

may be hereafter laid, to make good any deficiency which may be found in the product thereof, towards satisfying the interest

And be it further enacted, That the faith of the United States be, and the same is hereby pledged to provide and appropriate hereafter such additional and permanent funds as may be requisite towards supplying any such deficiency, and making full provision for the payment of the interest which shall accrue on the stock to be created by virtue of the loans aforesaid, in conformity to the terms thereof respectively, and according to the tenor of the certificates to be granted for the same pursuant to this act.

And be it further enacted, That the proceeds of the sales which shall be made of lands in the western territory now belonging, or that may hereafter belong to the United States, shall be, and are hereby appropriated towards sinking or discharging the debts, for the payment whereof the United States now are or by virtue of this act may be holden, and shall be applied solely to that use until the said debts shall be fully satisfied.

FREDERICK AUGUSTUS MUHLENBERG, Speaker of the House of Representatives. JOHN ADAMS, Vice-President of the United States, and President of the Senate. APPROVED, AUGUST THE FOURTH, 1790. GEORGE WASHINGTON, President of the United States. (TRUE COPY.) THOMAS JEFFERSON, Secretary of State.

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.

(CONCLUDED.)

Mr. JACKSON.

THE more checks there are to any government, the freer will its citizens be. The State powers are a most effectual and necessary check against encroachments from the government of the Union.—The assumption, by annihilating the powers of the State governments, will prove a decisive and fatal stroke at that check.

A gentleman from Massachusetts (Mr. Ames) has asked if the tendency of this measure will be to evil, rather than to common benefit—he is of the latter opinion, altho' he allows this to be a vague question.—If sir, the question is vague or dubious, surely he will not adopt it.—He says however, that it will prevent interference between the State governments and that of the Union, and prevent the usurpation of one upon the other.

That it will prevent usurpation is a fact, I will grant the gentleman; for sir, if the assumption takes place there will be nothing left to usurp. The States will be deprived of every thing but the shadow of power—they will be reduced to the State of mere colonies, with not even the power they possessed previous to the revolution.

That gentleman has likewise told us of the protection the measure would enable the government of the Union to afford the respective States.

Sir, if we were under the government of a despotic prince, I suppose that we should be well protected against foreign tyrants, but how should we be protected against himself—we should lay at his mercy and become his property.—The gentleman's argument therefore goes too far, when it tends to prove the more power we give the government, the better we shall be protected. Sir, the competition so far from being an injury is in my opinion a benefit—jealousies are necessary in all free countries, and as long as those jealousies exist, the people will be safe—whether therefore the State governments are to be considered as rivals, watchmen, or legislators, State powers are absolutely necessary.

The gentleman from Connecticut has noticed an argument respecting the ratio of contribution by impost, and has alluded to the journal of Congress of the 29th of April, 1783, where he says it is clearly proved that the States contribute to impost in proportion to the number of inhabitants. The gentleman from Massachusetts has likewise noticed this—I grant those gentlemen that the consumer pays, but I deny that the States pay agreeably to population—they contribute sir, agreeably to habit. Connecticut manufactures a great deal, and she imports little. Georgia manufactures nothing, and imports every thing. Therefore Georgia, altho' her population is not near so large, contributes more to the public treasury by impost.

But admitting the force of the gentleman's arguments, and let it be fixed at population—yet sir, on the principles of justice, the arguments so far as respects the assumption must fail. Impost, as well as all other taxes is an imposition, and only to be permitted in cases of necessity, or where preservation to government requires it—it is an actual encroachment on the peoples rights in any other view.—Vattel, the celebrated writer on the Laws of Nations, calls the freedom of commerce, a natural right, and says that instead of burthens and restrictions, it is the duty of all nations to give it the utmost freedom, and that restrictions can only be justified on very important reasons, arising from the public good.

In America, that necessity has originated from the public debt, and the necessity will remain as long as the public debt exists. Add to that debt, and you add to the necessity—go on in that ratio and you may keep the necessity for ever. But sir, shall we, to strengthen the government, add to our debts and injure the people.

It has however been advanced that the citizens have given this into our hands; that we are in the exercise of it, and it has been implied that we shall always keep it.—The gentlemen who use this language know not the people of America. Sir, it is expected, and I hope never will be lost sight of, that when the necessity is at an end the duties will be taken off. Besides, is the impost more in our power than the excise, or direct taxation. The one is equally given us with the other, and carry the idea of impost as far as some gentlemen wish it, and you may carry direct taxation as far. We are not confined in our powers, and if Congress chuse to tax the citizens to the whole amount of their estates, there is power sufficient in the constitution to warrant it. But sir, would the citizens submit to it. So far am I from agreeing with the gentlemen, that I can assure them it was expected that the States would have been credited for the imposts they furnished.

