

templated, in preference to direct taxes—and then urged the ill policy of rendering the law odious, by fixing a stigma on the officers appointed to execute it.

Mr. Jackson replied to the observations against his motion: He said the experience of Great-Britain shewed the propriety of the prohibition. He read a section from a law passed in the reign of William and Mary, on this subject. A law was found necessary in that country to prevent the interference of the excise officers in elections, though the excise law then in existence, was only for 10 years, and that now before us is a perpetual law—for it is to exist, till the whole of the State debts are rubbed off. He denied that it was a disfranchisement of the citizens; they will have the same right to vote at elections as other citizens; it only goes to defining an offence, which may be of pernicious consequence; did I consider it in that light, said he, as depriving the citizens of the rights of suffrage, I would be the last in this house to vote for it. He adverted particularly to the dangerous influence that some future Presidents would acquire, by virtue of the power which he will possess of removing these officers. He read some clauses from the British excise law, to shew its resemblance to the law now under consideration; he added some strictures on the bill, and regretted that it had not been recommitted; but to render it less odious and mischievous he strongly urged the necessity of the section he had proposed.

Mr. Benson said there appeared to him to be an absurdity to say a man shall forfeit an office, which he holds during pleasure.

Mr. Gerry objected to the motion, because he thought it did not go far enough—it ought to extend to all other revenue officers. He gave a short account of the nature of civil government; no form said he is stationary, they are always verging either to democracy and anarchy, or to aristocracy and despotism; from hence he drew an influence favorable to a provision which should tend to abate and lessen the influence of the executive power in certain cases.

Mr. Ames objected to the motion, he said the circumstances of this country and Great-Britain, were not similar: That country is without a constitution—the United States are blessed with one, which defines the rights of electors and the elected—rights of which they cannot be deprived; the law which the gentleman referred to, was not passed till the abuses it was intended to remedy had arisen to an enormous height; if ever there should be a necessity for a similar law, which he by no means expected, it will then be time enough to make the regulation—but this clause will muzzle the mouths of freemen, and take away the use of their reason.

Mr. Bloodworth replied to Mr. Ames; he observed that corruptions had taken place; elections have been influenced, and human nature being the same, the same evils are to be expected; he thought it would be best to prevent the evil if possible by enacting a law in season, and not wait till the mischief is done.

Mr. Seney was in favor of the clause, he thought it would be a salutary provision, and no infringement of the rights of the people, as it would be optional to accept the officers or not, with this restriction.

Mr. Stone was in favor of the motion—he observed that it was a painful consideration that a number of citizens should be disfranchised, and deprived of their reason and speech, but this is a dilemma said he, to which we are reduced by means of this excise law; we must either deprive the excise officers of this privilege of interfering or give up the freedom of elections.

Mr. Vining controverted the oft repeated observation, that there was an analogy between the two countries, Great-Britain and America. He urged an acceleration of the bill—delays he thought did not produce conviction, they only serve to enflame; he hoped the clause would not be agreed to, nor the bill recommitted.

Mr. Lawrance said he was sorry that there were so many impediments thrown in the way of this bill—he could wish that the clause might be deferred—and made the subject of a separate discussion—he objected to it as not extensive enough—it ought to include all the officers of the government; at present he should wave any further remarks, but hoped the motion would not be agreed to at this time—but wished that the bill might be finished.

Mr. Sedgwick opposed the motion, he said the natural tendency would be to render the law odious—to deprive the government of the services of the best men in our country:—let me ask gentlemen said he, if they, or any of their hon. connections, would accept of an appointment under this law, with such an exceptionable clause in it? He observed on the total difference in the circumstances of this country, from those of Great-Britain; and asked, shall we transplant the corrupt maxims of that country to this? I hope we shall not.

Mr. Gerry replied to the several objections which had been offered against the motion: It will be too late, said he, when the evil takes place,

to apply the remedy: The President will then have it in his power to influence the elections in such manner as to procure a legislature that would not consent to a law for applying a remedy.

