

whatever. The gentleman says, that, by the constitution, all debts that existed against the United States at the time of the adoption of the constitution are to be as valid now as they were before its adoption.

What was the situation of the state debts before the adoption of the constitution? Was it understood that they were a part of the debt of the United States, any further than there might be found a balance on a final settlement. Was it ever supposed that they were to be thrown into one common mass, and that the states should be called on collectively to provide for them? What would have been thought of such a proposition? Would it have been considered as consistent with equity? Would it have been tho't constitutional? I am persuaded if such a proposition had been made in the old Congress it never would have found a second; and for this reason, that the debts of the particular states were never considered as the debts of the United States. In whatever light we view the question, it appears to me that the arguments urged in support of it, are themselves unsupportable.

Much has been said of the situation of particular states in case these debts should not be assumed. Much, indeed, has been said of the distresses and exertions of Massachusetts; but if we are to be governed by enquiries of this sort we must extend them to every part of the Union, and we shall then find that an assumption will give as much dissatisfaction and work as much injustice to a majority of the states as a non-assumption may disappoint the citizens of Massachusetts. I do not wish to go into local enquiries, but the present subject seems in its nature to make them in some degree unavoidable. The conduct of gentlemen on the other side, at least renders the task on this indispensable. What would be the operation of the measure with respect to Virginia? It will not be denied that Virginia sacrificed as much during the war, in one shape or another, and contributed as much to the common defence of the states as any among them, certainly as much as Massachusetts. These are facts that can in time be proved. Since the peace, that state has made great exertions to comply with the requisitions of Congress: I might say, Sir, that she was almost unequalled in her exertions. Her specie payments into the federal treasury since the peace exceed 600,000 dollars, whereas those of Massachusetts are only between 2 and 300,000 dollars. In indents Massachusetts has indeed paid most, but by no means in such proportion as to balance the difference in the specie payments. The exertions of Virginia to discharge the debt she involved herself in by the war, have also been very great; she is not behind any of the states—she is before most of them; there can be no doubt but that she has certainly discharged more of her debts than Massachusetts, and as little doubt in the opinion of the best informed, that whenever a final settlement shall take place that state will be found a creditor to the United States.

If, during the war, she has made as great exertions, and has suffered as much as any of the states; if she has since the peace paid her full proportion of the supplies to the federal treasury, at the same time exerting herself to the utmost to discharge her state debt, and if finally she will probably be found to be in advance to the union, and would therefore if justice could at once be done, be now entitled to a reimbursement—what must be said by the citizens of that State, if instead of a reimbursement, they are called upon to make further advances. Sir, I may add here, that their contributions to the federal treasury, under the proposed system of revenue will exceed the ratio by which they would contribute, by taxes laid in proportion to their representation. I do not wish to extend this investigation any farther than has been already done; but were I to do it, the evidence would be more striking, that the payments from those parts of the union that would receive least benefit from the assumption, would be greater than from those that would receive the immediate benefit of it.

One of my colleagues seems to be of opinion that the measure will be favorable to the interest of Virginia; but he seems to me to have grounded his opinion on the erroneous supposition, that the proposed plan will embrace the whole of the debt as they existed at the close of the war, or that the state of Virginia will contribute less, on the plan of deriving revenue from consumption, than she would if derived according to the constitutional ratio. I believe, on the contrary, that if the assumption should take place as originally proposed, that there would be a claim on Virginia for five millions, whereas if there is no assumption, her citizens will have to provide for about three millions only; and thus, instead of bearing her proper burden, which is about one seventh, she would have to bear a burden in the ratio of one fifth. He seems to think that his own particular district would be benefited by this measure; but if he be right in his other opinion, that that part of the state will consume more than the other parts, he will find, Sir, that instead of relieving his constituents, compared with the rest of the state, that he would still more augment their burthens; so that it would come to this at last, that

the state would have to pay five millions, instead of three—and that the particular part of the state he represents, instead of paying their proportion of three millions, would have to pay more than their proportion of five. I admit, however, that he is the most proper judge on that subject. But the citizens of Virginia would not only be called upon when already in advance, and to an amount beyond their proper ratio, but in a mode that is peculiarly obnoxious to them—I mean that of excise. Sir, the people of that state are as averse to excises as those of any other state can be to direct taxes, and in my own judgment with far more reason, where the article excised is not by some peculiarity free from the common objections. Excises are unequal with respect to different parts of the union: They are also unequal to various parts of the same state. This mode of collection gives arbitrary powers to the collectors, and exposes our citizens to vexatious searches—it opens a door to frauds and perjuries that tend equally to vitiate the morals of the people, and to defeat the public revenue. Besides Sir, excises are more expensive in the collection than other kinds of taxes. The collection of the excise in Great Britain costs 10 per cent. That of her direct taxes is computed at 3 per cent. only. I will not positively say that a similar disproportion in the expence of collecting would be incurred in this country; but in some parts of it I am sure that the expence of excises would be greatest, and on some articles in view, would, if the collection were made at all, exceed the revenue obtained from it.

