we send for them, their expenses must be paid by the House. It certainly cannot be a very grievous matter for them to spend a few days here, during the fashionable season, at the public expense, when so many of our citizens visit Washington voluntarily, at their own private cost.

I confess I did not understand by what authority my colleague [Mr. STEWART] undertook to propound the questions which he has done to the Committee of Manufactures. They are not now upon their trial. They are not bound to answer such interrogatories. They have exposed their reasons for making this request before you, and they merely wish to obtain your advice upon the subject. They will rest satisfied with whatever may be your determination.

Before I sit down, I must say, I am glad that my colleague [Mr. STEWART] and myself at length agree upon the articles proper to be embraced in the Tariff. The abortive attempt which he made to amend this resolution, shews, that he is now willing to protect other interests besides those contained in the Woollen Bill of the last Session. Since that period, new light, from some quarter, has beamed upon his mind; and who can, therefore, tell, but that the information sought to be obtained by this resolution, may illumine the minds of others? At the last Session, when I proposed to include in the Woollen Bill several of the articles enumerated in the amendment which that gentleman has this day offered, he voted for the previous question, which was carried; and thus my purpose was defeated.

Mr. BUCHANAN here yielded the floor to Mr. STEWART. Mr. STEWART rose to explain. He had, at the last session, voted for every proposition the object of which



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was to protect either manufactures or agriculture. He had never voted against a Tariff question, and never would. He had never voted against a single proposition in any shape, which, in his judgment, was calculated to protect domestic industry. He had voted for the woollens bill of last session, not as being all that he wished, but as being all that he could get—and on this ground only.

Mr. BUCHANAN said, I cannot be mistaken in the fact, that the gentleman [Mr. STEWART] did vote for the previous question, upon the occasion to which I have referred. It will be for the House and the country to decide, whether the explanation of that vote which he has now given, be satisfactory or not.

Mr. RANDOLPH rose. His object was, he said, barely to offer a single suggestion, in addition to the very judicious and valuable observation which had fallen from the gentleman from Louisiana, [Mr. LIVINGSTON] and one which, considering his professional experience and eminence, he wondered he should have overlooked. It was that this resolution proposed to give to the committee the great benefit of *viva voce* testimony in contradistinction to that which was written only. He was not himself a professional man, but he would leave it to those who were of the profession, and understood the difference between examinations and cross-examinations, and depositions in Chancery, to how much more a *viva voce* examination was calculated to extract the truth from a witness whom one could see and hear, than that of a bill and answer in Chancery, where the witness is absent, and can be neither seen nor heard. The difference between these two modes of examination amounted, in most cases, to the difference between arriving at a true or a false conclusion. One word more, and he had done. It was not his place, he said, to interfere to settle the difference between the two Representatives from Pennsylvania—*"Non nostrum tantias componere lites."* This debate had, however, had the effect to disclose that something, of which the wisest man living had denied the existence—which was "something new under the Sun." For, the gentleman from Pennsylvania [Mr. STEWART] had discovered that a committee of this House, some years ago, did make a report upon a certain day in the next month. Now, if facts like these can be brought forth upon the testimony of members of this respectable House, said Mr. R., there is no knowing what may not be elicited by a personal examination of those intelligent persons whom the committee propose to summon before them.

Mr. WOOD, of New-York, said, that his objection to this resolution rested on none of the grounds which had been stated. I doubt, said he, the power of the House—that is my difficulty. It has been once decided, at least as I understood, that the whole judicial power of this House related to two classes of cases only. The one is, that of contested elections; and the other respects cases of malversation in office. Such has ever been my opinion. This, therefore, is a novel case for the exercise of such a power. The manufacturers apply to us for an increase of duties. Does this differ from an ordinary application for relief? Not at all, as to this principle. I therefore think it a case where we have no power. Every committee clothed with such a power is constituted a judicial tribunal. Where do we get the power to do this? I deny that it exists. The facts which bear on a petition must be substantiated by the petitioners in their own way. If their allegations are believed to be false, it is the duty of the committee to report against them; but if they believe them true, and the request reasonable, it is the committee's duty to report in their favor. If the petitioners volunteer, without any compulsion from us, to submit affidavits, and to exhibit their accounts, their allegations may be thereby confirmed; but this is a matter which must be left entirely to themselves; and when

they have produced such evidence as they think fit, it is then for the committee to judge of its credibility, and report accordingly.

Mr. BURGESS, of R. I., said, that he did not rise, at this late hour, to discuss the merits of the resolution, or the amendment, but to move a postponement of the whole question till Wednesday next, and that, in the meanwhile, the SPEAKER should examine the records of this House, to discover whether any precedent exists for the grant of such a power, in a case like that now before the House.

The question being put on the motion for postponement, it was negatived by a large majority.

