

NEWBERN, (N. Carolina) Dec 9.

We hear from the territory of the United States that his Excellency Governor BLOUNT arrived there about the middle of October last, and has since visited the counties of Washington, Sullivan and Greene. The people there are very much pleased with the change of government, and have received their Chief Magistrate with every mark of respect and confidence. We have been favored with the address presented to him in Greene county.

To his Excellency WILLIAM BLOUNT, Esquire; Governor over the Territory of the United States, South of the River Ohio.

The address of the officers, and other inhabitants of the County of Greene, in the said Territory.

MAY IT PLEASE YOUR EXCELLENCY.

WE have long since been convinced of the utility of a separation from the State of North-Carolina on constitutional principles: through the liberal policy of that State, the period is now arrived. We have now obtained the completion of our wishes. A government is nearly organized under the auspices of Congress that bids fair to secure our happiness and tranquility. Permit us with the utmost sincerity to assure you, sir, that among the various steps that conducted to bring us to our present situation, none gave us more sensible pleasure than hearing of your appointment to be our Chief Magistrate. Your patriotic, and amiable character made us readily conclude that your present important office could not confer on you any additional dignity, but might easily borrow dignity from you. Anticipating our future happy prospects we congratulated each other on an appointment so pleasing to us all. Your presence has realized our expectations and from your former steady attachment to the interest of the western country we are fully convinced that we have every thing to hope and nothing to fear. But amidst our pleasing contemplation of the happy effects of your administration under the patronage of Congress, we cannot forget that the best and wisest plans that can be framed to promote the felicity of any country will not accomplish that end without the confidence and concurrence of the people. We beg leave to assure your Excellency, that in our several stations, we will cheerfully concur in supporting the dignity and the energy of government, fully sensible that none but an efficient government can secure our true interest, honor and prosperity.

Signed by order and on behalf of the committee.
JOHN SEVIER.

We learn from Fayetteville, that the general assembly go on in a manner unusually slow—they have passed an act altering the time of holding their future sessions, from the first Monday in November to the first Monday in December—and an act to prevent any member of Congress, and all other persons holding any appointment under the United States from exercising any office or appointment of emolument or trust in this State; the appointment or office of a justice of the peace excepted. They have rejected the bill for carrying into effect the ordinance of the Convention at Hillsborough, respecting the seat of government, by the vote of the chair in the Senate—they have before them a bill making alterations in the judicial system, which, it is supposed, will pass—a bill for placing in the office of the Commissioner of loans, the certificates, &c. of the state, at present in the hands of the Treasurer and Comptroller, and for purchasing others to be disposed of in the like manner—and a bill for dividing the state into five districts for the election of Representatives in Congress, which is as yet a skeleton. The Assembly, it is supposed, will sit until Christmas—great discord among the members, excited principally by the balloting for the place where the next Assembly shall be held, which is not yet determined on—Newbern has hitherto stood fair and failed; Tarborough it seems is next to be tried. No less than ten members of the eastern districts are absent.



HOUSE OF REPRESENTATIVES.

Sketch of the Debates on the MILITIA BILL.

WEDNESDAY, Dec. 22.

THE house took into consideration the report of the committee of the whole on the Militia Bill. The amendments were read by the clerk. An amendment to the amendment proposed by Mr. Heister was moved by Mr. Boudinot—that the persons of the militia should be exempt from civil process on the days of rendezvous.

Mr. Livermore opposed the motion—he conceived it was an unconstitutional interference with the internal police of the individual states. The states have an exclusive right, said he, to regulate the times of training the militia; and Congress has no right

to say that the citizens shall or shall not be liable to a legal arrest on such occasions.

Mr. Boudinot admitted that there was some weight in Mr. Livermore's objections; but at the same time observed, that the principle once admitted that Congress has a power to discipline the militia, every incidental power to carry that idea into effect must follow—he should however reserve himself to offer some further remarks on the subject.

The question being taken, it passed in the affirmative. The amendment, as thus amended, was put and carried.