Sir, there has been an argument of another kind advanced in support of the assumption. Gentlemen have thought it a matter of consequence that not only justice should be done, but that the condition of the people should be equalized; that no invidious comparisons might be made between the inhabitants of one state, and those of another, and that no oppressions or embarrassments should force the people to emigrate from one state to another. It would be a comfortable reflection, if every part of the union could be assimilated in this instance; but, Sir, I think we have no authority to sacrifice essential considerations, to obtain these advantages. Nor do I know that we should obtain them by assuming the state debts. Supposing that measure to be adopted, let us reflect, what would be the situation of the different parts of the union. I do not, at this moment, consider the question as it respects justice, right, or general policy, but in reference merely to the particular consequence of equalizing the circumstances of the people. Let us take a view comparatively, of the people of the United States.—Massachusetts owes a debt of several millions. The public debt, when you come to analyze it, at least where it is due to citizens and not to foreigners, is a debt from one part of the people to the other. The government is the collector from the pockets of the debtors to pay it into the hands of the creditors. If, Sir, the state debts should be assumed, Massachusetts will then get rid of her embarrassments; but what would be the situation of Virginia? Besides her public debt, I believe that her citizens owe, one to another, debts to an amount, equal to the whole public debt of Massachusetts, perhaps I might say to the amount of both the public and private debts of that state. In addition to all this, the people of Virginia are indebted to foreigners to a greater amount than the whole debt of Massachusetts. Sir, I firmly believe that though Virginia is less oppressed with public debt than Massachusetts, yet when we take a view of all the difficulties she labors under, and weigh them against those of Massachusetts, it will be found that Virginia ought to be relieved herself instead of being expected to relieve others.

But, supposing all objections of another nature to be laid aside, I freely confess that after a more minute examination into the subject. I am much inclined to doubt whether the assumption can possibly be carried into execution. Difficulties are continually arising when I survey this question, for which I can find no solution, without departing from every principle by which we ought to be guided. It never yet has been shewn in what manner a remedy could be provided for a partial subscription. Suppose the state creditors were part of them to subscribe and part to refuse. Suppose those of one state subscribe, and those of another should not. Again, Sir, by what method would you discriminate the debts that come under the definition, from those that will be excluded by it? Where will you invest this important discretionary power. I really think that great difficulties will be found before this can be effected. There is another objection, to which I have never heard a satisfactory answer, although it has been repeatedly urged by a member from Georgia. There are debts existing in some of the states that do not bear interest, that have got into circulation without any title to it, and have been received by the present holders without any other expectation than that in some reasonable time the principal would be paid. Would it, Sir, be proper or necessary to consider these as debts of the union, bearing interest, or to provide for the immediate funding of them? But there is a case, in my opinion, far more difficult, I mean the paper money issued to redeem the state debts. The state of North Carolina has taken up its certificates with these paper bills. They are not proposed to be included in the assumption. They are clearly excluded by the present motion, yet they are as much a state debt to be sunk by taxes as certificates, and the taxes may as much interfere with those of other states. Some of the states, Sir, have not only assumed the debts recommended by Congress for making up the depreciation to the army, but they have gone further and have made up the depreciation, where it was not recommended. Other states have not done this. The debts existing in some states I take it for granted comprehend these depreciation notes. Would it not be unjust to call on those states that have not made this provision for their army that other states have done, would it not be hard to call upon those officers and soldiers who have not received this additional compensation, to pay it to those of other states, who have? I would not here be understood to cen-

