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THE TABLET.

No. XCVIII.

"TAKE AWAY THRONES AND CROWNS FROM AMONG MEN, AND THERE WILL SOON BE AN END OF ALL DOMINATION AND JUSTICE."

NOTHING admits of clearer demonstration than that man is naturally inclined to resist government. The terms made use of, in the definition of civil duties, denote our inherent aversion to obedience. It will be asked how this can be reconciled with the universal practice of mankind, in voluntarily yielding to institutions for the express purpose of being governed? And, though in many countries the established subordination is a matter of force, yet if the people were left to the unrestrained enjoyment of their natural liberty they would not long remain so. Some act or other would indicate a general consent to surrender part of their personal rights. There is, indeed, no sentiment of the human mind that so well deserves to be called original or instinctive, as that propensity men discover to bind themselves by rules and associations. One should not pass over this apparent contradiction without endeavouring to find a solution.

The actions of no individual are perfectly consistent. Every person has passions that are more or less at variance, and different affections, by turns, preponderate. The social dispositions operate so far as to induce men to associate with each other, for the purpose of mutual protection. It requires a less conquest over the private passions to enter into associations, than it does to observe them. The same man may cheerfully give his assent to some common regulations for the public welfare; who, in the general tenor of his conduct is actuated by such personal and selfish motives as are repugnant to the very compact he has subscribed. His sense of duty is not sufficient to secure his observance, when it comes in competition with any of the vigorous passions of his nature. The most that can be expected from his reasoning on the subject, or from his feelings of obligation, is that he should afford his aid in suppressing or punishing the disobedience of others.

For, bad as a man may be himself, he is willing the wickedness of other people should be restrained. He is indeed sensible that he has most to fear from persons most like himself, and will sooner take part with the law than with the violator. This however may not be the case, when he is in such a situation, that his own exemption or escape depends on a combination with other transgressors. A man may be dilatory and even knavish in his manner of discharging his own engagements, and yet he will with alacrity assist the civil officer in compelling others to their duty. An indolent, faithless hireling will complain of others of a like stamp and take delight in their punishment. In fine, man is selfish only for himself. By entering into society he does not necessarily lose his native love of liberty, but he in some measure becomes the enemy of that of other people? He is habitually exercised with a desire to re-assume the rights he has himself relinquished, and to diminish those which other people have retained. When he is called upon to obey the laws, his aversion to personal restraint must be overcome by causes more powerful than induced his consent to an original compact. His attention, in the act of instituting government, is principally employed in contemplating the advantages he will derive in having other people laid under control. While he is making the association, the ardor of private passions may be so far abridged by the occasion as to produce an acquiescence to legal institutions. But he is soon impelled by different feelings, and he must have some stronger motive for obeying the laws, than what will result from the consideration that he has promised obedience.

In considering the subject hitherto, I have embraced the supposition that all men have voluntarily entered into the form of government, under which they exist. I have meant to illustrate, that notwithstanding there was a perfect acquiescence in the original compact, men are naturally and strongly impelled to elude or violate it. But I have taken a position that facts, in very few instances, will authorize. Where is the country that the people are universally in favor of their political constitution? The idea of original compact, as a matter of fact, is altogether delusive. It is a just, theoretic principle and only means, that men would, if left to themselves, adopt some regulations relative to protection and allegiance. Few people however were ever blessed with an opportunity for the purpose; for it has generally

happened that government has been framed under circumstances of compulsion or artifice. In those cases, where the people are said to have combined freely into a state of government, there may still be a powerful minority, who do not feel personally responsible, in point of conscience, to observe those laws, or defend that community, to which in sentiment they are opposed. This brings me to the idea inculcated in my motto. There must be some adventitious properties infused into the government to give it energy and spirit, or the selfish, turbulent passions of men can never be controuled. This has occasioned that artificial splendor and dignity that are to be found in the courts of so many nations. Some admiration and respect must be excited towards public officers, by their holding a real or supposed superiority over the mass of the people. The sanctions and penalties of law are likewise requisite to aid in restraining individuals from trampling upon and demolishing the government.

It is confessed that, in some situations, a small degree of parade and solemnity, co-operating with other causes, may be sufficient to secure obedience to the laws. In an early state of society, when the desires of men are few and easily satisfied, the temptations to trespass upon good order and justice are neither pressing nor numerous. Avarice and ambition encrease with population; and in a large opulent community the dazzling appendages and pompous formalities of courts are introduced to form a balance to the encreasing ardor of the selfish passions, and to check that ascendancy which aspiring individuals would otherwise gain over the public peace and authority.