Mr. WRIGHT, of N. Y., then addressed the House, and said, that, as he had been honored with a situation in the Committee of Manufactures, he felt the more entitled to ask the indulgence of the House, in offering a few statements and explanations, in reply to what had been advanced on the other side; and he would first remark, that it was three weeks, and not four weeks, as had been said, since the members composing that Committee, had been announced to the House. For some days after their appointment, not a single memorial, either for or against an alteration in the present tariff of duties had been laid before them. Then a few petitions, very briefly and generally expressed, were received from two or three of the States; and, if the gentlemen who seemed to censure the Committee for negligence, had had an opportunity of examining these documents, they would have found that they all had relation to what had been denominated "A National Convention in Pennsylvania." Petitions of this kind were all that the Committee had before them for a considerable time. When he said this, he meant officially before them, in such a manner that the Committee could act upon them. He admitted, indeed, that the members of the Committee had, individually, seen a pamphlet which had been very freely circulated, and which had respect to the doings of that Convention. But it was never placed officially before either the House or the Committee, until about ten days ago. This was all the time the Committee had had to deliberate on several distinct propositions submitted to them, and he might be permitted to refer to the proceedings of this House, and to its progress in business, as an answer to the imputations thrown out as to the industry of the Committee. The resolution which had been this day offered, had been resolved on, in Committee, some days ago, and it was presented to the House on the very first opportunity that offered. He had been an advocate for its adoption, and he would now briefly state some of the reasons that had influenced him. It had been said, that all the information, necessary to a right decision on the general subject, is already before the House and the Committee. This might be true, for aught he knew. His own experience in legislation had been very short, and he was unable to say what amount of knowledge might be possessed by others, but for himself, from the industry which he had been able to bring to bear within the short time allowed him, (and he had examined diligently all the public documents and reports of former Committees which were said to contain this species of information) he found himself still greatly at a loss, and in want of much information, of which the public documents were destitute. The whole subject stood in need of the exhibition of more precise detail. Two questions had been submitted to the committee; the first was, are any alterations at all, in the existing Tariff at this time necessary? It had been said, that on this point the public mind had been deeply interested, and the public sentiment expressed with sufficient clearness to authorize the Committee in coming to an affirmative decision. Should this be admitted, another question arose, and that was, to what extent is this alteration necessary, in order to attain the ends in view? On

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this question, gentlemen might examine all the memorials of the Manufacturers, all the reports of the Committees of Manufactures, as well as the Executive communications, (at least as far as he had been able to investigate them) and they would not discover any thing to inform them whether five, eight, or fifty per cent. was to be added to the present rate of duties. Now this was precisely the kind of information of which he stood in need; he meant to be understood as referring to some particular branches of manufacture; and there were others of a similar character, on which other petitions might yet be presented. There were, however, some branches to which these remarks did not apply.

But one chief subject on which he felt this want of information, was the manufacture of woollens. The Harrisburg Convention, had, on this subject, proposed a series of minimums, to constitute a scale of duties which, according to their judgment was requisite and proper for the protection of that manufacture. But, had the members of that Convention given to the world any facts, calculated to shew that the rates they proposed were such as precisely to furnish the degree of protection required, and neither to fall short of, nor to exceed it? He could not find this in their pamphlet.

In what situation then did he stand? As a servant of the House, he was commanded to examine a certain subject, to bring his mind to a conclusion with respect to it, and report a bill for the action of the House. The House had a claim upon him for the performance of this duty, and he was unwilling to be compelled to report upon the subject, when he was not in possession of the facts requisite to form a decision. If, indeed, the House should say to him, go on, and do as well as you can, with such lights as you have, he was perfectly willing to obey them. All he wished was to express the difficulty under which he labored in the discharge of his duty, and to ask the House to assist him. If they should be of opinion that it was improper to do so, he was entirely willing to proceed with such means of knowledge as were in his power.

To the questions whether this was a novel case, and whether the power now asked resided in the House, he did not profess himself able to decide; his parliamentary experience had not been such as to enable him to do so. He would, however, suggest to his colleague [Mr. OAKLEY] who had offered the amendment, that, as it now stood, it did not require the witnesses who might be summoned, to bring with them any papers. Supposing, then, that the committee should send for the agent of some manufacturing establishment, for the purpose of examining him in relation to its concerns, would not the witness, in order to give precise replies, want the books of the establishment? By referring to these, his information could be rendered specific. He suggested, therefore, whether the amendment ought not to be so modified as to attain this object.

Mr. CAMBRELENG expressed himself in favor of the resolution. He said he had occupied himself during the Summer in collecting what information was in his power, on the general subject of the woollen manufactures of this country, and he had obtained from different quarters statements directly the reverse of each other. He had found that some fabrics yielded the manufacturers 25 and others 50 per cent. upon their capital. As an instance of the contradiction to which he had referred, Mr. C. stated one case. A memorial, received at the last session from one of the New England States, declared that the capital employed in a certain manufacture had suffered a reduction of more than 10 per cent. He had happened, in the Summer, to fall in with one of the proprietors of the very establishment to which that memorial referred, who told him that on the 1st of April they had taken one account of stock, and on the 1st of October another, and that the difference was such, that, during those six months they

had been enabled to divide 10 per cent. profit upon their capital. Mr. C. said that he was anxious that the committee should be enabled to decide between conflicting statements of this description. For this end there was no need of sending to Machias, or Missouri, or New Orleans. He had no doubt that his colleague was correct in saying that the gentlemen concerned would of themselves be very willing to come here and testify. He knew of one gentleman from New York, who was shortly expected here: he was an extensive manufacturer, and had lately been enlarging his establishment. When that gentleman arrived, Mr. C. said, he should wish to go before the committee and examine him for himself, and he thought that every other member of the House ought to do the same. Sure he was, he said, that if they did not do so, they would not do their duty. One gentleman had expressed great surprise that such a resolution as this should be offered, and another had doubted the power of the House to grant such authority. It had been called an unprecedented measure. For himself, he believed it quite unprecedented that any party or combination, of whatever name, whether friend or enemy to a proposed measure, should attempt to stifle information, and keep the House in the dark. Gentlemen ought not to depend on the statements of any memorials whatever, but ought to adopt the practice of the British Parliament, and bring the manufacturers before them, take minutes of their examination, and publish them to the nation. Some of the memorials, Mr. C. said, intimated that their business was a losing one. The statement of others was very different. They professed themselves satisfied with the tariff as it now stood, and able to do a profitable business without further protection. If, however, this interest is really suffering, let that suffering be made clearly manifest, and then let the friends of the manufacturers introduce and carry through this House such relief as their situation may require.