The gentleman from Connecticut, has noticed an argument of mine respecting the debt of Georgia, but he has not retuted the justice of it.—He says it is an additional reason for assuming.—Sir, I do not believe that there are twenty original holders in Georgia—the original holders received no interest nor expected any—they parted with the certificates as they stood, without interest—the speculators now hold them, and contrary to the tenor of the certificates, the intention of the State, and the contract they made, they will be allowed interest.—Here will be a prodigious distinction, the one half the creditors of Georgia receiving interest the others none—how is this to be reconciled? Besides, sir, the debt will be increased one half; there will be an additional debt, if interest is allowed on the whole of three hundred and fifty thousand dollars, supposing the debt to amount to seven hundred thousand.—will the original holder who did the service or furnished the supply, be contented to be taxed to supply this interest, when he himself was not allowed it?

Another argument arises now against the measure which did not exist at a former day—the excise which had began to set the continent in a flame, has been rejected. Are there members hardy enough to sanction and adopt it now, after they have exerted themselves against it?—For this must be the case, or it will be again rejected.—Will this house as I before mentioned, be like the

long parliament of England, who first adopted the measure, will they foster it in secret whilst they apparently reject it? Where else I ask are the ways and means to satisfy this accumulated debt? Your impost is stretched to the utmost—if you go farther you will not only oppress the people but lose your revenue—will you proceed to direct taxation?—We have been informed that the people will not submit to it.

If the House, sir, will not listen to the voice of reason, and are determined to assume—still sir, I insist that this is not the period.—The respective States ought to be consulted, and the measure should appear the result, not of party or bargain, but the result of deliberation, which all our measures at the least ought to wear the appearance of.—It will appear to be the former, if adopted now after so many decisions.—Even in Massachusetts, let us listen to the warning of a Hancock, that Father of 1776, who by his signature first pronounced you a free nation—hear the venerable patriot expressing his doubts of the powers of Congress in this respect without the consent of the respective States first obtained. Her Legislature, in compliance instructed their Senators and Representatives—this was done altho' we were told on this floor about that time that the country was over loaded with debt, and her citizens borne down with the weight of taxes.—What other States have done the same? None but South-Carolina—so that the two States only which are interested in this business have received instructions from their Legislatures.—Let me ask this House, if those two States have received instructions, where so much interested, if the other States should not be consulted and where they are to receive no benefit from the measure.—I request the House to think of the evil consequences of it before it is too late and at least to postpone it until the next session.—If it is good now it will be good then.—If it is not adopted now, it can then; but, if it is assumed at the present session we shall be bound without the power of relieving ourselves again from the burthen.—Let us not exhibit a monument to mankind of the impossibility of preserving republican manners by aping European nations and laying the foundations of our government in immense debts.

Sir, our times, happily I believe for the country, are near expiring.—We shall return to the mass of the people and participate in the burthens we impose.—When the cool hour of investigation arrives—happy indeed will it be for us, if amidst the murmur of an oppressed people, we have not to say in self condemnation— I too have been guilty of bringing this load of sin on the nation and this debt of fetters on the people.—America Sir, will not always think, as is the fashion of the present day; and when the iron hand of tyranny is felt—denunciations will fall on those, who by imposing this enormous and iniquitous debt, will beggar the people and bind them in chains.

WEDNESDAY, AUGUST 4.

An engrossed bill declaring the assent of Congress to certain acts of the State of Maryland, Georgia, Rhode-Island and Providence Plantations, for raising a duty on the tonnage of ships or vessels entering the ports of Petapasco, Savannah, and Providence, was read the third time and passed.

A message was received from the President of the United States informing the House that two resolves and four acts which originated in the House had received his assent—viz: A resolve respecting the pay of the Clerks in the office of the Commissioner of army accounts.—A resolve for defraying the expence of procuring Seals for the Supreme, Circuit and district Courts of the United States. 1st. An act making provision for the debt of the United States. 2d. An act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandizes imported into the United States, and on the tonnage of ships or vessels. 3. An act to continue in force for a limited time an act, intitled, "An act for the temporary establishment of the post-office. 4. An act for the relief of John Stewart and John Davidson.

Mr. Madison, Mr. Vining, and Mr. Wadsworth were appointed a committee to prepare and bring in a bill to add two commissioners to the board already established for the settlement of the accounts between the United States and the individual states.

The house went into committee on the bill further to make provision for the debt of the United States, so far as respects the assumption of the debt of the state of Georgia; after some time spent thereon, the committee rose and reported certain amendments.

On the question to order the bill engrossed, it was negatived, and so the bill was rejected.

Mr. Madison from the committee appointed, presented according to order, a bill to add two commissioners to the board for settling accounts. The house went immediately into committee on the said bill—and after some debate it was agreed to—Ayes 36—Noes 19.

The committee rose, and the bill was ordered to be engrossed.

Mr. Boudinot reported a bill to satisfy the claims of the widow of the late Major General Lord Stirling.

THURSDAY, AUGUST 5.

Two bills were passed to be engrossed this day, viz. A bill making an appropriation to discharge the claim of Sarah Stirling, widow of the late Major Gen. Lord Stirling.—A bill authorising the Secretary of the Treasury to take measures for finishing the Light-House at Portland Head in the District of Maine—provided the expence shall not exceed 1500 dollars.

The bill for adding two Commissioners to the board for settling the accounts between the United States and individual States was passed.

