

That in every instance of credit, at least one quarter part of the consideration shall be paid down, and security, other than the land itself, shall be required for the residue. And that no title shall be given for any tract or part of a purchase beyond the quantity for which the consideration shall be actually paid.

That the residue of the tract or tracts set apart for the subscribers to the proposed loan, which shall not have been located within two years after the same shall have been set apart, may then be sold on the same terms as any other land.

That the commissioners of each subordinate office shall have the management of all sales, and the issuing of warrants for all locations in the tracts to be set apart for the accommodation of individual settlers, subject to the superintendency of the commissioners of the general land-office, who may also commit to them the management of any other sales or locations which it may be found expedient to place under their direction.

That there shall be a surveyor-general, who shall have power to appoint a deputy surveyor-general in each of the western governments, and a competent number of deputy surveyors to execute in person all warrants to them directed by the surveyor-general or deputy surveyor-generals within certain districts to be assigned to them respectively. That the surveyor-general shall also have in charge all the duties committed to the geographer-general by the several resolutions and ordinances of Congress.

That all warrants issued at the general land-office shall be signed by the commissioners, or such one of them as they may nominate for that purpose, and shall be directed to the surveyor-general. That all warrants issued at a subordinate office, shall be signed by the commissioners of such office, or by such one of them as they may nominate for that purpose, and shall be directed to the deputy surveyor-general within the government. That the priority of locations upon warrants shall be determined by the times of the applications to the deputy-surveyors: and in case of two applications for the same land at one time, the priority may be determined by lot.

That the Treasurer of the United States shall be the receiver of all payments for sales made at the general land-office, and may also receive deposits money or securities for purchases intended to be made at the subordinate offices, his receipts or certificates for which shall be received in payment at those offices.

That the secretary of each of the western governments, shall be the receiver of all payments arising from sales at the office of such government.

That controversies concerning rights to patents or grants of land, shall be determined by the commissioners of that office, under whose immediate direction or jurisdiction the locations in respect to which they may arise shall have been made.

That the completion of all contracts and sales heretofore made, shall be under the direction of the commissioners of the general land-office.

That the commissioners of the general land-office, surveyor-general, deputy surveyors general, and the commissioners of the land-office in each of the western governments, shall not purchase, nor shall others purchase for them in trust, any public lands.

That the secretaries of the western governments shall give security for the faithful execution of their duty, as receivers of the land-office.

That all patents shall be signed by the President of the United States, or by the Vice-President or other officer of government acting as President, and shall be recorded in the office either of the surveyor-general, or of the clerk of the supreme court of the United States.

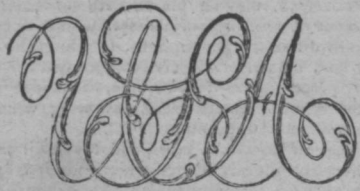
That all surveys of land shall be at the expence of the purchasers or grantees.

That the fees shall not exceed certain rates to be specified in the law, affording equitable compensations for the services of the surveyors, and establishing reasonable and customary charges for patents and other office papers, for the benefit of the United States.

That the commissioners of the general land-office, shall, as soon as may be, from time to time, cause all the rules and regulations which they may establish to be published in one gazette, at least in each state, and in each of the western governments where there is a gazette, for the information of the citizens of the United States.

Regulations like these will define and fix the most essential particulars which can regard the disposal of the western lands, and where they leave any thing to discretion, will indicate the general principles or policy intended by the legislature to be observed, for a conformity to which the commissioners will, of course, be responsible. They will at the same time leave room for accommodating to circumstances which cannot beforehand be accurately appreciated, and for varying the course of proceeding as experience shall suggest to be proper, and will avoid the danger of those obstructions and embarrassments in the execution, which would be to be apprehended from an endeavour at greater precision and more exact detail.

All which is humbly submitted,  
ALEXANDER HAMILTON,  
Secretary of the Treasury.



CONGRESS.

HOUSE OF REPRESENTATIVES.

FRIDAY, JULY 23.

