

that those given were not to be extended by remote implications. On any other supposition, the power of Congress to abridge the freedom of the press, or the rights of conscience, &c. could not have been disproved.

The explanations in the State conventions all turned on the same fundamental principle, and on the principle that the terms necessary and proper gave no additional powers to those enumerated. [Here he read sundry passages from the debates of the Pennsylvania, Virginia and North-Carolina conventions, shewing the grounds on which the constitution had been vindicated by its principal advocates, against a dangerous latitude of its powers, charged on it by its opponents.] He did not undertake to vouch for the accuracy or authenticity of the publications which he quoted—he thought it probable that the sentiments delivered might in many instances have been mistaken, or imperfectly noted; but the complexion of the whole, with what he himself and many others must recollect, fully justified the use he had made of them.

The explanatory declarations and amendments accompanying the ratifications of the several States formed a striking evidence, wearing the same complexion. He referred those who might doubt on the subject, to the several acts of ratification.

The explanatory amendments proposed by Congress themselves, at least, would be good authority with them; all these renunciations of power proceeded on a rule of construction, excluding the latitude now contended for. These explanations were the more to be respected, as they had not only been proposed by Congress, but ratified by nearly three-fourths of the States. He read several of the articles proposed, remarking particularly on the 11th. and 12th. the former, as guarding against a latitude of interpretation—the latter, as excluding every source of power not within the constitution itself.

With all this evidence of the sense in which the constitution was understood and adopted, will it not be said, if the bill should pass, that its adoption was brought about by one set of arguments, and that it is now administered under the influence of another set; and this reproach will have the keener sting, because it is applicable to so many individuals concerned in both the adoption and administration.

In fine, if the power were in the constitution, the immediate exercise of it cannot be essential—if not there, the exercise of it involves the guilt of usurpation, and establishes a precedent of interpretation, levelling all the barriers which limit the powers of the general government, and protect those of the State governments. If the point be doubtful only, respect for ourselves, who ought to shun the appearance of precipitancy and ambition; respect for our successors, who ought not lightly to be deprived of the opportunity of exercising the rights of legislation; respect for our constituents who have had no opportunity of making known their sentiments, and who are themselves to be bound down to the measure for so long a period; all these considerations require that the irrevocable decision should at least be suspended until another session.

It appeared on the whole, he concluded, that the power exercised by the bill was condemned by the silence of the constitution; was condemned by the rule of interpretation arising out of the constitution; was condemned by its tendency to destroy the main characteristic of the constitution; was condemned by the expositions of the friends of the constitution, whilst depending before the public; was condemned by the apparent intention of the parties which ratified the constitution; was condemned by the explanatory amendments proposed by Congress themselves to the Constitution; and he hoped it would receive its final condemnation, by the vote of this house.

SATURDAY, Feb. 19.

Mr. Muhlenberg presented the petition of Valentine Wiley; read, and referred to the Secretary at War.

Agreeable to the order of the day, the house again resumed the consideration of the amendments proposed by the Senate to the new revenue bill—an amendment was proposed to the 6th section, limiting the compensation to the officers to two years, which passed in the affirmative, ayes 34, noes 20: The residue of the amendments were agreed to with amendments.

Mr. Smith (S. C.) gave notice, that on Monday next he should move that a committee be appointed to prepare, and bring in a bill for the temporary regulation of the Post-Office.

The report of the Secretary of the Treasury, upon the exports from the United States, was referred to a select committee, consisting of Messrs. Carroll, Bourne, and Mr. Sedgwick.

On motion of Mr. Sedgwick, the house resolved itself into a committee of the whole—Mr. Boudinot in the chair, and took into consideration the bill giving effect to the laws of the United States, within the State of Vermont—the committee reported the bill, with one amendment, which was agreed to by the house. The bill was then ordered to be engrossed, and read a third time on Monday next.

The house again went into a committee of the whole—and took into consideration the bill regulating the number of representatives to be chosen by the States of Vermont and Kentucky: the committee reported the bill without amendment, which was read a third time and passed.

In committee of the whole, on the bill to provide compensation to clerks, marshalls and jurors in the courts of the United States—after some time spent, the committee rose, reported progress and asked leave to sit again.