In a wise, enlightened community, where information is generally spread among the inhabitants, the splendor and pageantry of office do not excite any high degree of awe or respect. The people of the United States may probably be induced to regard and obey the laws without risking the experiment of expensive courts and titled monarchs. There is a reverence paid, by a sensible nation, to wisdom and virtue, that is equivalent in point of maintaining subordination, to those magnificent establishments, which are required in governing an ignorant, servile people. It cannot be determined how far it will be requisite for the United States to assume a splendor in its public institutions. In proportion as we become populous, and wealthy, must the tone of government be strengthened, unless the people should progress in knowledge and virtue by a diffusive, judicious plan of education. An education not merely of science but of morals. If good principles are inculcated, and good habits formed by education, we may perhaps avoid the occasion of expensive, splendid arrangements, in order to give stability and procure subordination to the government. This is a matter that will in some degree regulate itself. While the citizens are orderly and respectful under a plain stile of government, why need we try the alternative of creating more lustre and expence in our institutions? But should the people shew a refractory, seditious temper, and make efforts to break over the barriers of law and justice, regardless of the intrinsic excellence of our constitution, the government will be compelled to have recourse to those artificial methods of gaining respect and obedience, which other nations find indispensable. Should this happen it will be consonant to the spirit, if not strictly to the letter of my motto—*take away thrones and crowns from among men and there will soon be an end of all dominion and justice.*

CONGRESS.

HOUSE OF REPRESENTATIVES.

FRIDAY, FEB. 26, 1790.

IN Committee of the whole house. The proposition for assuming the State debts and the amendments proposed thereto by Mr. White, being under consideration.

(CONTINUED.)

MR. STONE. It is said that immediate relief is to be afforded the State creditors; but upon the Secretary's idea, not one farthing is to be paid under two years: In the mean time there will be a total suspension of all payments to the State creditors, this will operate very unjustly and oppressively: He instanced particularly in the State of Maryland. In that State there is upwards of 200,000 solid substantial property in State paper belonging to the citizens. This property by virtue of the judicious arrangements of that State, is placed in a very eligible situation. Now what have the proprietors done that they should be in a manner stripped of it.

He reprobated the injustice of taxing those States who are out of debt, to pay debts contracted for purposes in which perhaps they are not at all interested. He adverted to the conduct of S. Carolina, in not making provision for their State debt, on the presumption that Congress would assume and fund it, without any previous intimation of any design of this nature on the part of Congress. He was sorry, he said, to mention this circumstance, but much more sorry that it should ever have taken place.

He concluded by saying that in all events he should advise his constituents to proceed in paying excise and impost, and making provision for their debts, and if Congress pleased they might give

them credit, if not, he hoped they would obtain credit in Heaven.

Mr. Ames said that a jealousy was entertained of undue advantage being procured to particular States. In order to remove the impediments which the supposed unworthy influence of State interests on his mind might place in his way, he was obliged as well as disposed to rest his argument upon general principles. For these, like truth, upon which they are founded, have an unchangeable and uncontrollable authority.

Let the first enquiry be as to the justice of the measure. In 1775 the citizens of America, with a solemn appeal to Heaven, made a common cause of their violated liberty. They agreed as brethren to expose property and life in its defence. If partial dangers and losses were to have fallen upon the sufferers, probably it would have discouraged many who were most immediately exposed and yet displayed the most heroic fortitude.

Nor would those who were remote from the danger, and indeed from the quarrel, have become parties on any other principle than that it was the cause of all America. For instance, South-Carolina, as happy as peace and wealth could make her, had little cause of complaint against Britain. He did not espouse the cause of South-Carolina merely, but of America. That State gave an illustrious example of patriotism. But if her citizens when they foresaw the evils of war, had foreseen that more than five millions of debt would be created against her, that the armies would live as it were, on free quarters in her territory, and that a great part of the personal property would be destroyed or carried away, would they have drawn the sword if they had believed that the benefit would be common, but the burden partial? No, Sir, the spirit of the people and the resolves of Congress spoke a different language. Let him who has not forgotten the spirit of 1775 deny that this is in conformity to its dictates.