Mr. Bloodworth proposed an amendment to the 2d section, by which all persons exempted by the laws of the respective states, should also be exempted by this law. This was objected to by several members.

Mr. Livermore said it was so general, that it opened the door to an almost universal exemption—it likewise involved an uncertainty with respect to the present and future laws of the several states, which ought not, in his opinion, to be admitted.

Mr. Bloodworth said he moved the amendment, because he was fully persuaded that the United States had nothing to do with the exemptions heretofore usually made by the particular states. It is proper for Congress only to exempt their own particular officers; but he considered the bill of a very important nature, one that will undergo the strictest scrutiny, and may either be made very agreeable to the states, or very much the reverse. He adverted to the constitution, and said that the powers of Congress only extend to the mere arrangement of the militia; but, in its present form, it is a government bill, and goes to the minutæ of the regulations in the militia.

Mr. Giles objected to the motion: he considered the section, as it stood without the amendment, useless, and therefore the amendment is unnecessary; for if the states possess the power of making the exemptions in themselves, they cannot be deprived of it. He was consequently against the present motion, and should move to obliterate the whole, so far as it interferes with the power of the particular states.

Mr. Sherman was opposed to the particular interference of the general government, any further than they are expressly warranted by the Constitution. The powers of Congress he contended were very much limited in respect to the militia. He moved a more general modification of the section; by which the officers of the general government, such as the Members of Congress, the Executive Officers, Post-Officers, and Mail Carriers, should be designated, and all other persons that are, or shall be exempted by the laws of the several States.

Mr. Bloodworth acceded to this modification.

Mr. Giles objected to the proposition as amended, as blending and confusing the powers of the general government with those of the particular States. He objected to it as it went to extend the privileges of the Members of Congress, whose privileges are defined in the Constitution. He objected to it also as it violates the principle which had before been laid down, that the law-makers ought to sympathize with those on whom the laws are designed to operate, and pursuing the idea said, Congress may go on to exempt themselves from every public duty.

Mr. Williamson adverted to the Constitution said, that it was plain Congress are to provide for arming and disciplining the militia; but who are the militia? Such men he presumed, as are declared to be so by the laws of the particular States, and on this principle he was led to suppose that the militia ought to consist of the whole body of citizens without exception. If this construction be just, the propriety of the motion is apparent. He did not anticipate an abuse of the power of exemption on the part of the States: He thought the period far distant when the United States would trust their defence to mercenaries. He objected to the numerous exemptions proposed to be made by the general government, and observed that he feared great impositions and evasions would be practised in consequence of them—the power will be exercised by the States, and ought not to be by Congress.

Mr. Burke said no man was in favor of an efficient and competent militia more than he was; but the various exemptions contended for are so many, that he conceived the consequences would be subversive of the whole plan: Observations had been thrown out which he was sorry to hear, that except these exemptions took place, the bill would be lost. He then mentioned the several classes proposed to be exempted, by which he said the whole country would in effect be divided into two tribes—and the rich, the governors, and rulers of the land, would be relieved from the burden, while the mechanics, the farmers, the laborers, the hard-working part of the community, would be made to sustain the whole weight of the service in defending the country: He was opposed to exempting Members of Congress; in the recess they may attend militia duty; it was agreeable to the practice of S. Carolina; he had himself performed militia duty during the recess. He thought that all should equally be made to turn out in the ranks, high and low, rich and poor, old and young, and thus make the militia honorable. I know said he it is the policy of the day to make the militia odious; but I hope such policy will not be adopted by this house. He was not however opposed to all exemptions; he would exempt the people called Quakers, and all persons religiously scrupulous of bearing arms, Stage-Drivers, and Instructors of youth; but their pupils, the students in colleges and seminaries of learning, should not be exempted: Youth is the proper time to acquire military knowledge. He hoped that the house would not make too distinct tribes or classes of people.—There ought to be no such distinctions in a free country.

