

powers of this constitution are to be governed by the same rules of construction and we are to have no regard to place—it follows that Congress can exercise exclusive legislation over this continent. He was astonished at this doctrine. It would be equally reasonable to say that France because within the limits of her own dominions and over her own property she exercised exclusive legislation, that hence she had a right to legislate for the world.

8th. The power of removal of officers by the President alone. He said it was known he had opposed that doctrine. He left it to be defended by those who had voted for it: But he hoped (Mr. Smith, S. C.) and some other gentlemen who had opposed it would review the arguments they had used upon that occasion.

He observed after taking a view of these precedents on the danger of laying down improper principles in legislation. How eagerly men grasped at the slightest pretext for the exercise of power. He shuddered to think what a broad and commanding position this Bank will form for farther encroachments.

A gentleman from Massachusetts (Mr. Sedgwick) has said that whenever a power is granted, all the known and usual means of execution are always implied; the idea (he said) had been properly examined by (Mr. Giles) but he would ask if incorporating the subscribers to a bank was the known and usual means of borrowing money—especially when the subscribers were not obliged to loan—or of collecting taxes when no taxes were levied on the bank?

But gentlemen tell us that if we tie up the constitution too tight it will break; if we hamper it we cannot stir; if we do not admit the doctrine we cannot legislate at all. And with a kind of triumph they say that implication is recognized by the constitution itself in the clause wherein we have power to make all laws, to carry, &c. He said he was ready to meet the gentlemen upon this ground. This clause he said was intended to defeat those loose and proud principles of legislation which had been contended for. It was meant to reduce legislation to some rule. In fine, it confined the legislature to those means that were necessary and proper.

He said it would not be pretended that it was necessary and proper for the collection of taxes. Indeed one gentleman (Mr. Ames) had attempted to show that the payments in specie could not be made, if by chance a great quantity of debt suddenly accumulated in a particular place. But it might be remembered that this necessity, if it arrived, was created by the legislature—and that would be strange reasoning which broke a good constitution to mend a bad law. No taxes are collected by this bill.

It would not be necessary and proper as a mean of borrowing money, because, first, we do not want to borrow money—and if we did, this law, though it may be the probable, is not the necessary mean—for if it was the interest of the stockholders, they might, and he believed would, refuse to loan. He said that the institution might be defended upon more plausible grounds if the bank had been taxed, or if a condition to loan money to the public had been made part of the plan. Upon what ground then do gentlemen stand?—they can only say, that they have implied a great and substantive power in Congress, which gives to government or to individuals the influence of \$5,000,000 dollars, irrevocable for 20 years, with a power of making bye-laws, &c.—because there is a probability that this institution may be convenient and agreeable in the operations of government. He asked, upon parallel principles, what might Congress not do? He said that the gentleman from Virginia (Mr. Madison) pursuing the doctrine into all the forms in which it might appear, had struck upon several cases which were very pointed—An incorporation of manufacturers with exclusive privileges—merchants with the same—a national religion. This, a gentleman (Mr. Ames) has said was unfair and extravagant reasoning—and yet, in five minutes, the gentleman's own reasoning led him to ask, with warmth, if Congress could not join stocks with a company to trade to Nootka! and he condescended to doubt if the privileges given to such a company might not be exclusive. He saw clearly himself that his theory led to the latter conclusion—for if expediency—if convenience—facility—if fears of war—if preparations for events which might never happen, can justify an incorporation upon the present plan, the same suggestions, the same logic, will legalize incorporations with exclusive privileges. The deductions of the gentlemen from Virginia are found and right, and cannot be fairly controverted. Congress may then do any thing. Nay, if the principles now advocated are right, it is the duty of the legislature of the union to make all laws—not only those that are necessary and proper to carry the powers of the government into effect, but all laws which are convenient, expedient, and beneficial to the United States.—Then where is your constitution!—Are we not now sitting in our sober discretion—a general government, without the semblance of restraint? Yes,

said he, we have still a constitution—but where is it to be found? Is it written?—No. Is it among the archives?—No. Where is it?—It is found in the sober discretion of the legislature—it is registered in the rains of the majority.