MONDAY, Feb. 21.

Reports from the Secretary of War on sundry petitions read. An engrossed bill to give effect to the laws of the United States,

within the State of Vermont, was read the third time, the blanks filled up, and the bill passed.

Mr. Goodhue delivered in the following.
The Committee to whom was referred the Message of the President of the United States, of the 14th inst. report as follows:

THAT after the day of no goods, wares or merchandize, of foreign growth or manufacture, shall be imported into the United States, except in vessels of the United States, or in such as actually belong to the country or place, of which such goods, wares or merchandize, are or may be, the growth, product or manufacture, or in the ships or vessels of such country or place, to which the ships or vessels of the United States shall be permitted to carry goods, wares and merchandize, which are not of the growth, product or manufacture of the United States.

And if any goods, wares, or merchandize of foreign growth or manufacture, more than shall be necessary for sea stores, shall after the said day of be imported into the United States, in any other manner than as is herein before provided; all such goods wares, and merchandize, and the ships and vessels in which the same shall be imported, together with their tackle and apparel, shall be seized and forfeited, to the use of the United States, and shall be recovered and sold, and the proceeds accounted for, and applied in the manner provided for forfeitures, by the act, intituled, "An act

That there shall be levied, collected, and paid, upon all rum which, after the day of shall be imported into the United States (over and above the duties now payable on distilled spirits) a duty of one cent pr. gallon. And upon all distilled spirits, the produce or manufacture of any country or place, at which the ships or vessels of the United States are not permitted to load such distilled spirits, and which shall be imported into the United States after the day of a farther additional duty of twelve and an half cents pr. gallon, on such as shall be not more than ten per cent below proof, according to Dica's hydrometer, and in like proportion for all other distilled spirits, whether imported directly from thence, or from any other country or place, in any ship or vessel, other than those of the United States; which duties shall be levied, collected, and paid, in like manner, subject to the like regulations and drawbacks, as is provided by the act, intituled, "An act

And in order to ascertain the country or place at which spirits imported after the day of shall have been distilled, it shall be the duty of the importer or importers thereof in other than ships or vessels of the United States, to make proof to the satisfaction of the officers of the customs, with whom entry of any distilled spirits shall be made, that the same were distilled in some country or place at which the ships or vessels of the United States are permitted to load like spirits; in default of which proof, all such spirits shall be liable to the payment of the aforesaid duty of twelve and an half cents per gallon.

In committee of the whole on the bill making compensation to Clerks, Marshalls and Jurors.

The committee discussed the several sections of the bill; which were so amended as to leave the compensations to arise altogether from fees: They then rose and reported the bill to the House, which further amended the same. The bill was then referred to a select committee, of five, to report a table of fees.

Mr. Madison reported a bill to explain a clause in the Act making provision for the public debt—respecting the duty on lead and printed calicoes; which was read the first and second time, and ordered to be engrossed for a third reading.

In committee of the whole on the bill, to compensate Captain Joshua Barney. A motion for filling up the blank with \$96 dollars, occasioned a considerable debate, and was finally negatived.

The committee then rose and reported the bill to the house with a blank. A motion for engrossing the bill was also negatived.

A message was received from the Senate informing the House that they have passed a bill which originated in the house, with sundry amendments.

Some private business occurring, occasioned an order for clearing the galleries.

TUESDAY, Feb. 22.

Mr. Sedgwick of the committee appointed for the purpose, reported a bill to make further provision in the law for the collection of the duties on Teas, which was read the first and second time, and referred to the committee of the whole house.

Sundry reports from the Secretary of War, on petitions referred to him, were read.

A bill supplemental to the act for establishing the Treasury Department, was read the first and second time, and made the order of the day for to-morrow. This bill provides for extending the clause in the bill which enjoins an oath or affirmation from the principal officers of this Department, to the Clerks.

A message was received from the Senate, informing the house, that they recede from some, and adhere to others of their amendments to the bill laying duties on distilled spirits, &c.

The committee appointed to consider, and report what further provision is necessary to secure the duly accounting for monies appropriated for the War Department, reported a resolution for the appointment of a pay-master, which was read and laid on the table.