Mr. Jackson said he was sorry that his hon. friend was so determined to have two tribes of people; but he sat out with that resolution and now concludes with the same idea.—He then adverted to the exemption of Quakers, provided for in the bill. He said that the operation of this privilege would be to make the whole community turn Quakers, and in this way it would establish the religion of that denomination, more effectually than any positive law could any persuasion whatever.—He enlarged on the obligations which every man owes to society, to afford his personal services to assist and defend the community: protection and service are reciprocal. Those who are exempted ought to pay a full equivalent on every principle of justice and equity.—He then adverted to exemptions generally, and advocated those of the Members of Congress; but with respect to all others, he was absolutely opposed to them; and said they were so numerous as to destroy the militia bill altogether. The consequence would be, we must resort to a standing force for the general defence.

Mr. Vining was opposed to giving the general power of making such exemptions as they please to the several States: The legislature of the Union is competent to making such as are necessary. He enlarged on the mischievous consequences of delegating this power: It will, said he, destroy every appearance of uniformity; Nor is there any danger that the members of the house will abuse this power by undue exemptions. With respect to the Quakers, he replied to some observations of Mr. Jackson, who had asked, what will become of our boasted independence in case of the exemption of the Quakers? He asked, were there no Quakers in the late war?—He adverted to the conduct of the first settlers of Pennsylvania, who were Quakers; their peaceful principles were productive of the happiest consequences; and in this view their conduct has been an example, which, in proportion as mankind shall recede from the force of turbulent passions, will be more and more imitated. He however supposed that an equivalent might be assessed on these people, without difficulty, and which from their numbers, supposed to be one twentieth part of the people, would amount to a sum sufficient to support a militia; at least to furnish them with arms, drums, colors, &c.

Mr. Lawrence observed that it appeared to him that the object of the motion is to revive a subject which has already been decided in the committee; he had not however altered his opinion, he still thought that it would be impolitic if not dangerous to delegate a power which they can exercise themselves.

He adverted to the observations of Mr. Giles, that Congress cannot extend their privileges—and observed that the clause in the constitution refers to the privileges of being exempt from arrest, that they may not be precluded from attending their duty in Congress; with respect to its being an extension of their privileges to provide for their exemption—there cannot be any force in this, as it is conceded that Congress may designate the age of the militia—now if their ages are restricted from 18 to 45, it effectually exempts all the members of Congress—but this exemption from arrest is not the only privilege that members of Congress possess—and he had no doubt of their right in the present case to exempt themselves; the expediency of the measure, is abundantly sanctioned by the practice of every State in the union.

Mr. Boudinot asked what is the object of the bill? It is to provide a uniform militia, competent to the defence of the country—it is not to take money out of the pockets of the people. He then adverted to the idea that was maintained by several gentlemen, that the militia ought to consist of every person in the United States, and said that this, so far from conducing to the formation of a national defence, would prove the reverse; for it would necessarily include persons religiously scrupulous of bearing arms, men in years not able to bear them, and a great variety of characters not suitable to bear them.

With respect to exemptions he contended, that the right of Congress to make them is already conceded; for it is already agreed that the militia shall consist of persons of particular ages, consequently all under 18 and above 45 are expressly exempted; the reverse of this principle will give the states the absolute controul of the general government. He then observed that the amendment ought not to be adopted; because it would be throwing a burthen on others, which Congress ought to bear themselves; because it will destroy every idea of uniformity; because it invests a power in the states to impose fines and penalties which may operate grievously on many descriptions of persons; because it invests a power in the States to impose fines and penalties which may operate oppressively on many descriptions of persons, because it invests the States with a power to make partial exemptions, create invidious distinctions, and excite unwarrantable competitions among different classes and professions.—He then adverted to the Quakers, and asked, what would become of our independence, if one thousand troops were to attack us, and we had an army of 20000 Quakers to oppose them: What dependence can be had on men, who are forced into the field? He had trusted that the rights of men were so well defined at this enlightened period, that the principles which had been advanced, would not have been applied on this occasion. He entered into a defence of the exemptions generally provided for, and justified them on principles of justice and policy. He was sorry that the distinctions mentioned by the gentleman from S. Carolina, had been brought forward. He had no idea of different tribes or classes: The members of this house at the end of every two years, revert to the mass of the people, and then become liable to bear their proportion of militia duty as well as their fellow-citizens.