sure the states that made this compensation; I rather commend them for it. It is a proof of their magnanimity and justice that does them honor, but at the same time this does not alter the nature of the objection. In some states, in order to reward the army, they have done it by several aids that do not constitute any part of the state debts. In some of the states there are debts still unliquidated. If you declare that, when liquidated, they shall be assumed, you afford a temptation that has been hitherto cautiously avoided, that of making the states less exact in the settlement of their accounts. I do not find that any gentleman has proposed, on the contrary most of them seem to have rejected the idea of making provision at this session for fulfilling the engagements in case we enter into an assumption. I think it would be a powerful and unanswerable objection against assuming the state debts at this time, that we do not see or are not prepared to decide on the means of providing for them. There is not a more important and fundamental principle in legislation, than that the ways and means ought always to face the public engagements; that our appropriations should go hand in hand with our promises. To say that the United States should be answerable for twenty-five millions of dollars without knowing whether the ways and means can be provided, and without knowing whether those who are to succeed us will think with us on the subject, would be rash and unjustifiable. Sir, in my opinion, it would be hazarding the public faith in a manner contrary to every idea of prudence. It is very true, Sir, that a variety of funds have been proposed, yet they are nothing more than mere suggestions, and tho' I think they are as good as could be expected in the time, I really believe that some of them, at least, if they can be carried into execution at all, will disappoint the calculations on which they are founded.

I cannot finish my observations on this subject, Sir, without adverting to one particular, which I would wish gentlemen to attend to, not so much for our sakes as their own. I would recommend to them no longer to assume a pre-eminence over us in the nationality of their motives; and that they would forbear those frequent assertions, that if the state debts are not provided for, the federal debts shall also go unprovided for; nay, that if the state debts are not assumed, the Union will be endangered. Sir, I am persuaded that if the gentlemen knew the motives which govern us, they would blush at such intemperate as well as inconsistent language. I am sure that if they knew the emotions with which it is heard, they would at least see the inutility of it. I hope, Sir, that whatever may be the decision on this question of assumption, that patriotism and every other noble and generous motive will lead the minority to acquiesce in measures which will tend to establish public credit by a due provision for the public engagements. The committee then rose.

NOTICES OF DR. FRANKLIN.

HE long lived retired, and as it appeared, forgotten by the world, because from his situation, incapable of being noticed by it—his death removed this barrier—and it is astonishing how the whole city was moved—His funeral was as crowded as at the entry of Gen. Washington; all seemed as if they had lost a parent, or a friend, and such indeed he was to more than the world knew. The different Institutions, which conceived themselves benefited by him, without previous concert, appeared to honour his remains. It appeared that almost every institution was represented and held him as Founder or Benefactor. They cast lots for places—The Philosophical Society, got the first—The University, I believe, the next—The Printers 3d—the two former yielding to the latter, as he had been a Printer. The Philosophical Society met, and have appointed Mr. Rittenhouse, and Dr. Smith, to form an eulogium on his memory. The state officers, &c. go in mourning. We were jealous lest strangers should be the first to honor a character to which we were so much indebted—Such honors reflect as much light upon those who bestow, as those who are thus noticed with esteem and veneration. His general character is too well known to need any thing to be said—He was a practical Philosopher, whose doctrines, theories, and practice, all had one ultimate grand view—making mankind better, happier, and more independent. Every day was marked with some useful project, and the *perdidi Diem*, I believe could not have been repeated by him at any period of his long life—His life was more governed by reason, than that of any person we have heard of—and he was an example to others of what he wished them to be. His fortune was the effect of Industry and Savingness; not of Avarice or desire of Wealth, but from a strong principle of practical economy, as the necessary part of a good citizen, and a necessary principle to make a State thrive.

I remember a circumstance happened one evening, when I was at his house—a fresh taper was brought wrapped in paper, the child attempted to throw the paper in the fire, the Doctor saved it, made her cut it into stripes, and put it on the mantle piece, observing that it would always be ready to light the taper without wasting useful paper, which she had often done, and made a lesson of economy the child will never forget, nor shall I. It was his happy talent to draw instruction from every thing. He died, as he lived, doing good. Beloved whilst alive, he will be canonized now dead, in the hearts of those who cherish the memory of the benefactors to mankind. Some men leave fortunes to pious uses, as a species of compensation for their uncharitableness whilst living. Few, like Dr. FRANKLIN made usefulness, and promoting public felicity, the great object of their lives—Numbers have, as public men, endeavoured to promote public good; few, like the Doctor have, as it were, entered into the family, and by perfecting the parts, operated the good of the whole. His sentiments were honoured whilst living, now he is dead, they will become more honored—more sought after, and I hope be more generally adopted. He was buried near his wife, in Christ Church burying-ground, by his desire. Mr. HILL, Mr. DUFFIELD, Judge JAY, and Judge HOPKINSON, are his Executors.