In committee of the whole, on the bill, supplementary to the act to incorporate the subscribers to the bank of the United States.

Mr. Smith (S. C.) moved that the first section of the bill should be expunged—and proposed the following in substance, as a substitute, viz: that subscriptions for the bank should not be opened till the first Monday in July next, and that the first payment in the six per cents of the United States may be deferred till the first Monday in January next; this was agreed to.

A clause to prohibit any person or body politic, except on behalf of the United States, from subscribing within three months from the said first of July, more than shares in one day—was agreed to.

A clause proposed by Mr. Fitzsimons enjoining the payment of the specie proportion of the subscription at the time of subscribing, and subjecting the subscribers to a forfeiture of the said first payment, in case the subsequent payments are not made—was also agreed to.

Mr. Madison proposed a clause, in substance, making it optional with the subscribers to pay their subscriptions either in the three or six per cents, both of the continental and assumed debt—the three per cents, at two for one of the six per cents; agreed to.

The committee reported these amendments to the house, which were adopted, and the bill ordered to be engrossed for a third reading—tomorrow.

The enrolled bill to regulate the number of Representatives for the States of Kentucky and Vermont was reported, and signed by the Speaker.

The amendments to the bill laying a duty on distilled spirits, &c. which had been disagreed to by the Senate, were taken into consideration. The first amendment to which the Senate had disagreed, respected the limitation of the compensation of the officers to two years; they proposed a substitute, by which, the provision was to continue till altered by law: After some debate, the question for agreeing to the amendment of the Senate, was negatived—Ayes 24; Nays 36. The house then voted to insist on their amendment.—The house concurred in the other amendments.

A message was received from the Senate informing the house that they have negatived the bill determining the time of the next meeting of Congress; also communicating a vote of the Senate in which they request the concurrence of the house, for transmitting to the President of the National Assembly of France, a resolution expressive of the sensibility of the legislature of the United States at the very respectful attention paid by that free and enlightened assembly to the memory of Benjamin Franklin.

The report of the committee on the message of the President of the United States of the 14th inst. was read the second time.

A motion to refer this report to a committee of the whole, was superceded by the call for an adjournment—which took place.

THE VOLUNTEER LAUREAT,
AN ODE;

For the BIRTH-DAY of the PRESIDENT of the UNITED STATES.

OF has the Poet's venal song,
Correctly mean, and elegantly low,
Told the false plaudits of the courtly throng,
And wak'd a smile on guilty Grandeur's brow.
But here hath Virtue's guardian hand
Torn from the Syren, Adulation's power
The Man, whose praise—the voice of every land—
Hangs on the lips of every parting hour.

Here, can no Poet's venal song
Echo the praises of a courtly throng;
Nor the poor wealth of many a powerful State,
Buy a new honor for the truly great:
For here, the Muse's noblest lays
But speak a Nation's answering praise;
And here, can heaven-descended verse
Nought but the glories of his name rehearse.

Daughter of Heaven! awake the ennobling lyre!
Breathe thy full influence; every cord inspire;
Exalt the soul to dignity of song;
Swell every note, and every strain prolong.
The answering Spirit trembles o'er the strings;
Things, more than earthly, dance before my sight;
Hark! with her voice the empyrean rings;
The Past, lies all reveal'd; the Future lives in light.

"The voice of Horror echoes far;
"Responds, the direful whoop of war;
"Thunders, the mighty tube of death;
"The knife red gleams upon the heath;
"Groans load the air, shrieks rend the skies;
"The crimson standard wildly flies;
"Impatient slaughter loudly calls;
"The Chief of Thro'tless Valor falls.
"Gainst all the terrors of the field,
"The Chief of Virtue rears his shield;
"Secure, the train diminish'd move;
"And weeping Britain smiles in love.

"See, demon Danger's horrid form,
"With dire Oppression strong allied,
"Hangs o'er the land—and wak's the storm;
"And swells, of deep calamity, the tide.
"See, in their train Destruction stalk;
"And Giant Vengeance threatening walk;
"And red-clad Envy ride the poison'd gale;
"And jealous Grandeur spread the impatient sail.

