

several countries to which the same have respectively been exported.

Statements of the goods, wares and merchandize imported into the several states from the 1st day of July 1791, to the 30th day of June, 1792, and from the 1st day of July 1792, to the 30th day of June 1793, specifying for each period, separately, the quantities and the prime cost and dutied values of each kind, and the several countries from which the same have respectively been imported.

Statements of the tonnage of foreign vessels entered into the several states from the 1st day of July 1791 to the 30th day of June 1792, and from the 1st day of July 1792 to the 30th day of June 1793, specifying for each period separately, the several countries to which the said vessels respectively belong.

Statements of the tonnage of United States vessels, entered into the several states, from the 1st day of July 1791, to the 30th day of June 1792, and from the 1st day of July 1792, to the 30th day of June 1793, distinguishing for each period separately, those employed in fisheries, in the coasting and in the foreign trade, and specifying the several countries from which the said vessels employed in the foreign trade, came.

The Senate adjourned to 11 o'clock to-morrow morning.

Tuesday, January 14.

Agreeable to the order of the day, the Senate took into consideration the motion made yesterday, for an amendment to the constitution of the United States, respecting the judicial power thereof.

On motion by Mr. Gallatin, that the motion be amended to read as follows:

"The Judicial Power of the United States, except in cases arising under treaties made under the authority of the United States, shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state;"

It passed in the negative.

On motion

That the motion be amended, to read as follows:

"The Judicial power of the United States extends to all cases in law and equity in which one of the United States is a party, but no suit shall be prosecuted against one of the United States by citizens of another state, or by citizens or subjects of a foreign state, where the cause of action shall have arisen before the ratification of this amendment"

It passed in the negative;

And on the question to agree to the resolution as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both Houses concurring, that the following article be proposed to the Legislatures of the several states, as an amendment to the constitution of the United States; which, when ratified by three-fourths of the said legislatures, shall be valid as part of the said constitution, to wit:

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another State, or by citizens or subjects of any foreign State.

It passed in the affirmative:

Yeas—23,

Nays—2.

The yeas and nays being required by one fifth of the Senators present—

Those who voted in the affirmative, are Messrs. Bradford, Bradley, Brown, Burr, Butler, Cabot, Edwards, Ellsworth, Foster, Frelinghuysen, Hawkins, Jackson, Izard, King, Langdon, Livermore, Martin, Mitchell, Monroe, Robinson, Strong, Taylor, and Vining.

Those who voted in the negative, are Messrs. Gallatin, and Rutherford.

Ordered, That the Secretary desire the concurrence of the House of Representatives in this resolution.

The Senate proceeded to the consideration of the following motion, viz.

"That the constitution be amended by adding at the end of the 9th section of the 1st article the following clause:

"Nor shall any person holding any office or stock in any institution in the nature of a bank, for issuing or discounting bills or notes payable to bearer or order, under the authority of the United States, be a member of either house, whilst he holds such office or stock; but no power to grant any charter of incorporation or

by commercial or other monopoly shall be hereby implied."

And after debate,

Ordered, That the further consideration of this motion be postponed until to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

Wednesday, January 15.

The following written message was received from the President of the United States by Mr. Dandridge his Secretary.

United States, 15th Jan. 1794.

Gentlemen of the Senate and

of the House of Representatives,

I LAY before you, as being connected with the correspondence already in your possession, between the Secretary of State and the Minister Plenipotentiary of the French Republic, the copy of a letter from that Minister of the 25th of December, 1793; and a copy of the Proceedings of the Legislature of the State of South Carolina.

G. WASHINGTON.

The message and papers therein referred to were read.

Ordered, That they lie for consideration.

The Senate resumed the consideration of the motion made yesterday for an amendment to the constitution of the United States, inhibiting the holders of any office or stock in the Bank of the United States, from a seat in either House of Congress.

On motion,

To amend the motion to be read as follows:

"Nor shall any person holding any office in any institution in the nature of a bank under the authority of the United States, be a member of either House, whilst he holds such office; but no power to grant any charter of incorporation, or any commercial or other monopoly shall be hereby implied."