Mr. Madison moved to insert, among the exemptions, persons conscientiously scrupulous of bearing arms. It is the glory of our country, said he, that a more sacred regard to the rights of mankind is preserved, than has heretofore been known. The Quakers merit some attention on this delicate point, liberty of conscience: When they had it in their own power to establish their religion by law, they did not: He was disposed to make the exemption gratuitous, but supposed it impracticable. He replied to Mr. Jackson's observation, that exempting such persons would induce the people generally to turn Quakers. He did not believe that the citizens of the United States would hypocritically renounce their principles, their conscience, and their God, for the sake of enjoying the exemption.

Mr. Sherman seconded this motion. He said that persons conscientiously scrupulous of bearing arms, could not be compelled to do it; for such persons will rather suffer death than commit moral evil; they may be punished it is true, by fines and penalties; but whether this would be eligible or not remains to be determined. We however have the sense of these people on the subject. He suggested whether some expedient cannot be devised to operate as an indemnity, by excusing part of the militia from a poll tax, so as to equalize the exemption, if made gratuitous.

Mr. Livermore said he disliked the whole amendment. He also disliked the bill, on several accounts, more particularly as it interfered too much with the regulations of the several States.—The present proposition he thought would come in more properly in the second section.

Mr. Jackson said he was glad that the motion of the gentleman from Virginia had been brought forward; it would serve to ascertain the sentiment of the house, on this important subject. He observed, that in his opinion the gentleman had not argued with his usual ingenuity and knowledge of the human heart, in respect to the exemptions proposed in favor of the Quakers. It is too evident that mankind stand in greater dread of present evil, than of future punishment: The influence of conscience is a weak defence against the powerful temptations of pecuniary advantages; and as he had been informed since he came to this city that one Quaker will convert ten men to quakerism, where ten of a different persuasion will not convert one Quaker; with the assistance of this law, the converts said he, will be ten times as numerous—he conceived that the natural operation of it would be to destroy the whole militia bill. He insisted on their being liable to a penalty in lieu of personal service, and enlarged on the reasonableness of paying their proportion to the general defence. He replied to Mr. Boudinot's query respecting 10,000 Quakers; they would all run away said he, and 1000 men in that case would subjugate the country.

Mr. Giles observed that he was opposed to the exemption of the Quakers, and gave his reasons; protection and personal services result from society: they are due from every individual, and it is a violation of moral duty to withhold this personal service. He was in favor of exempting every man from doing that, which his general conduct evinced was contrary to his conscience: but it cannot be said that it is against the conscience of a Quaker to hold and possess property; therefore every man who receives the protection of the laws, ought to contribute his proportion to the support of the laws. He then entered more fully into a consideration of the subject, and objected to the exemption as creating an unwarrantable distinction between the citizens; throwing a burthen on the majority, to relieve the minority; giving the minority privileges for shrinking from their duty: What criterion is there said he to determine whether a man is under the impression of conscience? and concluded by saying a fine can only determine the existence of this principle.

Mr. Vining was in favor of the exemption, but did not think it would be satisfactory to the people without qualifying it by an equivalent. Quakers said he are easily distinguished—every man knows them.

Mr. Smith (S. C.) This debate seems to be detailed when gentlemen appear to think very much alike upon the subject. The question is how the fine or penalty shall be assessed; tho some appear disposed to exempt those people not only from personal service, but from all commutation. It then seems necessary that the question should be first determined whether an equivalent shall be paid or not. According to the sentiments of some gentlemen: It is proposed to go further than even this state has, in which the greatest number of these persons exist—for when