He proceeded: I say there is no necessity, there is no occasion for this bank; the States will institute banks which will answer every purpose. But a distrust of the States is shewn in every movement of Congress; will not this implant distrusts also in the States? Will you gain by this contest? This scheme may give, and I am convinced will give partial advantages to the States. In the fair administration of our government no partial advantages can be given; but by this bill a few stock-holders may institute banks in particular states to their aggrandizement and the oppression of others:—it will swallow up the state banks—it will raise in this country a monied interest at the devotion of government—it may bribe both states and individuals. He said gentlemen asked, who would be offended or hurt by this plan?—Have we heard any complaints against it—have the newspapers reprobated it? These questions had no influence on his mind—he said it was one of those sly and subtle movements which marched silently to its object: the vices of it were at first not palpable or obvious; but when the people saw a distinction of banks created—when they viewed with astonishment the train of wealth which followed individuals, whose sudden exaltation surprized even the possessors—they would enquire how all this came about; they will then examine into the powers by which these phenomena have arisen, and they will find—they will reprobate the falsehood of the theories of the present day.

He said that gentlemen had told us of the sudden irruptions of enemies: When those necessities arrive, it is time enough to make use of them to break your constitution. But gentlemen say, upon emergencies, the bank will loan money. We differ in opinion. I think when we want it most, the bank will be most unable and unwilling to lend. If we are in prosperity, we can borrow money almost any where; but in adversity stockholders will avoid us with as much caution as any other capitalists.

But a gentleman (Mr. Ames) tells us not to be alarmed—the bank will not eat up liberty—he said he was not afraid. He was not under any apprehensions that all the little influence that Congress possessed would destroy the great spirit of American liberty. The body of the people would laugh at and ridicule any attempt to enslave them; but a conduct which had that tendency might rouse alarming passions. He said there existed at this moment ill-blood in the United States, which to quiet, he would readily agree to enter into a foreign war. America with us, we might defy the world. There was, he said, but one people he was afraid of offending: This was America. He was not afraid of foreign enemies—but the resentment of our own country is always a subject of serious apprehensions. He observed that there were other parts of this important and diffusive subject, which he might have touched, but he had fatigued himself and the house.

Mr. SMITH (S. C.) said, as he had been greatly misunderstood by the gentleman last up, he wished to explain the position he had laid down. He had never been so absurd as to contend, as the gentleman had stated, that whatever the legislature thought expedient was therefore constitutional; but he had only argued that, in cases where the question was, whether a law was necessary and proper to carry a given power into effect, the members of the legislature had no other guide but their own judgments, from which alone they were to determine whether the measure proposed was necessary and proper to carry the powers vested in Congress into full effect. If in such cases it appeared to them, on solemn deliberation, that the measure was not prohibited by any part of the constitution, was not a violation of the rights of any state or individual, and was peculiarly necessary and proper to carry into operation certain essential powers of the government—it was then not only justifiable on the part of Congress, but it was even their duty to adopt such measure: that nevertheless it was still within the province of the judiciary to annul the law, if it should be by them deemed not to result by fair construction from the powers vested by the constitution.

LONDON, January 20.

THE following is the translation of a letter from the Empress of Russia, to the King of Sweden:

“Monsieur, mon Frere & Cousine,

“The happy conclusion of the peace at Warel, having afforded us an opportunity of acquiring the zeal and good intentions of our respective Plenipotentiaries, exerted in the re-establishment of mutual harmony, we thought proper to confer the order of St. Andrew on the two Barons, to whom, on our own part, the accom-

plishment of this desirable business has been entrusted. Your Majesty will do us the justice to acknowledge to all Europe, the proofs we have given of the value which we set on your friendship.