"Greatly inspir'd, his country lifts her voice—
"See Danger trembles at his awful name;
"Tyrant Oppression views her fainting flame;
"And gasping Freedom breathes but to rejoice.

"Dark o'er the field of Liberty and Right,
"Of sad Dimay, hangs low the deepen'd gloom;
"Wide spreads the flash of Trenton's bloody light;
"And Freedom, glorying, rises from the tomb.
"Strong in himself—he scatters wide the storm;
"Calms the wild raging of the troubled tide;
"O'erthrows Destruction; Vengeance joins his side;
"And Envy kneels in Adoration's form.

"Lin'd with red Hofts the ramparts shine;
"Oppos'd, the brother armies join;
"The brazen Thunders ope their throats;
"On all the air the Tempest floats:
"Their Captives guarded, see the bands retire,
"And jealous Grandeur at the view expire.

"His Country sav'd, o'er Cincinnatus great,
"Hetills the foil, and guides the arts of Peace.
"But see! new Glory bursts the womb of Fate!
"New toils demand him from the promis'd cafe!
"The voice of millions lift him o'er the realm
"Which once his valor from oppression freed;
"Powerful in virtue, now he rules the helm—
"In War—in Peace—the blest of Heaven succeed.

"O born to grace and dignity mankind!
"Years long await thee—Time himself shall stay
"Till thou hast op'd, resplendent on the mind,
"Th' immortal brightness of the moral day.
"Tis thine to spread new virtue o'er the Earth;
"To breathe the soul of liberty in man;
"To trace Creation to a glorious birth;
"And charm Perfection to complete the Plan."

Favor'd of Heaven! the Muse in rapture faints,
Thy grateful country strives, in vain, to sing;
The Earth uplifts her hands in joy—the Saints
Respond in Peans to each speaking string.
"Long may'st thou live"—the Soul of Nature cries—
"Greatest of Mortals—Favorite of the Skies."

ELLA.

PHILADELPHIA, Feb. 23, 1791.

Yesterday being the Anniversary of the Birth-Day of THE PRESIDENT OF THE UNITED STATES, when he attained to the 59th year of his age—the same was celebrated here with every demonstration of public joy. The Artillery and Light-Infantry corps of the city were paraded, and at 12 o'clock a federal salute was fired. The congratulatory Compliments of the Members of the Legislature of the Union—the Heads of the Departments of State—Foreign Ministers—Officers, civil and military of the State—the Reverend Clergy—and of Strangers and Citizens of distinction, were presented to the President on this auspicious occasion.

The President of the United States, by and with the advice and consent of the Senate, has been pleased to nominate and appoint DAVID HUMPHREYS, Esq. Minister-Resident, from the United States, to her Most Faithful Majesty the Queen of Portugal.

Names of the Counsellors and Attornies in the Supreme Court of the United States, admitted and sworn at Philadelphia, Feb. 1791.

COUNSELLORS.

William Lewis, William Bradford, jun. Alexander Willocks, Miers Fisher, Jonathan D. Sergeant, Jared Ingersoll, Edward Tilghman, James Monroe, Edward Burd, William Barton, Moses Levy, John F. Mifflin, Charles Heatley, William Rawle, Jasper Moylan, A. I. Dallas, Thomas Leaming, jun. Peter S. Du Ponceau, John Todd, jun. Joseph B. M'Kean, Joseph Henderford, and Benjamin Chew, jun. Esquires, of Pennsylvania.
Luther Martin, Esq. of Maryland.
Hon. Alexander White, of Virginia.
Hon. Samuel Johnston, of North-Carolina.

ATTORNIES.

John Caldwell, and Beni. R. Morgan, Esq's, of Pennsylvania.

PRICE CURRENT.—PUBLIC SECURITIES.

FUNDED DEBT.			
6 pr. Cents	17 1/2	pr. £	86 pr. cent.
3 pr. Cents	9 1/2		45 do.
Deferred 6 pr. Cents	9 1/2		46 do.
UNFUNDED DEBT.			
Final Sett. and other Certificates	15/9	16/6	80 do.
Indents	9/1		45 do.
N. and S. Carolina debts,	12/6		62 1/2 do.

* Erroneously stated at 12/6 in our last.