

MONDAY, November 26.

first expression, therefore the burden of the roof falls on the gentleman himself. The nature of the government, as it prohibits the other branch from intermeddling in the first formation of money bills, and expressly describes how far the executive power may interfere with the legislative, is sufficiently expressive of the design of the constitution. Legislative authority is in its own nature incommunicable, and cannot be transferred; a member of the legislature cannot appoint a deputy to serve in his place; if any power is exclusively vested, it is that of giving the first complexion to revenue systems; this is the special trust of that branch which possesses within itself the greatest knowledge of the people's circumstances, and participation of their interests; and this influential power is thus guarded for obvious reasons. But the constitutional principles involved in this question have been explained with so much ability by several other gentlemen who have been up before me, that it is not necessary to detain the House longer on that head.

However, another argument which has been frequently repeated, and particularly urged by the gentleman last up (Mr. Gerry) requires some further animadversions. It is, that by the law which defines the power of the Secretary, we are bound to refer the revenue business to that officer, and to receive the original plans from him; that if we do not act according to this law, we will set a dangerous example of disobedience to the citizens.

Mr. Speaker, I ask, had the House of Representatives a right to originate in the first instance revenue systems, before this law was made? This I presume will not be denied; if that House had the power, are not the powers of this House equally extensive? Can one House of Representatives abridge or alienate the powers of another? If this can be done, we may give away the constitutional powers of future Houses to any extent. In short, sir, I have as much power now in this House, as any member ever had in any former House, my conduct as a member is only restricted by the constitution, and by the temporary rules of the House, which we may change at pleasure by a vote. I have a right now to move on this floor, an original plan, for the very purpose in question, or for any other revenue purpose; this is a power vested with every member, consequently with the whole House, and they cannot transfer it to a secretary, to the senate or to any officer, or public body on earth.

The law in question gives a capacity to the secretary to prepare plans when we direct him to do so; it makes it his duty (how far that law is proper, is another question). But the law does not, nor cannot, oblige us to call upon him to do that duty, or restrain us from doing it ourselves.

Gentlemen talk much of our power to alter or reject his systems; but this is not to the purpose; it has been already observed, that we might alter or reject a plan proposed to us by the Senate, or by the President; but it is our peculiar duty to regenerate or give the original complexion to the systems, and this is, by universal consent, esteemed the most important and influential part of the business.

Our own discernment and virtue, is by some gentlemen urged as a sufficient security against any influence or danger, that can possibly arise from transferring this part of our duty to an executive officer; I confess I have no doubt of our virtue, and entertain a pretty good opinion of our discernment; it is an agreeable thing enough to have a good opinion of ourselves. However, I apprehend, the most venal public body that ever existed, would have boasted of their own integrity, as well as we; but it is enough for us that the constitution has provided other securities than our wisdom and virtue; our self-confidence never ought to induce us to break over, or despise the constitutional guards.

But, passing other things, I shall make a few observations upon the advantages and disadvantages arising from both sides of the question. Some of the disadvantages mentioned are, that by originating the revenue systems in the house our measures will be fluctuating, public credit will be impaired, or lost, and a stop put to the national prosperity; and, as the gentleman last up, Mr. Gerry, has repeatedly said, the confusions of the old government will be introduced. It is admitted, that the constitution puts it in the

power of the representatives to give the first form to revenue plans, if they choose to do it; at least, that it was optional with them previous to the law: if, therefore, they cannot do it themselves without all those mischievous consequences, it is time to change the government itself—it is much better to do so, avowedly and deliberately, than in this insidious and indirect manner. However, I wish we would first try the experiment in a few instances, and if those bad effects are produced, the gentlemen's arguments in favour of their plan will receive experimental aid.

With respect to the confusions of the old government, I am at some loss to know what the gentleman means; it is true, the old Congress was vested with a confusion of powers, viz. legislative, executive, &c. but this is not the case with us; the old Congress had also a confused manner of doing business; they seldom had a full house: this circumstance laid them under the necessity of referring much of their business to the heads of departments; against doing which, the confederation had provided no such express guard, as our constitution does; I have always apprehended, that, from that confused habit of doing business, the present method of referring legislative affairs to the heads of departments, found its way into this house; and it is against, and not for, that old confusion, that I contend.

With respect to the advantages arising from the Secretary of the Treasury giving the first principles, and original complexion to our revenue systems, they are stated to be great and numerous; but they are well summed up, by the gentleman from New-York (Mr. Lawrence) who says, that to this method of doing business, we are indebted for the retrieved state of our national affairs, for all our wealth and prosperity. Surely if this proves any thing, it proves too much; if the Secretary's influence and abilities can do so much good, it is a proof, that if he is either mistaken, or wants virtue, he may by the exercise of this power, do much harm. According to this way of reasoning Congress must be responsible for all that is wrong, and the Secretary have the credit of all that is done well; will any person who supports this assertion, pretend to say, that if entrusting the secretary with originating the principles of money bills, produces such important effects that it does not vest him with the means of an undue and dangerous influence.