A message was received from the President of the United States, informing the house that the act to provide more effectually for settling the accounts between the United States and the individual States had received his assent.

Mr. Bloodworth's motion for appointing a committee to prepare and bring in a bill to repeal for a limited time the 5th section of the act for establishing the temporary and permanent seat of the government of the United States, was taken up.

Mr Vining moved the previous question on this motion, and being supported by five members—The question was taken "Shall the main question be now put," the Yeas and Nays were called.

For putting the main question.

AYES.

Messrs Benson, Bloodworth, Burke, Floyd, Foster, Gerry, Grout, Hathorn, Huger, Huntington, Lawrance, Leonard, Livermore, Rensselaer, Schureman, Sevier, Silvester, Smith, (M.) Smith (S. C.) Sturges, Thatcher, Trumbull, Wadsworth.—23.

NOES.

Messrs. Ames, Ashe, Baldwin, Brown, Cadwalader, Carroll, Clymer, Coles, Fitzsimons, Gale, Gilman, Goodhue, Hartley, Heister, Jackson, Lee, Madison, Mathews, Moore, P. Muhlenberg, Page, Parker, Partridge, Scott, Seney, Sherman, Sinnenckson, Steele, Stone, Sumpter, Tucker, Vining, White, Wynkoop, Williamson.—35.

The House resolved, that a Surveyor-General, for the United States, be appointed, who shall forthwith, proceed to the completion of the surveys of all lands heretofore sold under the authority of the late Congress.

A message was received from the Senate returning the bill further providing for the payment of the debts of the United States; to which they have made several amendments. The house proceeded to consider the said amendments, and made some progress therein.

A petition of A. Macomb, and W. Edgar, respecting a contract they have made with the late Congress for lands, was read and referred to the Secretary of the Treasury.—Adjourned.

FRIDAY, AUGUST 6.

The bill making an appropriation to discharge the claims of the widow Stirling—and the bill authorizing the Secretary of the Treasury to finish the Light House on Portland head—were read the third time and passed.

Mr. Fitzsimons introduced the following resolution—That the President of the Senate, and the Speaker of the House of Representatives be authorized to close the present session, and to adjourn the respective houses on Monday next—to meet again on the first Monday in December next; on motion, "Monday" was struck out and Tuesday inserted—A motion to expunge "December," and to insert March occasioned some debate, and was finally negatived.

Mr. Vining introduced a resolution to the following purport, which was agreed to—That the Secretary of the Treasury be directed, in the recess of Congress, to ascertain the amount of the arrearages due to the Invalid Pensioners of the United States, and to the Widows of deceased Officers—and report at the next session.

The amendments of the Senate to the bill, making further provision for the payment of the debts of the United States, were taken up.—The house proceeded in the consideration of the amendments; sundry alterations were proposed, but were not agreed to—A motion made by Mr. Smith, (S. C.) to strike out 12 cents, the duty on salt, for the purpose of inserting 9 cents, occasioned a considerable debate. The question on striking out was determined in the negative, ayes 28—noes 30. [Names will appear in our next.]

The house went thro the amendments, and agreed to the whole with very few alterations.

A message was received from the President of the United States with the ratification by the State of New-Jersey, of the amendments proposed by Congress to the constitution of the United States; New-Jersey has ratified all the amendments except the second and thirteenth.

A message was received from the Senate, with the bill to compensate Thomas Barclay, for various services; concurred in with amendments.

Mr. Vining reported a bill for the relief of Adam Caldwell, which was read the first and second time.

Mr. Smith (S. C.) moved for leave to bring in a bill for altering the times of holding the courts in South-Carolina and Georgia.—Adjourned till to-morrow 10 o'clock.

NEW-YORK, SATURDAY, AUGUST 7. APPOINTMENTS.—BY AUTHORITY.

William Perry, of the State of Delaware, one of the Judges in the Territory of the United States, fourth of the River Ohio.—John Stokes, Judge of the North-Carolina District, vice, William R. Davie, declined. Samuel Ruffel Gerry, Collector of the port of Marblehead, vice, Richard Harris, deceased. Zachariah Rhodes, surveyor of the port of Patuxet, vice, John Anthony Aborn, declined. Thomas Arnold, surveyor of the port of East-Greenwich, vice, Job Comstock, declined. Joshua Johnson of Maryland, Consul of the U. S. of America for the port of London. Daniel Elbridge Uphike, surveyor of the port of North-Kingston, R. Island. John Street, of Fayal, Vice Consul of the U. S. for the Island of Fayal. Ebenezer Bruffa of New York, Consul of the U. S. for the port of Surinam.

We hear that the Hon. General Knox is appointed a commissioner for negotiating a treaty with the Chiefs of the Creek nation now in this city.

The drawing of the City Lottery began last Thursday—Several prizes of 20l. and one of 50l. are the highest yet drawn.

A Sermon, on a Charitable occasion, will be preached by Dr. Witherspoon to-morrow, in the Old Presbyterian Church.

The Tablet, and sundry other favors, unavoidably excluded this day by the Funding Bill.