Debate on the Amendment of the Senate to the Funding Bill, to assume a part of the State Debts.

MR. JACKSON moved that the amendment of the Senate respecting the Assumption of the State debts, should be disagreed to.

In support of his motion he said, it is with great reluctance I rise again on the question before the house. A measure which has not only agitated this legislature, but has more or less convulsed the whole people of the United States. It has elated speculators and state brokers, whilst it has depressed three fourths of the honest part of the community. It has held out alluring prospects and fortunes to the one, whilst it has blasted and withered the just expectations of the other. It has, in short, been the centre pin of visionary projectors and interested men, whilst its future effects have been viewed with horror by disinterested minds.

To give a history of this important question, for important, however wicked, it certainly is, would be to tax Congress with the most extreme inconsistencies; repeatedly has the question been decided, and repeatedly negatived, and as the principle was first originated without reference, the same stubborn disposition is manifest, notwithstanding the repeated determinations of the house. The forms of Process have been assumed, and the forms of Proteue have been defeated here, but a new shape is not still wanting to aid the perseverance of the East. The Senate of the United States, a power not known to, nor chosen by, the people, have undertaken to load the citizens of the United States with an enormous debt.

I will not appeal to the passions; but I call on the house, as the representatives of the people, as the guardians of their liberties, to resist this encroachment on their constituents rights, they will expect it, and if the principle is established at present, there

is no knowing to what lengths it may be carried in future. As well might the Senate under color of an amendment, have inserted the whole funding system, in an appropriation bill, as have inserted this new principle in the law before the house. It may be advanced, that it is no money bill, that there are no ways and means, no taxes or burthens imposed on the people. To interested men, and persons who would not look beyond the surface, this reasoning might appear just; but I would ask if the taxes and burthens, the ways and means must not follow—purs this principle in the law, and the public faith is bound; neglect to provide for it, and you lay the government open to insult.

But, Sir, setting this encroachment of the Senate from our view for the present moment, I have no objection to consider the question on its own merits. Nothing which I have yet heard, has convinced me of its propriety. The accumulation of an immense debt ought to be founded in more than perseverance for its basis; it ought to have justice for its ground work, and policy for its superstructure.

The question of justice has been subservient to both sides of the house; but the great rules, the leading features of justice have not been answered, if they have been attempted. Where, I again demand is the justice of compelling a state which has taxed her citizens for the sinking her debt, to pay another proportion not of her own, but the debts of other States, which have made no exertions whatever?

If this Assumption had taken place at the conclusion of the war, the principle would have been more just than at present, because none of the States had made exertions to relieve themselves from debt, and they were nearer on an equality, but even then it would not have been on perfect terms of justice, the situations of the state, and their charges, were not the same.

But sir, supposing the accounts settled at the close of the war; how would the expences of the war have been proportioned, not agreeably to the present ratio of representation, will be allowed me, how then? Why, by the ratio of existing requisitions or nearly so, and Georgia, would have paid the one ninetieth part of the whole debt, whereas at present, she is bound for the one twenty second. But now, sir, even the ratio of representation is to be overleaped by the present scheme of the Assumption, and by a calculation of the quota, she will pay upwards of 600,000 dollars more than she will be benefited by. New-Hampshire and Georgia ought to receive, if a just quota was allowed as the 65th part of the 21,000,000, 992,307 dollars each—they are, by the system before the house to receive but 300,000 dollars each, which makes a deficiency of 692,307 dollars and some cents of their proportion of the amount which is to benefit other States, and the citizens of New-Hampshire and Georgia are to pay it. Can this house expect that they will quietly submit to it. If the citizens of New-Hampshire are disposed to be easy under the imposition, I do not believe the citizens of the state of Georgia will be contented.—Let us examine some of the other States. Massachusetts is to receive of the sum 4,000,000; her just quota of the sum would be 2,646,153 dollars or thereabouts, enjoying an excess in her favor of 1,353,846 dollars. South Carolina has still a greater excess, she is to receive 4,000,000; her quota of the sum would be 1,653,846 dollars and some cents; the excess in her favor will be 2,346,153 dollars. North Carolina has an excess of 746,153 dollars, where she has not asked it, and when the State and her representatives are averse to the measure. What, sir, I will ask, is this for? Is it by way of gift, or douceur? I know her representatives to be too honest, too steady to their trust, to be bribed. Georgia and New-Hampshire are however not the only states which will suffer, New-York and Maryland will likewise be injured. The former is to receive 1,000,000; her just quota would be 1,904,615 dollars, there will be a deficiency therefore of 784,615 dollars. The deficiency of Maryland is much greater, she is to receive but 800,000, and the deficiency from the amount of her just quota will be 1,184,615 dollars. One state (Pennsylvania) has a million allowed her above the amount of her debt. So that some of the states are to be double, and some treble taxed, for the benefit of others. I will here, Sir, appeal to the same moral sense with the gentleman from Massachusetts (Mr. Ames) to the same rectitude of the heart, and I will confidently demand from him, if you can impose this burthen on the States, and call it equality, if you can, adopt the Assumption and call it justice.