Mr. OAKLEY said, that almost every gentleman who had spoken, seemed to misunderstand his amendment, and he began to think he misunderstood it himself. One of his colleagues had started a doubt as to the power of the House to grant such authority as was now asked. For himself, Mr. O. thought, it was founded on the common law of Parliament. The Legislature must possess all that power, which was requisite to procure the information necessary to its acting understandingly, on every subject which came before it. But it certainly did not follow, should this resolution pass, that the committee must, therefore, resort to coercive measures. But if the House should doubt its power to authorize them to do so, nothing was easier than to modify the resolution, so as only to invite voluntary attendance. He did not, however, believe there was the least occasion for solicitude on this subject. The manufacturers, instead of needing to be compelled, would eagerly embrace the opportunity of attendance.

The gentleman who had just taken his seat, Mr. O. said, had alluded to an individual residing in the district which he represented, and who had been delegated by the People of the county, to attend to their interests before this body. He is (said Mr. O.) a man of great experience and of great intelligence. He is not only willing, but anxious, to testify under oath, before a committee of this House, and there to show why it is necessary that further protection should be extended to the woollen manufacture; and I venture to predict that the result of his examination will be of ten-fold more advantage to a right understanding of this subject, and to the interests of the manufacturers, than that of all the gentlemen on this floor. It need not be apprehended that witnesses are going to be dragged before this House by any oppressive coercion. If the manufacturers have truth on their side, they will promptly and anxiously disclose the

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real state of facts; and our calling them will, in my judgment, be a means of bringing this matter to a close in a much shorter period than any other measure that could possibly be adopted. Gentlemen seem to apprehend not only delay but defeat to the general measure, should the resolution pass. I, on the contrary, do verily believe that, if the committee shall exercise their power with discretion and in good faith, instead of retarding, it will greatly expedite the passage of the bill. I have, to be sure, no personal experience in legislating on this subject, but I have had occasion to remark, while observing what has been passing here, that much of the time of the House has been lost, owing to the difference of gentlemen as to the real state of facts. One has declared it to be in one way, another in another; and thus, day after day has been wasted in getting at the facts with which the discussion ought to have started. My pursuits in life have been such as to preclude me from all practical knowledge, on the subject of manufactures; and if, to supply my own deficiency, I look to the members of this House, on whom am I to rely? On the gentleman from Pennsylvania, [Mr. STEWART?] Certainly I should fully rely on any fact he would state from his own knowledge; but his facts are derived from others! On my colleague from New York, [Mr. STOWNS?] For his opinions I have the highest possible respect; but his opinions in the matter rest on the facts as he learns them from others. On what, then, can I rely? I am reduced to the necessity of acting by faith. Now I am unwilling to do this, unless it is absolutely necessary. If, indeed, I am driven to the necessity, I must give my vote by the best lights I can obtain, but if I can get better, as I believe I can, through the medium of this resolution, I shall certainly be desirous of so doing; and surely the gentlemen themselves must be satisfied, that such a course will conduce to the promotion of their own views.

From the course of the discussion, which had taken place, Mr. O. said, he rather thought, that the idea would be held out, that all those who advocate the proposition now before the House, are opposed to manufactures. Mr. O. protested against any such inference. He stated that he was himself a decided advocate of domestic industry. He was desirous to give it such encouragement, as should enable it successfully to compete with foreign manufactures. In one word, he would encourage our own manufactures, but he would not force them. Shew me, said he, that further duties are necessary, to enable the domestic manufacture to compete, on equal terms in our market, with the foreign, and I will go as far as any gentleman in this House to do what is necessary for its protection. On this subject, Mr. O. said, his information was by no means of a decided character. Some manufacturers have said, that they can get along very well without any additional protection; whilst others maintained directly the contrary. Now, Mr. O. asked, is it not due to the People, before we impose upon them any additional burthen, to ascertain whether it is necessary to do so, in order to obtain the object, which they themselves have in view? We are informed, said he, by the members of the Committee of Manufactures, that even the memorials differ, as to the facts of the case which they present to Congress. If they thus differ in their statements, how is the committee to determine between them? If the authors of the memorials were here to be personally examined, the causes of the difference could be easily ascertained. Nor did Mr. O. suppose, that the measure, if it succeeded, would lead to any material delay: nor did he believe, that it would be necessary for the committee to send to remote parts of the country for witnesses. He believed, that if it was known, that this House wished persons to appear before its committee, they would have before them, in a very few days, as voluntary attendants, more persons than they wished to

examine. For, if the manufacturers, in their allegations, have truth on their side, they will be glad to disclose it; and, if they have truth on their side, they will be glad to disclose it under oath. If there should be any unreasonable delay of a report on this subject, it will be the fault of this House: for, if the committee show any disposition to evade this duty, and delay a report, on the ground of the examination of witnesses, it would be competent to this House to withdraw the authority it had given, &c. Mr. O. proceeded to answer the objections to the exercise of the power, from which, in the modified form proposed by his amendment, he contended, no inconvenience was likely to be experienced.