“As a proof of our sincerity, Gen. Van der Pahlen has orders to produce to you, the insignia of the order of St. Andrew, which we intend for your Great Chamberlain, the Baron d'Armfeldt, and which we intreat that you will give him leave to accept.

“In the mean time, your majesty will be persuaded, that it is our constant desire to merit your distinguished esteem and friendship. These are the sentiments of, Monsieur, mon Frere and

“Mon Cousine, your Majesty's  
“bonne Soeur, Cousine & Voisine,  
(Signed) CATHARINE.”

JANUARY 24.

The affairs of Europe are upon the eve of a crisis, and the Empress has now most decidedly to contend, if she has temerity enough, with a quintuple alliance, from whom she will be competent to obtain a peace on the terms of the Reichenbach treaty only.

The Dutch, it appears by the last mails, are indefatigable in their preparations to co-operate with England in every measure that will be found necessary, in the spring, to adopt.

*Extract of a letter from the camp at Coimbatore, within 150 miles of Tippoo Sultan's capital, Seringapatam, dated the 30th of August, 1790.*

“The war with Tippoo has been commenced these three months past, although nothing of consequence has yet been done, except the capture of this part of his country, of which we made ourselves masters with little opposition; Tippoo having retired with his army through the mountains, into the interior part of his kingdom, where it is supposed he will make a stand. We remain encamped here on account of the rains; when they are over, we shall march for his capital, Seringapatam, which, it is said, is strongly fortified. It is only 150 miles from this capital, but between us and it there is a large chain of mountains, through which our army must march by one narrow pass, which, if well defended, may give us much trouble. There is here encamped the finest army that ever any European power employed in India. It consists of four King's regiments, and one regiment of the company's Europeans, twelve battalions of Sepoys, four regiments of native cavalry, and the 10th regiment of light dragoons, three battalions of European artillery, with 70 field-pieces, besides a battering train. Our camp is upwards of two miles in length, and is a noble sight. The troops are in high health and great spirits.”

JANUARY 27.

Mons. de Mirabeau, we understand, does not intend, as he has not the leisure, to answer Mr. Burke's pamphlet on the new government of France. He will content himself, according to our letters from Paris, with moving in the National Assembly, that their Ambassador at the Court of London should be instructed to complain to the British Ministry, of the insult offered by that publication to the representatives of the French nation.

Mr. Sheridan is writing a pamphlet to prove that France is rising to prosperity, and preparing a speech to prove that Great-Britain is verging to ruin. Doctor Price may, indeed, pray most devoutly for his success in those contradictory attempts, but we have reason to believe that even Lord Stanhope laughs in secret, at all the Quixotism of his friend.

Some time ago the King of Spain's watch-maker, a native of Ireland, discovered that the dry spongy stalks of the great branched Asphodel exceeded all other things that he was acquainted with for giving the last polish and brightest burnish to steel. As the experiment may be made with ease and without expense, it is recommended to artificers in the diversity of our steel manufactories.—The asphodel, though but little cultivated here, except by the curious in botany, will succeed in this climate.—It grows spontaneously in all parts of Spain, and abounds in the environs of Madrid. In Castile the leaves of this plant are gathered, dried to feed dogs, and are an excellent nutriment for those animals.

*Admiralty Office, Dec. 3.* This day in pursuance of the King's pleasure, his Royal Highness William Henry Duke of Clarence, Captain in his Majesty's Navy, was promoted to the rank of Rear Admiral of the Blue Squadron of his Majesty's fleet.

*Portsmouth Dec. 6.* The few ships that have already been paid off here, have let loose on the public a number of mischievous and villainous people.

Saturday morning about three o'clock a man of the name of Joseph Woodfall, was most inhumanly murdered at the Back of the Point. He was found on the Sallee Port Beach early in the morning, and on being examined, was found bruised in a shocking manner; his skull entirely beat in, and many violent blows appeared on