I consider the state which made exertions, as I mentioned on a former day, to have paid off so much of its proportion of these debts, whether called the debts of the States, or the debts of the Union. If state debts, the state ought to pay the debts of other states; if they are the debts of the Union, then has the state which has exerted itself and paid off its own debt, contributed to its proportion, and ought not to pay a second time.

A gentleman from Connecticut has analyzed the argument in favor of the measure. As I think them of as much weight as any that have been advanced, I will notice a few of them, as well as my small ability will permit. That gentleman's first argument is, that the debts were contracted on behalf and for the benefit of the United States, and that therefore justice requires they should be assumed. On this principle, the gentleman has endeavored to prove that the debts are of the same nature, and in fact the debts of the United States. The very term, however, which he uses, of state debts, must convince him they are so; his explanation with a gentleman from Massachusetts (Mr. Gerry) why they were not inserted in the constitution, has convinced me that they were not respected as the debts of the Union by the Convention. That Convention met, and the Constitution was formed, for the restoration of public credit, and if the state debts were a part of the debt of the Union, provision would have been made for them. But, sir, if the convention had no power to insert them in the constitution, whence all our powers are derived: Neither, Sir, have we a power under that Constitution to provide for the payment of them: Neither are those debts of the same nature with that of the United States. The same scrutinizing eye hath not pervaded the respective states. Some states in expectation of being the paymasters themselves, have dealt with a rigid parsimony, others have been as extravagantly liberal. Some have allowed regiments of officers to their militia without men, whilst others have reduced their officers to a grinding situation. Some have allowed large bounties and pay, as has been the case with some of the States who complain most, whilst others have scarcely allowed bounty or pay at all. Many of the charges of individual states would be rejected, whilst others which the states have rejected would be allowed. The difference is very great, and as clear as the day, and none but interested individuals can prevent discerning it.

To be continued.

WEDNESDAY, JULY 28.

THE bill for the relief of disabled soldiers and seamen, and other persons lately in the service of the United States, was passed.

A bill to satisfy the claims of Thomas Barclay was reported, read the first and second time, and ordered to be engrossed for a third reading.

A bill to continue the act for the temporary establishment of the Post-Office, was read the first and second time.

The house took into consideration the amendments of the Senate to the Collection Bill, and agreed to the same.

THURSDAY, JULY 29.

The bill for the temporary establishment of the Post-Office, and the bill to compensate the ser-

vices of Thomas Barclay, were read the third time and passed.

Mr. Steele of the committee appointed to examine into the proceedings of the several States on the subject of the Amendments proposed by Congress to the Constitution of the United States, reported, in substance as follow—

New-Hampshire and New-York accepted all the articles but the second.

Pennsylvania passed over in silence the first and second articles—and accepted the rest.

Delaware postponed the first article.

Maryland, South and North Carolina, and Rhode-Island, ratified the whole.—So that it appears the first article has been agreed to by six States—the second by five—and all the others by eight.