Whether this resolution should be adopted or not, Mr. O. said he had his views in relation to the general policy of the protection of manufactures; and, when necessary or proper to express them, he should do so. But before he came to the application of his general views to the business of legislation, he wished to have more definite information as to facts. He wished to have it ascertained, for example, by a careful examination of testimony, whether a man of sufficient skill, capital, and economy, cannot now manufacture woollen cloths, and make upon that business, in competition with the foreign manufacturer of the same article, a reasonable profit. If so, was there any gentleman in this House who wished to go further in the protection of that manufacture? Surely not. Now, on this point of fact, Mr. O. said, some gentlemen were satisfied. He was not so. If the result of the proposed examination were to make it apparent that further protection was necessary, then let it be given; but let the truth be ascertained, to whatever conclusion it might lead.

In reference to the remark which had been made, that the information already before the House on the subject, came from an interested quarter, Mr. O. said, it does so; and to be correct, it must come from such quarter, because those only who are interested are qualified to testify on the subject. He did not object on that account, therefore, to the testimony on the subject before the House, but only wished an opportunity to examine and cross-examine the witnesses on the subject, to obtain a view of the truth in all its bearings, &c. He wished to know the amount of capital employed in particular branches of manufactures; the expense of such manufactures; the annual profit upon the capital, &c.—particulars which could not be obtained with certainty in any other way than by oral testimony, &c. &c.

Mr. BURGESS now moved an adjournment, but withdrew his motion at the suggestion of

Mr. BARTLETT, who moved to lay the resolution on the table, with a view to take it up on the first succeeding hour of business.

The motion was negatived, without a division; and the question on Mr. OAKLEY'S amendment being about to be put,

Mr. CONDICT asked that it be taken by yeas and nays, but the House refused to sustain this request.

Mr. WOOD, of New York, said he was not satisfied with the answer of his colleague. The power of the House of Commons, and the power of Congress, were very different things. Parliament had no written Constitution to control it; and its members are in the daily habit of doing what would here be considered as unconstitutional, and highly improper. He believed, however, that even in England, in examinations had with respect to the corn-laws, and some other subjects, those who testified had gone voluntarily before the House. No compulsory process had been resorted to. He repeated the declaration of his opinion, that the only cases in which the House has a right to send for persons and papers, are those of impeachment, and of contested elections. The power to be exercised was a very high and

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awful power, and, with all humility, he might be permitted to say, the House, in this case, cannot exercise such power. When an individual comes before you, and asks relief, you have no right to compel him to declare, upon his oath, on what ground he rests his claim. It is an imposition to attempt it. To do it, would be tyrannical in the highest degree. If the committee sends for a person, it must send a warrant, or a subpoena, and the individual sent for must come, and must answer. If not, you commit him for a contempt, and, when he has come, and stands before your committee, what are the rules to govern the committee in their examination? Courts have rules to restrain them. A committee has none. They are left to their mere discretion, and the individual must bring all his books and papers, if required. Sir, this is an inquisition, which every Court of Law abhors. It is odious, and oppressive, in the highest degree, and I, for one, will never consent to it.

Mr. STEVENSON, of Pennsylvania, now called for the reading of an extract from the Journals of the House, which had respect to the granting of similar power, to a committee who were ordered to investigate the sale of lots belonging to the United States, in Washington City.

Mr. SPRAGUE next addressed the House in reply to (Mr. OAKLEY,) whose argument, he said, had proceeded on the ground that there was no need to compel the attendance of witnesses, inasmuch as all the persons interested would flock to this city, to give, of their own accord, the required information. All, then, that was proposed, was, to authorize their examination when they should come. Now, I, said Mr. S. had always thought that the committees of this House possessed this power already, and this opinion has been confirmed by a recent statement of the Hon. Speaker. The resolution, however, says, that the committee shall have power to send for persons to testify. My answer, then, to the gentleman from New York, rests on the ground which he has assumed. If these witnesses will come voluntarily, the power proposed to be granted is wholly unnecessary, and I for one never will clothe any individual or collective body with unnecessary power, especially when the power asked for is both great and unusual. That now asked is such a power, and, by the gentleman's own showing, it is unnecessary. But I go further, and say, that if the committee shall propose an oath, and the witnesses shall decline it, the inference to be drawn from their refusal is, that they suppose the information they are required to give is contrary to their interest, and that the representations they have submitted in their memorials is not strictly consonant with truth.

I agree with the gentleman from New York, in the opinion, that so soon as the wish of the committee shall be publicly known, the manufacturers will instantly flock to this House; but the granting such a power as is expressed in the resolution, will naturally infer that the committee are to exercise it, and to delay their investigation till they can do so. The amendment of the gentleman changes the whole ground at first taken. He asks the information for the House; but the committee ask it for themselves.

Mr. OAKLEY here explained, and acknowledged that if the committee was already possessed of power to examine witnesses on oath, the resolution would be unnecessary. On that point, however, he was desirous of information; the practice was different in his own State. He presumed, from the form of the resolution, the committee intended to ask for this power; and he now heard it said on all hands around him that there could be no doubt about the matter, and that no such power was in the committee until granted by the House. He concluded, therefore, that the gentleman from Maine must have been under a mistake.