And after debate the further consideration thereof was postponed until to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

Thursday, January 16.

The Senate resumed the consideration of the motion made yesterday to amend the motion under consideration the 14th instant, for an amendment to the constitution of the United States, inhibiting persons holding any office or stock in any institution in the nature of a bank of the United States from being a member of either House of Congress.

On motion,

To amend the amendment so that it be read as follows:

"Nor shall any person holding any office in the bank of the United States be a member of either house, whilst he holds such office; but no power to grant any charter of incorporation or any commercial or other monopoly, shall be hereby implied."

It passed in the affirmative.

Yeas—13,

Nays—12.

The yeas and nays being required by one fifth of the Senators present—

Those who voted in the affirmative, are Messrs. Bradley, Brown, Burr, Butler, Edwards, Gallatin, Hawkins, Jackson, Izard, Martin, Monroe, Robinson, and Taylor.

Those who voted in the negative, are Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, King, Langdon, Livermore, Mitchel, Morris, Strong and Vining.

On motion,

It was agreed to expunge the following clause of the motion last adopted:

"But no power to grant any charter of incorporation or any commercial or other monopoly, shall be hereby implied."

And on the question to agree to the motion, amended as follows:

"Nor shall any person holding any office in the Bank of the United States, be a member of either House, while he holds such office."

It passed in the negative:

Yeas—12,

Nays—13.

The yeas and nays being required by one fifth of the Senators present.

Those who voted in the affirmative, are Messrs. Bradley, Brown, Burr, Butler, Edwards, Gallatin, Hawkins, Jackson, Martin, Monroe, Robinson, and Taylor.

Those who voted in the negative, are Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Izard, King, Lang-

don, Livermore, Mitchel, Morris, Strong, and Vining.

On motion,

It was agreed that the further consideration of amendments to the Constitution of the United States, be postponed.

(To be Continued.)

CONGRESS.

House of Representatives.

January 14.

In committee of the whole, on the report of the Secretary of State, relative to the commercial intercourse of this country, with foreign nations.

Sketch of Mr. Madison's observations in reply to Mr. Smith.

(Concluded.)

Here Mr. Madison entered into a more particular detail of the items of the produce of the United States, exported into the French and British dominions, and of the imposts demanded by these nations respectively. As to Britain, there is a standing prohibition against the importation of wheat and flour into that country, until they rise to such a high price, that Britain cannot supply herself any where else than in the United States. In France, the only duty imposed, was one eighth per cent and that cannot be called a tax, but is only meant as a custom-house regulation, to ascertain the quantity imported. In the French West Indies, wheat and flour pass by a general law, duty free, that is, on payment of the said one eighth per cent. Rice is admitted on the same terms of one eighth per cent, into France, whilst in Britain, it pays 7 shillings and four pence sterling, per cwt. and in the French West Indies, only one per cent. In the British West Indies, it is free. Salted fish is prohibited in the British West Indies. Indian corn pays one per cent. in the French islands, and is free in the British. The only article that he had ever heard of exported from the West Indies to this country, which could be said to be advantageous to the manufactures of the United States, was molasses, which we get from the French islands; and this is almost the only instance, where we have raw materials from any country. He observed; that France would feel the want of our commerce, much less sensibly than Britain would feel it, as her internal resources were infinitely greater. The dispositions of the two countries towards us, were extremely different—Britain had behaved very coldly; and France very warmly.

After taking a comprehensive range thro' all the various articles of the produce of the United States, such as salted beef and pork, indigo, tobacco, &c. he shewed always the illiberal restrictions laid on our trade by the British policy, when compared to the benefits allowed to us by France, where our shipping may be naturalized, and many other advantages granted, that are forbid by Britain; to follow Mr. Madison thro' the whole of his details would be far beyond the limits of our plan as well as that we feel much diffidence in recording this important speech. We must therefore pass over some of the details, in order to observe, than when he came to make mention of the advantages derived by Britain, from the fur trade, in which the United States were naturally intended to participate, but from which they were actually restricted, by the detention of the Western Posts, this obliged him to introduce some political observations, which he was sorry he could not on the present occasion, refrain from doing.