A report on the memorial of Mrs. Greene, widow of the late Major Gen. Greene, was read.

A petition of Joseph Miller of Philadelphia was read, stating that he has established a Manufactory of Gunpowder in the State of Pennsylvania, in which, by proper encouragement, a sufficient quantity of that article may be manufactured for the use of the United States—and praying the patronage of Congress.

Mr. Vining moved that the motion of Mr. Bloodworth for leave to bring in a Bill to repeal the 5th section of the Residence Law, should be taken into consideration.

Mr. Bloodworth wished the motion might be suspended. He said that he did not mean to call it up to day—and therefore had not prepared himself to state his reasons fully for introducing it.

Mr. Vining observed, that the motion was in possession of the house, and any member had a right to call it up.

Mr. Lawrance contended that it was very extraordinary that a motion brought forward by one gentleman should be called up by another, contrary to the wish of the member who made it. He thought it was contrary to the rules of the House.

Some further altercation ensued, in which Mr. Vining, Mr. Gerry, Mr. Bloodworth, and Mr. Lee spoke.

Mr. Bloodworth finally withdrew his motion for the present.

A message was received from the Senate informing the house that they have agreed to some, and disagreed to others of the amendments proposed by the house to the amendments of the Senate to the Funding Bill.

The house after some debate receded from their amendments, and agreed to those of the Senate.

The bill has now passed both houses. The interest on Indents, and on one third of the State Debts is fixed at three per cent. pr. ann.

The first article of disagreement was in respect to the time when interest shall commence on the deferred part of the principal—The house proposed seven years—the Senate adhered to ten.

The motion for receding was opposed by Messieurs Lawrance, Gerry, Ames and Seney—and supported by Mr. Sedgwick, Fitzsimons, Sherman, Williamson, Stone and Lee—and on the question Mr. Lawrance called for the Ayes and Noes, which are as follow—

AYES.

Messrs Ashe, Baldwin, Brown, Burke, Cadwallader, Carroll, Clymer, Fitzsimons, Floyd, Gale, Goodhue, Griffin, Grout, Hartley, Heister, Huger, Huntington, Lee, Leonard, Livermore, Muhlenberg, Partridge, Scot, Sedgwick, Sherman, Sinnickson, Smith, (S. C.) Stone, Thatcher, Tucker, Vining, Wynkoop, Williamson.—33.

NOES.

Messrs Ames, Benson, Bloodworth, Contee, Coles, Foster, Gerry, Gilman, Hathorne, Jackson, Lawrance, Madison, Matthews, Moore, Page, Parker, Rensfellaer, Schureman, Seney, Sevier, Sylvester, Smith (M.) Steele, Sturges, Sumpter, Trumbull, White.—27.

The next article of disagreement was the interest on Indents—The house proposed four per cent. The Senate adhered to their proposition for three. The motion for receding was determined by Ayes and Noes, as follow, viz.

AYES.

Messrs Ashe, Baldwin, Brown, Burke, Cadwallader, Carroll, Clymer, Fitzsimons, Floyd, Gale, Goodhue, Grout, Hartley, Heister, Huger, Huntington, Lee, Leonard, Livermore, P. Muhlenberg, Partridge, Schureman, Scot, Sedgwick, Sherman, Sylvester, Sinnickson, Smith, (S. C.) Stone, Thatcher, Tucker, Williamson, Wynkoop.—33.

NOES.

Messrs Ames, Benson, Bloodworth, Coles, Contee, Foster, Gerry, Gilman, Griffin, Hathorne, Jackson, Lawrance, Madison, Matthews, Moore, Page, Parker, Rensfellaer, Seney, Sevier, Smith (M.) Steele, Sturges, Sumpter, Trumbull, Vining, White.—27.

Similar amendments followed of course in respect to the assumed part of the debt—which were agreed to.—Previous to which, Mr. Parker moved that the further consideration of the amendments to the Funding Bill, should be deferred to the next session.—This motion was determined not to be in order. Adjourned.