But does the gentlemen believe that the present government, vested with such extensive and effective powers, and possessed of such ample means, would have left those powers unexercised, and those means unapplied; that Congress would have paid no respect to the contracts, and made no provision for the debts of the United States, if the Secretary had not originated the plans? surely this is not a supposable case; nor is it very consistent with another observation made by the gentleman, when he told us, that the Secretary's preparing a plan was attended with no more influence than would be produced by the clerk of this House inserting a clause in a bill—both instances being equally subject to our control. I would not consent, nor do we permit our clerk to originate systems; but if we cannot do it ourselves, it would be much more consistent and safe, to trust it with our clerk, who is wholly dependant on the House, and may be dismissed by it at pleasure, and has no patronage connected with his office, than to entrust that power with an executive officer, chosen by the President, and dependant on him for his continuance in office, and having an increasing patronage connected with his office. Certainly, sir, if an officer must be paid to originate our revenue systems, we ought to provide that he should be appointed by and dependant upon the House of Representatives.

When we reflect upon the subject, and look round us, we will find no example in the state governments to countenance our conduct, and these were the models after which the government of the Union was formed; nor is it pretended that the Constitution under which we act, and have sworn to support, expressly gives any such power, and I am persuaded that the general Convention which originated the government of the Union, nor the State Conventions who adopted it, contemplated no such implication, as is now contended for in support of our practice.

(Debate to be continued.)

Mr. Wadsworth, member from Connecticut, took his seat this day.

A memorial of John Manly, was read and referred to the Secretary of War.

The petition of William Story, and the petition of George Williams, and others, were read and referred to the Secretary of the Treasury.

The petition of sundry persons, masters and owners of vessels employed in the coasting trade, stating complaints of the duties and office fees they are subject to, as being extravagant, and praying relief: read and referred to the committee on the bill to regulate the coasting trade.

A bill to reimburse certain extra expenses of the commissioners for treating of peace with the Creek Indians, was read the second time, and referred to a committee of the whole to-morrow.

The bill providing for the registering and recording of ships or vessels, was brought in, engrossed, read the third time, the blanks filled up, and passed.

In committee of the whole, on the bill for regulating foreign coins, and for other purposes.—Mr. Sedgwick in the chair.

The committee agreed to sundry proposed amendments, which were reported to the house by the chairman. The house took the same into consideration, and adopted them all.

An amendment was moved in the house by Mr. Madison, and agreed to: the bill was then ordered to be read a third time to-morrow.

Mr. Ames presented a representation signed Warner Miffin, on the subject of the negro slavery; which was read and laid on the table.

Mr. Murray laid on the table the following motion: That the clerk of the house be directed to purchase for the use of the house, maps of the separate States, and of the United States.

On motion of Mr. Fitzsimons, a resolution was passed, that the commissioners for settling the accounts between the United States and individual States, be directed to inform the house, at what time they shall be ready to make report; and what obstacles, if any, exist to obstruct their progress in the business.

Adjourned.

TUESDAY, Nov. 27.

Mr. W. Smith, of the committee appointed for the purpose, reported.

A bill to ascertain the fees demandable in the admiralty courts of the United States, and to amend in part, the act for the government of seamen in the merchants' service—which was twice read, and referred to a committee of the whole house on Monday next. Interim, to be printed.

Mr. Goodhue, of the committee appointed for the purpose, reported.

A bill for licensing and enrolling ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same—which was read twice and committed for Tuesday next—100 copies to be printed.

The clerk began the third reading of the bill for regulating foreign coins, and for other purposes—but, at the request of Mr. Page, the reading was suspended, and the bill laid on the table till to-morrow, for further consideration.

A report of the Secretary of State on the petition of John De Neufville, was read—which, after recapitulating and examining the several items referred to in the petition, concludes with this opinion—That no part of it ought to be granted.

A communication from the Governor of the territory N. W. of the Ohio, enclosing a petition of the inhabitants of Post Vincennes on the Wabash, praying to be exempted from the charges of survey, was read, and referred to Messrs. Livermore, Muhlenberg and Leonard.

The petition of Duncan Campbell, praying for reasons set forth, to be placed on the pension list—was read, and referred to the committee already appointed on similar applications.

Mr. Murray called up his motion empowering the clerk to purchase maps for the use of the house—which being taken into consideration, was agreed to.

In committee of the whole on the report of the Secretary of the Treasury, respecting lost or destroyed certificates—Mr. Sedgwick in the chair.

Mr. Lee, after some preliminary remarks on the subject, proposed and moved sundry resolutions, which he read, and submitted to the committee, as a basis for further proceedings in the business.—

The motion being seconded, the resolutions were taken into consideration—after some debate, the question being taken on the first resolution, it was disagreed to.

A motion was then made that the committee rise; the committee accordingly rose and the chairman reported that they had come to no resolution on the subject of the report: A motion was then made that the committee should be discharged from any further consideration of the business; this motion was negatived—and the committee had leave to sit again.

Mr. Giles moved that a committee be appointed to bring in a bill granting further compensation to certain receivers of continental taxes; laid on the table.