Mr. WRIGHT, of Ohio, said, if he understood the

question before the House, it presented itself in this aspect: The Committee on Manufactures ask of the House to confer upon it power to send for persons and papers, without specifying any particular object for which the power is sought. The amendment offered by the gentleman from New York, [Mr. OAKLEY,] proposes to grant the power to examine witnesses, on oath, touching the present condition of our manufactories, and to report their testimony to the House. I sought, said Mr. W., in the inquiries I before directed to the majority of the committee, information which would enable me to discharge the duty devolved upon me, that I might vote understandingly on the proposition. I do not desire to withhold any information that can be obtained, bearing on the subject before the committee. I have listened, sir, attentively, not only to what has been said by the two gentlemen who are members of the committee, but also to what has fallen from all the other gentlemen who have addressed the Chair, in the hope of learning the specific beneficial object to be attained by agreeing to the proposition of the committee; but have listened in vain. The gentleman from Pennsylvania, [Mr. STEVENSON] from the committee, informs you he wants the power to send for persons and papers, in order to obtain information that will reconcile the contradictory statements in the memorials sent to the committee; that will advise him what subjects require an increase of duty, and the quantum of increase; that will remove the committee from any imputation of error; and that will devolve upon the House the responsibility of refusing the information sought. The gentleman from New York, [Mr. WRIGHT,] who is also a member of the committee, wishes the power granted that the committee may ascertain what subjects need protection, the quantum of increase in the duty that will attain the prudential point, and to enable the committee to sustain their bill or report when before the House. It will be seen, sir, by any gentleman, who will advert to the inquiries made, that the information given by the committee does not touch the subject, and is not satisfactory. After all we have heard from different quarters of the House, who can say to what point the inquiries of the committee will be directed? Do they want information of our capacity to manufacture woolen goods, or iron, or any other article? Or whether either of those articles are protected? We are not told, and we know not, only from conjecture. It is true, the gentleman from Pennsylvania [Mr. STEVENSON] speaks of the quantity of wool imported into Boston for the three years past, showing a constant decrease in the quantity of fine wool, and a corresponding increase in the quantity of coarse wool imported; but I am not able now to see how that fact affects the question, or, if it does, the gentleman seems informed on the subject. He has already the information he desires.

In discussing this subject, it is proper to inquire if this House is possessed of the extraordinary power sought to be conferred on this committee, and, if it is, whether it is expedient to exercise that power on this occasion? I will not affirm, sir, that the House has not the power: for I am ready to confess, that, on that subject, my mind is not free of doubt. I am aware that the power is exercised by the Parliament of England; but I cannot admit that every thing that has been done by that body, may be done by this House. The power is exercised in Parliament under some limitations and restrictions, which I am not now prepared to particularize. I may be permitted to say, however, that a strong argument against the existence of the power in this House is found in the fact that, from the adoption of the Constitution until this period, during all the different subjects discussed in Congress, during all the former animated and warm discussions on the Tariff question, it has never been sought to confer this power on any committee of the House, ex-

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cept on subjects connected with the discharge of its judicial functions; and no such committee has ever before asked to have this power conferred. I do not say this is conclusive that we have not the power; but, I think it well worthy of serious consideration.

But, sir, if we have the power, is it expedient to exercise it on this occasion? Gentlemen are desirous of obtaining evidence of facts: are they within their reach? Can a knowledge of them be obtained through the medium proposed? The memorials, we are told, present conflicting opinions and statements, leaving the committee in doubt and difficulty as to the truth. Will the exertion of the power to examine witnesses, on oath, remove the difficulty? You desire to know the state of your manufacturing establishments, the amount of protection required, if any. This depends on matter of opinion, not of fact. When you have examined your witnesses, and obtained their opinions, as to the cause of the depression of the manufacturing interest, you will find them variant, like all other human testimony, conflicting and contradictory; and then will devolve upon the committee the performance of the very same duty they wish to avoid, by their application to the House—the task of reconciling, if in their power, contradictory statements and opinions, and eliciting the truth from the whole mass of evidence. This will be the case, in a greater or less degree, whether you have one witness or many, and is well known to all in the habit of searching for truth in the testimony of witnesses. No good, then, will result from conferring this power. Gentlemen certainly do not wish to falsify the custom house entries, abstracts from which are annually laid before us. In relation again to the article of wool that has been mentioned, the custom house entries show the quantity and kinds imported; and if there be any information back upon that point, or any showing whether the increased importation of coarse wool is owing to the employment of false invoices, reducing the price of the wool abroad, to defraud the revenue, I suppose that can be obtained from the Treasury Department upon an ordinary call of the House, without the power sought to be obtained. The proposition is inexpedient, on other grounds. As a precedent, it is exceedingly dangerous. Should the grant of such a power become common, it would lead to the exercise of inquisitorial powers. The gentleman from New York [Mr. WRIGHT] has told us that, if the proposition of his colleague obtains, it will fall short of his object in one particular. He adverts to the possible necessity of examining an agent of some manufacturing establishment, and objects that the power is not given to compel the production of the books of the Company before the committee. Are gentlemen prepared, sir, to establish an inquisition in this country, that shall pry into the business concerns of individuals, upon common subjects of general legislation? I hope not. The delay attending the exercise of this power, if granted, will, in my opinion, inevitably defeat any efficient legislation, having, for its object, protection to our manufactures during the present session. I do not mean to say the committee so intend; but, I do mean to say, such is the natural tendency of the proposition, and such, I think, will be its result. It is singular, sir, that at this particular time, when the country is alive to this subject, it should be thought advisable to introduce this proposition. Are gentlemen prepared to say to those who have so long asked our protection, go your way, we do not understand your claims? I have felt it to be my duty to present these considerations to the House. It is not my object to consume time. I am not satisfied with the reasons given for the proposition. In any and every aspect in which I am able to view it, it appears to me inexpedient. I am not able to see any possible good that can result from it; on the contrary, I fear much evil.