But were the State debts contracted for the war? It appears by the books in the public offices that they were. Will any one say that the whole expence of defending our common liberty ought not to be a common charge? Part of this charge was contracted by Massachusetts, before Congress assumed the exercise of its powers. The first ammunition that repulsed the enemy at Lexington, and made such havoc at Bunkers-Hill, was purchased by that State and appears in the form of their State debt. The war was chiefly a common charge while paper money would defray it. But in 1780, when it became of little value, Congress called upon the States. The States which complied with the demand contracted debts, and that in proportion to their zeal. A State which totally neglected a requisition, or complied partially, would of course proportionally escape a debt: Is this justice? But the States were also exhausted, and to aid their feeble authority and slender resources, they called upon the towns, and these called upon classes, and these upon individuals. Why not as properly say that this debt is due from towns, classes or even individuals, as from States?

Nothing can more clearly evince the injustice of calling these State debts than this circumstance. Congress appointed persons to liquidate and settle public accounts, and some of the States did the like. If a State took early measures to receive and allow claims of course many were exhibited and allowed. But where it was convenient to apply to the offices of the United States, and especially in case the State had not opened like offices, the claims chiefly appeared against the United States. Accordingly, the commissioner from Congress allowed about 280,000 dollars in Massachusetts; and near 130,000 in New-York, merely because the former State had incorporated them with her debt, and in the latter they were received by the officers of the United States. Congress delayed sending a commissioner to South-Carolina till 1784. Had he been sent in 1782 it is probable, the debt of that State would have been of less magnitude. Are circumstances so merely adventitious and casual to constitute a plea for the union to disown the debts? Formerly the States had the funds, and the creditors preferred their notes; they agreed to this constitution which has given the funds to the United States, shall not the debts follow the funds? Shall we first disable the States from paying, and then refuse payment ourselves? Is it just that officers who fought side by side should have a different recompence?

Let us examine this measure on the ground of policy. How would it strike the people of England to divide their debt upon several counties, and to establish independent revenue systems for its security? Habit has made an idea equally dangerous and strangely familiar in our own country. It is unfriendly to the national and State governments, to make it absolutely inevitable for them to clash and interfere.—Let us preserve the powers of both unimpaired: to combine our citizens in common views, to make the revenue laws uniform, to extend permanent protection to trade and manufactures, to relieve our husbandry from dry taxes, are objects worthy of the government. It is natural too to suppose that the collection may be made less expensive, as it would make a double set of revenue officers unnecessary; it will relieve us from the confusion of so many sorts of paper, and by extending the market, and making the funds more certain, will encrease the use of the State paper as money.

The Southern States are supposed to possess a small share only of the present debt.—But as Maryland, Virginia, North-Carolina and South-Carolina, own near 13 millions of the State debts (more than half their amount) the assumption will produce a more equal distribution of benefits and burdens. Besides, the State duties operate to the injury of the revenue—an article that bears a low duty of import, is dutied high by the State, and there is danger, that the temptation to fraud will impair both revenues—for the impost alone would not furnish such temptation, yet the State duty being super-added, the collection becomes insecure.

But State duties are not confined merely to their own citizens. The trade from State to State has been grievously burdened by their operation—the constitution was intended to free our domestic intercourse from all restraint. Further, excise duties fall upon the consumer—one State will be made tributary to another.—Massachusetts has collected part of the duties from the citizens of New-Hampshire—the operation of the New-York impost is well known—when it is said, therefore, let each State pay its own debt, we ought to expect that this will not take place, if the debts should not be assumed—and it may well be doubted whether in that case State duties would not prove a more grievous burden upon trade, and produce greater inequality and injustice than has ever been urged against the assumption.

These arguments independently considered will probably be allowed to prove the justice and sound policy of the assumption. But in order to preserve their full force it is necessary to obviate some objections.

The assumption it is affirmed, tends to the consolidation of the States, and to the destruction of the State governments. The entire powers of peace, war and treaty, are given to Congress—of consequence the power of raising supplies, and when they may fail of contracting debts to carry on war, belong to Congress. The entire debt was created by the war—it seems to be in strict conformity to the spirit as well as letter of the constitution to assume it; for it cannot be improper to exercise that power in this instance, which in all like cases is exclusively vested in Congress.—The States are restricted from raising troops and carrying on war;