



CONGRESS.

HOUSE OF REPRESENTATIVES.

SATURDAY, Feb. 5.

The BANK BILL under consideration.

MR. STONE said: If upon questions like the present he had given pain to members he regarded, they might be assured the pain was reciprocal. Let us cherish mutual toleration. We might conceive that each pursued improper systems from the purest motives. We differ in our ideas of government and our sense of the sacredness of the written compact. We varied widely in our opinions of the direction of this government: The great lesson of experiment would show who is right; but we are influenced in our habits of thinking by our local situations, and perhaps the distinct interests of the States we represent. He observed, that upon the present occasion the opinions respecting the constitution seem to be divided by a geographical line, dividing the continent. Hence it might be inferred that other considerations mixed with the question; and it had been insinuated that it was warped by the future seat of government. But other causes may be assigned for the diversity of sentiment; the people to the eastward began earliest in favor of liberty: They pursued freedom into anarchy; starting at the precipice of confusion they are now vibrating far the other way. He said that all our taxes are paid by the consumers of manufactures; those taxes are all bounties upon home manufactures. The people to the eastward are the manufacturers of this country; it was no wonder that they should endeavor to strengthen the hands of a government by which they are so peculiarly benefited.

It is a fact that the greatest part of the Continental Debt has travelled Eastward of the Potomack—This law is to raise the value of the Continental Paper. Here then (says he) is the strong impulse of immediate interest in favor of the Bank—He took notice of the distinction made by the plan of the bill, between Continental and State Paper—The State Paper on account of partial payments of interest still remained in the respective states. But this could not by the present system be subscribed—so that the Southern States were deprived of the advantage that might have been given to the only paper they have. But (he said) if Gentleman charge us with defending the seat of government, let them remember that this betrays consciousness of an attack. If they believe that this scheme tends to break the faith of the union pledged to the Potomack, it is no wonder they suppose we oppose it upon that ground. He would not have mentioned this subject, had it not been hinted at. But let the whole of it come forth—let gentlemen consult their own bosoms; let the public decide the truth of his observations. He hoped he should not be suspected of any bias—That so uniform had been his conduct upon all questions, turning upon principles similar to the present, that every member in the house, he believed, had conjectured rightly of the side he would take before he had uttered a word upon the subject. When implication first raised its head in this house, he started from it as a serpent which was to sting and poison the constitution. He felt in unison with his country. The fears, the opinions, the jealousies of individuals and of states, had been explained by a gentleman from Virginia (Mr. Madison). He should only remark, that all those who opposed the government, dreaded this doctrine—those who advocated it, declared that it could not be resorted to—and all combined in opinion that it ought not to be tolerated. Never did any country more completely unite in any sentiment than America in this—“That Congress ought not to exercise, by implication, powers not granted by the constitution.” And it is not strange—for the admission of this doctrine destroys the principle of your government at a blow—it at once breaks down every barrier which the federal constitution had raised against unlimited legislation. He said that necessity was the most plausible pretext for breaking the spirit of the social compact; but the people of this country have anticipated that pretext—They have said to the ministers of this country, “We have given you what we think competent powers; but if experience proves them inadequate, we will enlarge them—but in the mean time dare not usurp those which we have reserved.”

It is agreed on all hands that the power to incorporate the subscribers to a bank is not expressly granted, and although gentleman have agreed that it is implied—that it is an incident—that it is a means, for effectuating powers ex-

pressly granted; yet they are not agreed as to the particular power to which this is an incident. They admit that the sweeping clause in the constitution confers no additional power. But if he understood the gentlemen, several of them were of opinion that all governments instituted for certain ends draw to them the means of execution as of common right. This doctrine would make our's but a short constitution. (Here he read the preamble) and then said—Here is your constitution! Here is your bill of rights! Do these gentlemen require any thing more respecting the powers of Congress, than a description of the ends of government? and if of right they can carry these into effect, will they regard the means tho they be expressly pointed out? But I would ask if there is any power under heaven which could not be exercised within the extensive limits of this preamble?

The convention might have stopped here—and there was no need, according to the doctrine of the gentlemen, to point out any of the means for the ends mentioned in the preamble. That portion of the constitution which, by all America, has been thought so important, according to their logic, would become a dead letter; but the preamble in fair construction is a solemn compact, that the powers granted shall be made use of to the ends thereby specified.

He then reprobated in pointed terms the latitude of the principles premised. He said the end of all government is the public good—and if the means were left to legislation, all written compacts were nugatory. He observed, that the sober discretion of the legislature, which in the opinions of gentlemen ought to be paramount, was the very thing intended to be curbed and restrained by our constitution.

He then declared that our form of government not only pointed out the ends of government, but specified the means of execution. He said we may make war—this would draw to it the power of raising an army and navy, laying taxes, establishing a judiciary, &c. But the spirit of the constitution in this respect had been well explained by Mr. Madison, and he should not recapitulate.

He said a gentleman from South-Carolina (Mr. Smith) had remarked that all our laws proceeded upon the principle of expediency—that we were judges of that expediency—as soon as we gave it as our opinion that a thing was expedient, it became constitutional. What then, said he, remains of your constitution, except its mode of organization! We may look into it to refresh our memories, respecting the times, places and manner of composing the government—that as to the powers of Congress, were he of that gentleman's opinion, he would never look into it again. Gentlemen see the difficulties of their theories, and are obliged to confess, that these incidental powers are not easily defined. They rest in the sober discretion of the legislature.