Mr. RANDOLPH said, that of the existence of the power in the House to examine persons upon oath, and consequently of the power to delegate it, there had never been, during thirty years that he had had the honor of a seat in Congress, a shadow of doubt. It had been exercised ever since he was a member of the House, and long before. It was now within six weeks of being thirty years since the following act was passed.

[Here Mr. R. quoted an act giving the power of administering oaths to the Speaker, to the Chairman of Committees of the Whole, and the Chairman of the Standing Committees of the House.]

This law, said Mr. R., supposes there may be occasions requiring the exercise of this power by the Standing Committees of the House. My recollection on this subject is very different from that of the gentleman from Ohio, who has just taken his seat. I know that such powers have been given by this House to committees, and that committees have required from the House, on different occasions, the power to send for persons and papers. This same law was re-enacted in 1817. It was first passed in February, 1798. I acknowledge that those were hard unconstitutional times, and ought not to be drawn into precedent; but this law has since been re-enacted, in other and better times.

Mr. SPRAGUE now made some observation, which was not distinctly heard by the Reporter, but was understood to be, in substance, that Committees of the House do possess the power to take testimony on oath, without being specially authorized.

Mr. RANDOLPH said, true, sir, they do possess that power, but not to send for persons.

Mr. SPRAGUE resumed. The gentleman from New York says, that the manufacturers will come willingly, and of their own accord, and he also said, that if the committees already possess the power to take testimony, this resolution was unnecessary. It is now admitted that they have that power; my proposition is then fully established, unless the granting of a power to send for persons implies that such a power is necessary, and must be exercised. I hope it will not be contended, that the power of the committee depends on the question, whether the witnesses will have to be brought forcibly or not. The power is in the committee by its organization.

Mr. OAKLEY said, in reply, that he had not been aware, when last up, that a power to take testimony on oath was vested in the committees of this House; but since such appeared to be the fact, he hoped the Committee of Manufactures would avail themselves of it. Should any of the witnesses called before it refuse to testify on oath, the House could then exert its power to compel them: if, however, they will attend and testify voluntarily, said he, I shall be content. If any gentleman shall wish to coerce their testimony in any case, he will have an opportunity of applying to this House for the power to do so. Mr. O. felt satisfied, therefore, that the committee would, in one way or the other, attain the objects in view, and he, therefore, now felt very indifferent whether the resolution passed or not.

Mr. FLOYD, of Virginia, said, that it seemed to be thought by some gentlemen that these manufacturers would come voluntarily before the House, and give any testimony that was required. I, said Mr. F., am of a different opinion. I believe that the time has come when Congress is bound to present to the country some authentic data on this subject of protection. I have been a member of this House when the former Tariff Bills were passed, and was once a member of the Committee of Manufactures, and I well remember that, from the very first Tariff down to the last which passed this House, the same cry was constantly repeated, "Give us but this, and we will be satisfied." The gentleman from Pennsylvania has told the House, with very great empha-

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sis, that he never voted against a tariff bill in his life, and never will vote against one. Almighty God! And are we come to this state of things? A gentleman from New York informs us that we have, already, information in great plenty; that the reports made when the last tariff bills were before us, contained all that we need to know. Unluckily, I was in the minority when that bill passed. I happened to come from the country that was to be squeezed, and I well remember the manner in which that bill was got up. At one time it was asked, in the Committee, Shall we put iron wire into this bill? And, at another time, a handful of wood screws was laid upon the mantelpiece of the Committee room, to give the Committee ocular demonstration that we could in this country, make wooden screws: (nay, it was but the other day when a petition on this very subject of wooden screws, was presented to this House.) As an instance of the impropriety of listening to such petitions, I will just state one fact. Some gentlemen took it into their heads that we could, in this country, manufacture umbrellas to great advantage, (and it is true enough that we can make fine umbrellas in great numbers,) and they prayed this House that the importation of square wire might be prohibited, because that kind of wire was employed in making the stretchers of the umbrellas. Well, the House granted the petition; square wire was prohibited; and what followed? These umbrella makers were obliged to import the stretchers ready made, because they could not make them of our own wire, and the importation of square wire had, at their own request, been prohibited. On the subject of iron, we had a low and whispering voice from Virginia. In consequence of this, I made inquiry of one of the principal iron masters in that State, whether any further protection was indeed necessary to that branch of manufacture, and I found that this man had been asked to sign the petition that came up to this House, but had positively refused, saying, that he could not, in conscience, ask for the additional duty; but, if Congress would force it into his pocket, he should certainly be very well satisfied. I farther found, that the Manufacturers are in the habit of selling their iron to their own neighbors, at a certain price, and after carrying it eighty miles by land, they will sell it at twenty dollars per ton less. Now, who pays for this? Another thing I have observed is, that whenever there happens to be a surplus in the National Treasury, these people immediately ask for new duties, because they can then urge that these duties will not injure the revenue. During the present session we have been told in the report of the Secretary of the Treasury, (who seems on this occasion to have acted the part of deputy President, for who empowered him to recommend measures to this House?) that we shall have a surplus of five millions in the Treasury. Immediately, these Gentlemen Manufacturers congratulate one another, that now is a fine time to get a new Tariff. But, if the Committee shall be empowered, as it is now proposed, to send for persons and papers, their contradictory statements will be exposed to the public, and the truth will come out. And is not this a consideration which deserves our serious regard? Besides, I would ask if one man sets up a manufactory in a country where provisions are cheap, where the population is abundant, and the people poor, where he has a great water power, and where he can bring the raw material to his very door in ships, whether he cannot afford to sell his manufactures cheaper than another man, who is obliged to transport his materials far into the interior, and there to pay from thirty to forty thousand dollars for a steam engine? One of the gentlemen from Pa. (Mr. STEWART,) has told us that this measure is all for the benefit of the farmers. Sir, I am a farmer; I hold an estate in Virginia; and while members of this House were voting a Tariff to protect the suffering manufacturers, I was selling corn at ten cents

a bushel. The gentlemen, though they were importuned not to insult the agriculturists of the country, put into their bill a duty of twenty-five cents per bushel on imported wheat, while flour is now selling in Virginia at three dollars and fifty cents a barrel.