He apologized for introducing politics into this question, a proceeding which had been so severely deprecated, by the gentleman who spoke yesterday. He felt it however, impossible to keep them altogether out of view, in considering the question now under discussion, and it must be confessed, that France had constantly displayed a disposition to cultivate our friendship, while Britain had shewn the reverse.

"I do not wish, said he, to enter into any irritating views. I could be content to forget, with the member who spoke yesterday, that the treaty of peace is not yet executed. I pass over the Western Posts, the Algerines, the Indians, the violation of neutral bottoms, the seizure of our ships, in contradiction to the law of nations; and their seizure in entering harbours which were not besieged. All this

I am willing to forget; but I must not forget the political interest of America; so far as to wish to foster the naval power of a nation, that has persisted in such hostile dispositions. A power, from whom we have nothing to hope, and I trust nothing to fear."

Mr. Madison never could discover upon what grounds we could be supposed to dread the consequence of the propositions. At the utmost, they went only to establish reciprocity, and in fact, did not even go that length. If we are a free people, we have a right flowing from our independence, to make what regulations we think proper. If it was the design of other powers, to drive us into a quarrel, we could not help it, and we must abide the issue, but if that was the intention of any of the powers of Europe, they could soon find a much better pretence, than any arising from the propositions.

He next noticed an old argument, that had so frequently been advanced in regard to the unequal operation of tonnage laws on the different states, but there was no state that would make a greater sacrifice than Virginia, from which he had the honor to be a representative. The southern states, as to domestic manufactures, were hardly inferior to the northern, and were rapidly advancing to an equality. The materials of ship-building were produced more abundantly in the states south of Pennsylvania, and they exported the most valuable commodities. They had consequently a greater risque on the element of the sea, and therefore stood in need of being protected by maritime regulations. The proportion of ships built in America to those in Britain previous to the revolution, was as twenty-three to forty. Three fifths of these were built in the eastern states, and two-fifths in the southern states.

Here he quoted the opinions contained in a report of one of the officers of the executive of the United States, which mentioned; that Britain during the last hundred years, had spent forty two of them in war, and fifty eight in peace; the consequence of which has been extremely injurious to the mercantile interest of America. Mr. Madison entered into some further details, through which we found it difficult to follow him; respecting the enormous advance of freight upon American cargoes transported in British bottoms, during a British war. The loss in these cases fell on America, and from thence he inferred the propriety and necessity of transporting our productions in bottoms of our own.

When we consider the immense advantages that must result from the regulations proposed by the resolutions before the committee, there can be no doubt, but that they will amply repay us for the expense of fitting out a marine force, and for any other consequences that might attend it. With regard to the effect that might be expected in Europe from these propositions, he believed, that they would produce a short inconvenience, and a lasting benefit. Perhaps they would have an effect to change the policy of some foreign nations. In 1783 and 1784, it was debated in the British Cabinet what line of conduct ought to be pursued with regard to America. After considerable discussion it was determined, that the government of America was so feeble, and the interests of the respective states so discordant, that Britain might act towards us as she thought proper.

Ill will and jealousy have always been the predominant features of England's behaviour towards America, she had been farther encouraged by the dream of being able to furnish provisions for her West-India islands from the remnant of her possessions on the continent of America. Experience had long since put an end to such expectations. The only other grounds for treating us with disrespect were founded on the impotency of our governors and the want of union among ourselves.

The decision of the house on the resolutions now pending would determine whether these two causes still existed. A determination against them, would give in Europe a very bad impression of our national character, had they reason to believe that our government was feeble, or that the interest of the different states could not be reconciled. He would not at present farther intrude on the patience of the committee and therefore concluded by observing, that to reject the propositions was to rivet the fetters of the commerce of America, those fetters which have produced such numerous and injurious consequences to the country.