One gentleman (Mr. Ames) has said, no implication ought to be made against the law of nature—against rights acquired—or against powers pre-occupied by the states; that it is easier to restrain than to give competent powers of execution. Now these notions are hostile to the main principle of our government, which is only a grant of particular portions of power, implying a negative to all others. It has been shown that the ends of government will include every thing. If gentlemen are allowed to range in their sober discretion for the means, it is plain they have no limits. By the cabalistical word incident, your constitution is turned upside down; and instead of being a grant of particular powers, guarded by an implied negative to all others, it is made to imply all powers. But, strange to tell, America forgot to guard it by express negative provisions. Is there any difference in effect between lodging general powers in a government, and permitting the exercise of them by subtle constructions? He said there was a difference—In the one case, the people fairly gave up their liberty, and stood prepared—in the other, they were unexpectedly tricked out of their constitution. [To be concluded in our next.]

FROM THE CONNECTICUT COURANT.

To the PROMPTER.

SIR,

I AM a young man of considerable fashion, but have not yet got into shoestrings; and my buckles are so long, they prevent my toes from bending when I walk; and my coat and waistcoat crowd my hair up out of its place, and scrub my neck and cheeks till they are sore—it seems to me our fashion-makers “do not work it right.”—Do, Sir, tell us if buckles are to grow longer than feet; or the collars of coats and waistcoats into hoods. I am, Sir, your admirer, W.

N. B. I believe you meant me in your last number, for I always borrow a spade, a shovel, a crowbar, a pickaxe, and a wheelbarrow when I want them—this, I think, is “working it right”—it is better than to buy them.

P A R I S, December 21.

YESTERDAY M. Bailly, the mayor, received the following letter from the king:

“I wish you, sir, to wait upon me this evening at seven, and to bring with you the commissioners of subsistence and public establishments. The season grows severe, and I feel nothing more urgent than to concert means with you for securing subsistence for the people, and providing them with employment during the winter.”

Signed LOUIS.”

Plots and conspiracies continue to be talked of in various parts of the kingdom; but we have been so much accustomed to such alarms, that we pay less regard to them than formerly. The ferment among the clergy has been general; but they have not been able to communicate it to the people, by whom all their attempts to excite disturbances, even where the magistrates have betrayed or neglected their duty, have been watched and defeated. The sale of church and crown lands has far exceeded expectation; the assignments are already in the process of being cancelled: the troops of the line in general continue steady to their duty; and taxes begin to be regularly paid.

LONDON, January 10.

It is very much apprehended that the Grand Vizir will be obliged, in all cases, to give way to the Russian troops, or run the risk of having the rest of his army entirely destroyed.

Of more than 100,000 men which he had under his command, above 60,000 Asiatics have deserted, in spite of entreaties, remonstrances, and menaces to induce them to stay.

Out of the 40,000 which remained some time ago, many were daily deserting. And in the several marches, sieges, and skirmishes which they have made and sustained, many more have perished.

It is expected, that the negotiations at Schiftovi, will be interrupted by the Russian troops particularly by the Cossacks, and that it will be necessary to name some other town for the meeting of the Congress.

It has been lately recommended to such gentlemen as chuse to travel with fire arms, when they find themselves attacked by a mounted highwayman, to shoot rather at the horse which the highwayman rides than at the man. The reasons for this recommendation are said to be the following: 1st. They would not be so likely to miss the mark they aim at; not one highwayman in a thousand would be able to keep his seat under the exertions that a wounded horse would make; and in case the horse should be killed, the man would, of course, fall an easy prey. 2d. Because very few highwaymen ride upon their own horses, and the killing the horse would be a check to those jockies and others, who let out horses for the scandalous purposes of robbing. 3d. Killing the horse would not so much wound the conscience as killing one of our own species, who by this means would be sent into hell outright with the sin he was committing irreversibly upon him.

On Monday last as Thomas Evans, a carrier, was on the road to Shrewsbury, after being in a most violent rage with one of his horses which did not go on to his satisfaction, beating the poor animal, and uttering the most dreadful oaths, he suddenly dropped down dead—an awful warning to prophane swearers, and to those unfeeling persons who use poor worn out animals with wanton cruelty!

On the police of the Turks, in the severe punishments inflicted upon those who make use of false weights and measures, Mr. Howard confirmed the account given by many other travellers. He spoke highly of some part of the moral character of the Turks, particularly of their gratitude for favors received, and said, that when he has been lucky enough to cure a rich Turk of some disorder, he offered him a purse of 2000 sequins. This, however, Mr. Howard would not accept of, and requested only that his patient would permit him occasionally to send to his garden for some grapes and oranges to eat with his tea at breakfast. The Turk sent him every morning a large basket full of the choicest fruits his garden produced.

NEW DISCOVERY.

Mr. Watson, plumber in Newcastle, (England) has lately finished, by Mr. Ker's direction, two coppers for condensing and preserving the essential oils of hops, which have been erected in the Tyne and Hexham breweries, and given the greatest satisfaction to the proprietors, who have most liberally rewarded Mr. Ker, for the exercise of his valuable discovery.

The inventor discovered, what is astonishing no one ever observed before him, that, in the common way of impregnating worts with the virtues of the hops, the finer and more aromatic flavor of these was dissipated in vapor, while the disagreeable bitter quality alone remained.

In consequence of this observation he devised a method of collecting the vapor, which he found to be principally composed of the essential oil of