Now, I appeal to this House whether it is not time to take some step to put a stop to this eternal cry about protection. From 1818 to this hour, the manufacturers have been continually telling us that they would be satisfied. But are they satisfied? If the Committee shall be clothed with the power they now ask, they will, of course, be bound to use it in a prudent and proper manner. If they shall transcend their authority, and attempt any oppressive measures, they will offer contempt to this House, and any individual on whom they may make the experiment will find prompt and ample protection at its hands. The committee must exercise so great a power on their own high responsibility, and I, for one, have no fears that they will abuse it.

The question was now taken on the amendment of Mr. OAKLEY, and carried in the affirmative—ayes 100, noes 78.

Mr. HOFFMAN moved to lay the resolution upon the table: whereupon, the question being taken, it was negatived without a division.

Mr. HOFFMAN then said that, in relation to the subject which had been referred to the Committee of Manufactures, he desired and needed information, as much as any one. He represented, indeed, a district which was not specially interested in the protection of the manufacturing interest: had it been otherwise, he might have sought, with more diligence, to inform himself on the subject; as it was, however, he had sought information with some care, but without success. Yet, anxious as he confessed himself to be, to get further light, he was not willing to hazard what had been said, and, perhaps, with some justice, to be the destruction of the proposed grant of protection, by delay. He had hoped to have obtained the information he desired in an authentic form, by testimony under oath. The allegations of the petitioners would then have been supported by something that could with certainty be relied on. It was certainly very desirable to dispense with long arguments to determine matters of fact. Those gentlemen, however, who are most interested in the general question, distinctly tell the House that the adoption of such a resolution as is now proposed, will, in its effect, be equivalent to an indefinite postponement; and I feel myself, said Mr. H., induced by their arguments to vote with them. I do this, however, on the ground that they speak in good faith when they assure us that they have all the necessary knowledge of the facts. I know that good accounts are kept by those who conduct our manufacturing establishments: The price of the raw material is recorded, and an accurate account of all the subsequent expenses attendant on its manufacture, so as to enable the owners, after a proper allowance for the interest of their capital, to fix on a price yielding them a reasonable profit. When, therefore, gentlemen tell us that they have all the knowledge of these matters which the question requires, I expect them, of course, to be prepared with extracts from the books of the manufacturers, shewing the prices paid by them for materials and workmanship, and those received for the manufactured article. We shall then be abundantly able to judge of the degree of protection they require. I am the rather induced to take this course, from having observed, that, while cottons are exported by us to foreign countries, no woollens are exported. I feel, therefore, inclined to allow some farther protection on the latter. On these two grounds, I am disposed to vote with those who oppose the present resolution. I feel indebted, however, to the Committee on Manufactures for having brought forward the measure at this time. It will be immediately promulgated, and the country will be ap-

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Navy Hospital Fund.—Chesapeake and Ohio Canal.

[H. OF R.]

prised of the information which that committee feels a need of. The manufacturers will, therefore, have an opportunity of shewing the truth and sincerity of their representations to this House. If, therefore, after the lapse of a few days, they do not present themselves here with the fullest evidence in the case, the conclusion drawn inevitably by all men will be against them. But if the manufacturers shall come before us with such precise and detailed statements as shall substantiate the declarations made in their petitions and memorials, then all that will remain for us to decide upon, will be the principle itself of granting protection: and, with respect to that as a general principle, I confess myself to entertain little doubt. They have now been fairly and fully notified of what we want, and I hope they will come forward with promptitude and furnish it. The only objection which, in my mind, remains unanswered, is, that, if the resolution is rejected, the manufacturer is to be left to come here at his own expense. This, I think, will not be treating him so well as he ought to be treated. The resolution in its present form does not propose any tyrannical compulsion, but merely offers an invitation to those gentlemen to come here, at our expense, to give us the knowledge they possess, and which we require. However, as the friends of the manufacturing interest appear decidedly to disapprove of the resolution, I have concluded to vote with them.

The question was then taken upon the resolution as amended, and decided as follows:

**YEAS.**—Messrs. William Addams, Mark Alexander, Willis Alston, John Anderson, William S. Archer, William Armstrong, John S. Barbour, Philip P. Barbour, Stephen Barlow, John Barney, D. L. Barringer, Burwell Bassett, George O. Belden, John Bell, William L. Brent, John H. Bryan, James Buchanan, Rudolph Bunner, C. C. Cambreleng, John Carter, N. H. Claiborne, John C. Clark, Henry W. Conner, Richard Coulter, Henry Daniel, Thomas Davenport, Warren R. Davis, John J. De Graff, Robert Desha, Clement Dorsey, William Drayton, Joseph Duncan, Jonas Earle, junr. James Finley, John Floyd, of Virginia, John Floyd, of Geo. Tomlinson Fort, Chauncey Forward, Joseph Fry, Levin Gale, Nathaniel Garrow, George R. Gilmer, Innis Green, Henry H. Gurley, Wm. Haile, Thomas H. Hall, James Hamilton, jr. Jonathan Harvey, Charles E. Haynes, Selah R. Hobbie, Gabriel Holmes, Samuel D. Ingham, Jacob C. Isaacks, R. Keese, John Leeds Kerr, Adam King, G. Kremer, Joseph Lecompte, Prior Lea, E. Livingston, W. Lumpkin, John Magee, J. H. Marable, Wm. D. Martin, Wm. McCoy, George McDuffie, Robert McHatton, Samuel McKean, John McKee, Charles F. Mercer, John Mitchell, Thomas R. Mitchell, James C. Mitchell, Thomas P. Moore, Gabriel Moore, William T. Nuckolls, Thomas J. Oakley, Robert Orr, jr. George W. Owen, James K. Polk, William Ramsay, John Randolph, James W. Ripley, William C. Rives, John Roane, Augustine H. Sheperd, Alexander Smyth, Michael C. Sprigg, William Stanberry, James S. Stevenson, John B. Stengere, John G. Stower, Wiley Thompson, James Trezvant, Daniel Turner, Espy Van Horn, G. C. Verplanck, Aaron Ward, C. A. Wickliffe, George Wolf, Silas Wright, jr. Joel Yancey.—102.

**NAYS.**—Messrs. Samuel C. Allen, Samuel Anderson, John Bailey, John Baldwin, Noyes Barber, David Barker, jr. Daniel D. Barnard, Ichabod Bartlett, Mordecai Bartley, Isaac C. Bates, Edward Bates, Philemon Beecher, Thomas H. Blake, Titus Brown, R. A. Buckner, Daniel A. A. Buck, Tristram Burges, Samuel Butman, Samuel Chase, James Clark, Lewis Condict, Wm. Creighton, jr. B. W. Crowninshield, John Culpeper, John Davenport, John D. Dickinson, Henry W. Dwight, Edward Everett, Benjamin Gingham, John Hallock, jr. Joseph Healy, James L. Hodges, Michael Hoffman, Jonathan Hunt, Ralph G. Ingersoll, Jonathan Jennings, Kensey

Johns, jr. Joseph Lawrence, Isaac Leffler, Robert P. Letcher, Peter Little, John Locke, John Long, Chittenden Lyon, Rollin C. Mallary, Henry Markell, Henry C. Martindale, Dudley Marvin, Lewis Maxwell, John Maynard, Rufus McIntire, William McLean, Orange Merwin, Thomas Metcalfe, Charles Miner, Thomas Newton, Jeremiah O'Brien, Dutee J. Pearce, Elisha Phelps, Isaac Pierson, David Plant, John Reed, Joseph Richardson, Wm. Russell, John Sloane, Oliver H. Smith, Peleg Sprague, Andrew Stewart, Henry R. Storrs, James Strong, Samuel Swann, Benjamin Swift, John W. Taylor, Phineas L. Tracy, Ebenezer Tucker, Joseph Vance, S. Van Rensselaer, Samuel F. Vinton, George E. Wales, G. C. Washington, Thomas Whipple, jr. Elisha Whittlesey, Joseph F. Wingate, John J. Wood, Silas Wood, John Woods, David Woodcock, John C. Wright.—88.

So the resolution was agreed to; and, at 5 o'clock, the House adjourned to Wednesday.

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WEDNESDAY, JANUARY 2, 1828.

## NAVY HOSPITAL FUND.

Mr. McDUFFIE, from the Committee of Ways and Means, reported the following bill:

A bill making an appropriation to the Navy Hospital Fund.

*Be it enacted, &c.* That the sum of forty-six thousand two hundred and seventeen dollars and fourteen cents be appropriated, out of any money in the Treasury, not otherwise appropriated, to the Navy Hospital Fund, and that the Secretary of the Treasury be directed to pay the same to the Commissioners of the aforesaid Fund, upon their requisition:

The bill was twice read, and committed for to-morrow.

## CHESAPEAKE AND OHIO CANAL.

Mr. MERCER, from the Committee on Roads and Canals, made a report, accompanied with a bill to amend and explain an act, entitled "An act confirming an act of the Legislature of Virginia, incorporating the Chesapeake and Ohio Canal Company," and an act of the State of Maryland for the same purpose. Which bill was twice read and committed for to-morrow.

Mr. MERCER also reported the following bill:

A bill authorizing a subscription to the stock of the Chesapeake and Ohio Canal Company.

*Be it enacted, &c.* That the Secretary of the Treasury be, and he is hereby, authorized and directed to subscribe in the name, and for the use of the United States, for ten thousand shares of the capital stock of the Chesapeake and Ohio Canal Company, and to pay for the same, at such times, and in such proportion, as shall be required of the stockholders, generally, by the rules and regulations of the Company, out of the dividends which may accrue to the United States upon the Bank Stock, in the Bank of the United States; provided, that not more than one fifth part of the sum, so subscribed for the use of the United States, shall be demanded in any one year, after the organization of the said Company; and provided, moreover, that, for the supply of water to such other Canals as the State of Maryland, or Virginia, or the Congress of the United States may authorize to be constructed, in connexion with the Chesapeake and Ohio Canal, the section of the said Canal, as leading from the head of the Little Falls of the Potomac River, to the proposed basin, next above Georgetown, in the District of Columbia, shall have the elevation above the tide of the River, at the head of the said Falls, and shall preserve throughout the whole section aforesaid, a breadth, at the surface of the water, of not less than sixty feet, and a depth, below the same, of not less than five feet, with a suitable breadth of bottom.

*Sec. 2. And be it further enacted,* That the said Secretary of the Treasury shall vote for the President and Direc-