Mr. Ames reprobated the motion in very pointed terms, as impolitic in respect to the law—as repugnant to the Constitution, and as degrading to human nature; besides, he observed, that it was nugatory in itself, because it goes to deprive the citizens of an unalienable right, which you cannot take from them, nor can they divest themselves of.

Mr. Jackson made a short reply to Mr. Ames: He observed, that he had always supposed that the English nation possessed a Constitution—and that the violation of the freedom of elections was the greatest infringement on that constitution.

Mr. Sherman observed that this motion went to create a positive offence; he said he could not conceive any reason why this offence should be chargeable on one description of officers only—he thought it ought to go through, and include every class—He replied to the several objections arising from the influence of the President—and observed that fixing such a stigma would oblige the President to appoint mean and ordinary characters, characters fit to make tools of—for persons of credit, and respectability will not accept of appointments under such a disqualification.—The question was determined in the negative—the ayes and noes being as follow:

AYES.

Messrs. Ashe, Baldwin, Bloodworth, Brown, Burke, Floyd, Gerry, Grout, Hathorne, Heister, Jackson, Livermore, Matthews, Moore, Parker, Rensselaer, Seney, Sylvester, Stone, Tucker, White.—21.

NOES.

Messrs. Ames, Benson, Boudinot, Bourne, Cadwallader, Carroll, Clymer, Fitzsimons, Foster, Gale, Gilman, Goodhue, Griffin, Giles, Hartley, Huntington, Lawrance, Lee, Leonard, Madison, Muhlenberg, Schureman, Scott, Sedgwick, Sevier, Sherman, Sinickson, Smith (M.) Smith (S. C.) Steele, Sturges, Thatcher, Trumbull, Vining, Wadsworth, Williamson Wynkoop.—37.

SATURDAY, Feb. 5.

The petition of James Norris, late lieutenant in Col. Proctor's regiment, was read and referred to the Secretary at War.

Mr. Lawrence presented the memorial and petition of Abraham Skinner late commissary of prisoners, praying repayment of monies advanced, and compensation for services, which was read and referred to the Secretary of the Treasury.

Also the petition of Isaac Vincent, praying the benefit of a pension, was read and referred to the Secretary at War.

A committee was appointed to bring in a bill to continue in force an act, entitled, an act to regulate processes in the federal courts, and Mr. Sedgwick, Mr. Sturges, and Mr. Contee, appointed.

On motion of Mr. Lawrance the report of the Secretary of the Treasury, for establishing a mint, was ordered to be communicated to the Senate.

Agreeable to the order of the day, the bill, to incorporate the subscribers to the bank of the United States, was again taken up, and on the question for passing the bill, a debate ensued and continued until the adjournment.

MONDAY, Feb. 7.

A letter from the Secretary of State, inclosing a report upon the memorial of Andrew Brown, of the city of Philadelphia, printer, was read and laid on the table.

The report is as follows:

The Secretary of State, to whom was referred the memorial of Andrew Brown, printer, of Philadelphia, has had the same under his consideration, and thereupon makes the following

REPORT,

The memorialist states that he has in contemplation to publish a correct edition of the laws, treaties, and resolutions of the United States, and prays that such measures may be adopted for giving a public authentication to his work, as may ensure its reception throughout the United States.

The Secretary of state observes, that there exists, at present but a single edition of the Laws of the United States, to wit, the one printed by Childs and Swaine: that this edition is authentic, the proof-sheets thereof having been carefully collated by sworn clerks, with the original rolls in his office, and rendered literally conformable therewith. That the first volume of this edition can now rarely be found, the copies originally printed being mostly disposed of.

That it is desirable that copies of the Laws should be so multiplied throughout the states, and in such cheap forms, as that every citizen of the United States may be able to procure them. That it is important also, that such publications be rendered authentic, by a collation of the proof-sheets with the original rolls, by sworn clerks, when they are printed at the seat of government, or in its neighborhood, and by a collation of the whole work when printed at a distance,

and a certified correction of its typographical errors annexed to each volume.

That this, however, if done at the public expence, would occasion an inconvenient augmentation of the number of clerks, as the act of collation requires the presence of three clerks, one to hold the roll, a second a printed copy already authenticated, and the third the proof-sheet.