Mr. Muhlenberg called up the report of a select committee on the petition of Moses Young. The report being read, was made the order of the day for Monday week.

Mr. W. Smith called up the report on the petition of Charles and Lewis Garanjah, which was read, and made the order of the House on Tuesday next.

On motion of Mr. Goodhue, the report of the Secretary of the Treasury on the petition of the executors of Edward Carnes, deceased, was read, and referred to a committee of the whole House on Friday next.—Adjourned.

### Philadelphia, Nov. 28.

Electors of President and Vice-President of the United States, for Massachusetts:—Hon. Azor Orne, Francis Dana, Increase Sumner, Thomas Dawes, Samuel Holton, Moses Gill, William Shepard, Dwight Foster, Thompson J. Skinner, Ebenezer Mattoon, jun. Walter Spooner, Solomon Freeman, William Seaver, Daniel Coney, Peleg Wadsworth, Nathaniel Wells, Esquires.

Representatives in Congress for the State of Massachusetts.

Suffolk, Fisher Ames, Esq. Essex, Benjamin Goodhue, Esq. Middlesex, Samuel Dexter, jun. Esq. Worcester, Artemus Ward, Esq. Berkshire, Theodore Sedgwick, Esq. Bristol, Peleg Collins, Esq. At large, Hon. David Cobb, Esq. Boston Gazette.

A ship has lately arrived at Wiscasset, in 29 days from England. She brings an account that the Duke of Brunswick had advanced so far towards Paris, as that he had suffered the armies of France to surround him; and it was expected that he would never be able to return—without their leave!!

Portland, Nov. 15.

#### SAYS A CORRESPONDENT.

That parties exist in all governments is incontrovertible; pray what brought about a second Revolution in the United States, but party? By party I mean the certificate holders, vulgarly called public creditors. This body of men made the continent ring with accounts of the degraded state of our public affairs; that our union was a "rope of sand," that our commerce was annihilated, and that the States were devouring each other; these were the notes, but the ground work of the music was self-interest, or if you please avarice; and it may perhaps, be safely affirmed that if it had not been for the paper demands against the United States, that boasted fabric the New Constitution, would never have met the support that it did. Now that we have got this constitution, those who were so zealous in advocating it, discover that it has its defects; and like the old consideration, they fear it will also prove a rope of sand. It remains to them by experience how far it is possible for a government to be stable, that is the offspring of party.

When Mr. Adams's Defence of the American Constitutions first appeared—a gentleman observed that it would be a very popular work 100 years hence; that it contained too many solemn, rabbinic truths to meet general approbation at the present day; that time alone could unfold and enforce their propriety, justice and applicability to the constitution of man. Mr. Adams has however lived to see the truth of one important observation verified with respect to himself, at a much earlier period than could have been reasonably expected from the strong opinion entertained by that gentleman, and other distinguished advocates for the high-republican character of the people of this country. The gorgon head of party shews itself in its proper form in the United States, and there is the greatest apprehension entertained by many of the best friends to the liberties of America, that merit, abilities, and services, in the person of as great a patriot as this or any other country ever produced, will be sacrificed at its shrine.

The re-election of Mr. Adams to the office of Vice-President, is perhaps as important to the interests, peace and freedom of the United States, at this period, as any event of a similar nature ever can be to this country—especially when it is considered, that not one enemy to the Union or the Constitution is to be found among his friends—and that the most active of his enemies are known to possess sentiments hostile to both.

The mode of attacking the Vice-President of the United States, in publishing mutilated extracts from his writings, is similar to that of the Atheist, who asserted that he could prove by the bible "There is no God."

A list of the Fortunate Numbers in the New-Brunswick Lottery, will be published with our next.

PHILANTHROPOS came too late for this day's paper.

#### SHIP NEWS.

ARRIVED at the PORT of PHILADELPHIA.

Ship Edward,	Orne,	Newbury-Port
Brig Perseverance,	Brows,	N. Brunswick
Schr. Seaflower,	Austin,	ditto
Sally,	Hickman,	Virginia
Dolphin,	Watson,	N. York
Sloop Betsey,	Dunn,	ditto
Polly,	Bozman,	N. Carolina

#### PRICE OF STOCKS.

6 per Cents,	21/3
3 per Cents,	12/6
Deferred,	12/3
Full Shares Bank U. S.	45 per cent. prem.
1/2 Shares,	50
Unfunded debt of U. S.	21/6 on the principal.
And on the Interest up to 1st Jan. 1788.	13/4.

#### THE EDITOR—TO HIS SUBSCRIBERS.

THE Arrearages of Subscriptions for this Gazette have been for a long time accumulating. The expenses of the publication are great and inevitable, and have annually amounted to much more than the receipts for subscriptions; the consequences must be obvious. The Editor has no other resource than those arrearages, to discharge the debts he has been obliged to incur in prosecuting the publication.

He is therefore necessitated to request his application to those who have received subscription money on account of the Gazette, and those who have not paid what is due, to make remittances as soon as possible. On these receipts, the continuation of this Gazette, on the plan of an extensively circulating paper is absolutely suspended.