That it would be more reasonable that persons of confidence should be employed, at the expence of the Editor, to be named and sworn as clerks, for the special occasion.

That, in this way, he is of opinion it will be advantageous to the public to permit that the Laws to be printed by the memorialist, be collated with, and corrected by the original rolls, and that a certificate thereof, by the Secretary of State, be annexed to the Edition.

THOMAS JEFFERSON, Secretary of State.  
February 5th, 1791.

Mr. Leonard presented the memorial of the merchants of New-Bedford, in the state of Massachusetts, praying the establishment of a post-road from Boston, to that place.

Mr. White, from the committee appointed for that purpose, reported a bill to amend an act, entitled an act, to promote the progress of useful arts, which was read the first time.

On motion of Mr. Heister, the memorial of a number of public creditors, who are holders of loan-office certificates received for loans of paper money was referred to a select committee of five; Messrs Sherman, Gerry, Heister, Benson and Gale.

Agreeable to the order of the day, the bill to incorporate the subscribers to the Bank of the United States, was again taken up in the house, and on the question shall this bill pass, the debates on the constitutionality of the bill were renewed, and continued until an adjournment was called for.

Adjourned until 10 o'clock to-morrow.  
TUESDAY, Feb. 8.

The committee on enrolled bills reported the Act declaring the assent of Congress to a certain act of the State of Maryland, as duly enrolled.

The bill to amend the act to promote the progress of useful arts, was read the second time, and referred to a committee of the whole house: Ordered that one hundred copies be printed.

The Memorial of the Marine Society of Boston, on motion of Mr. Gerry, was referred to the Secretary of the Treasury, to report thereon, at the next session.

Mr. Tucker, of the committee appointed for the purpose, reported a bill for determining the next meeting of Congress which was read the first and second time, and ordered to be engrossed for a third reading to-morrow: A blank is left in the Bill for the day.

A message was received from the Senate by Mr. Otis, their Secretary, informing the house, that they have passed the bill making appropriations for the support of government, for the year 1791—and for other purposes.

The Bank Bill was further discussed—Mr. Vining and Mr. Gerry spoke in its favour, and Mr. Madison against it: He concluded his speech by moving the previous question, which the speaker put in the following words—shall the main question be now put? The ayes and noes being demanded, there were 35 in the affirmative, and 20 in the negative.

On the question, shall this bill pass? the ayes and noes were as follow:

AYES.

Messrs. Ames, Benson, Boudinot, Bourne, Cadwallader, Clymer, Fitzsimons, Floyd, Foster, Gerry, Gilman, Goodhue, Hartley, Hathorne, Heister, Huntington, Lawrance, Leonard, Livermore, P. Muhlenburg, Partridge, Rensselaer, Schureman, Scott, Sedgwick, Seney, Sevier, Sherman, Sylvester, Sinickson, Smith (M.) Smith (S. C.) Steele, Sturges, Thatcher, Trumbull, Vining, Wadsworth, Wynkoop.—39.

NOES.

Messrs. Ashe, Baldwin, Bloodworth, Brown, Burke, Carroll, Contee, Gale, Grout, Giles, Jackson, Lee, Madison, Matthews, Moore, Parker, Stone, Tucker, White, Williamson.—20.

Sundry petitions were read and referred, and then the House Adjourned till 10 o'clock to-morrow.

ALBANY, Jan. 26.

A correspondent of this city observes, that the late choice of Aaron Burr, Esq. to fill the office of Senator of the United States, is a most pointed insult on the citizens of the northern part of this state. If a rotation be deemed proper, we have no objection, but we conceive it, in the highest degree, illiberal and unjust, that a second Senator should be taken, out of the southern district, to fill the vacancy of one from the northward: and the more so, as the advantage was evidently taken of our not having that number of representatives which, it appears by the late census, we are entitled to. This transaction will, however, serve to open our eyes to our true interest, induce us to drop all party distinctions, and firmly to unite in the general support of our rights and privileges in representation, as well as on every other public question, by which the honor and advantage of this quarter of the state may be affected.