

Congress of the United States.

HOUSE OF REPRESENTATIVES.
Monday, December 17.

The speaker laid before the house a report, received from the commissioners of the sinking fund, containing the accounts for the last year. Ordered to be printed.

Mr. W. Claiborne laid on the table a resolution to the following purport. That the secretary of state be, and he is hereby authorized and directed to cause to be printed copies of the constitution of the United States, together with the amendments which have been made thereto, and to cause the same to be distributed throughout the United States.

Mr. Gallatin from the committee appointed for that purpose, reported a bill respecting the balances reported to be due from the several States to the United States. The purport of it is, that such balances should be paid into the treasury of the United States or that such amount should be expended in fortifications in those States within one year after the date thereof.

It was committed to the whole house for to-morrow.

Mr. S. Smith made report from the committee of commerce &c. on the petition of Nathaniel Oatner. He stated that Mr. Oatner had expected merchandise from Boston, but neglecting to take out the necessary documents, was not entitled to the drawback; that those goods were shipped to the West Indies, where, owing to the situation of affairs, they were not permitted to be sold, he then returned with them to Boston; where they again paid duty: from this second duty he prayed to be excused. Mr. Smith said that merchants ought to be accountable for the event of their own risks: it was the opinion of the committee that merchants should be left to take care of their own business. This petition, was reported against last session by a committee, but not taken up. If this were to be granted, similar applications would be made. They were therefore of opinion that the claim ought not to be granted.

Mr. A. Foster wished the petition to undergo a discussion, and therefore moved that it be committed to a committee of the whole house. This was negatived, Ayes 31, Noes 32.

The papers were then read and the house concurred in the report.

Mr. Gregg presented a petition from Robert Sturchin, who was confined in prison, he having been a collector of taxes, and expending the public money, had not been able to return it. He prayed liberation from confinement. Mr. Gregg moved to refer it to a select committee. It was negatived, ayes 29, noes 30.

Mr. Nicholas said, that the laws of last session gave a great discretionary power to the President, on the subject of naval equipment; it was necessary that the house should be acquainted with what had been done, and more particularly so, as it had been an avowed object to increase that establishment in the present session. He then moved a resolution, that the secretary of the navy be directed to lay before the house an account of all the armed vessels employed in the service of the United States, and of all those prepared or preparing for the said service, together with a statement of their equipment and annual support.

Mr. J. Parker said he could have no objection to the house having all the information the gentleman required, but as there was a committee appointed on Friday, of which he (Mr. Parker) was one, relating to the navy, he did not doubt but that committee would see it their duty to obtain and report all the information embraced in the resolution, and every alteration that establishment had experienced since the last report.

Mr. Nicholas could see it no reasonable objection to enquiry into that subject, because a committee were appointed, generally, on naval affairs. But he did not think the house could depend on the information from that committee, he could not see why the house might not be in possession of this information as soon as the committee, nor why it should not go to the committee from the house: he thought however, that they should be speedily informed on that subject.

Mr. Otis wished the gentleman to let his resolution lie till the morning: as he wished if the resolution was to pass it should be more particular, as, of what force each vessel consisted; what vessels had been purchased, and what built for the use of the government, and where: but he believed the committee appointed generally on the navy, would be able to furnish more ample details to the house on the subject.

Mr. Dawson moved that the committee of ways and means be instructed to bring in a bill providing for the enumeration of the inhabitants of the United States, which was carried.

It appearing that very few copies of the bankrupt bill were preserved, the house ordered it to be printed. Adjourned.

Tuesday December 18.

A message was received from senate informing the house, that William Blount impeached for high crimes and misdemeanors, although duly summoned by the senate,

did not appear: and that the senate would be ready at 12 o'clock this day to receive the managers appointed by the house to take further measures on the trial.

On the motion of Mr. Harper, the message was referred to the committee of managers: he then moved that the managers have permission to sit during the sitting of the house: which being granted, the managers withdrew, and in a few minutes returned, when Mr. Harper by their instruction, reported, That the managers were of opinion, that it would be proper for them to attend before the senate, at 12 o'clock this day, and request a further day for preparing their proceedings in the said impeachment. The house agreed to the report.

Mr. J. Parker observed that his colleague (Mr. Nicholas) had yesterday laid a resolution on the table respecting the naval armament; if he would withdraw his motion, he was instructed by that committee to renew it on an enlarged scale, which he had no doubt would meet that gentleman's sentiments. Mr. Nicholas withdrew his motion, and Mr. Parker moved that the secretary of the navy be directed to lay before the house a statement of all armed vessels employed in the service of the United States, also of all preparing for the said service and where the said vessels were built, or are building, and by what contracts, and their respective size, force and number of men, with the name of their commanders, and a statement of their equipment, and annual expence.

The house agreed to the resolution.

Mr. D. Foster, from the committee of claims reported, that John Daniels stated that he was in the service of the United States in the early part of the war, that owing to constant marching, a weakness and pains were brought on him, which disabled him for the service, he therefore prayed a pension. But as the house had already determined against allowing military claims of that nature, it ought not to be granted. It appearing that some new information might be expected on this claim, the report was laid on the table.

It appeared from the reading of the Journals, that Messrs. Otis, Rutledge, Goodrich, S. Smith, Champlin, Spaight, and Dent, are appointed a committee for considering that part of the President's Speech which relates to the extending and invigorating the measures of defence heretofore adopted;

That Messrs. Josiah Parker, Pinckney, Sewall, Champlin, Baldwin, Griswold, and Van Cortlandt, are appointed a committee for considering that part of the same speech which relates to the naval establishment, to the augmentation of the Navy, and to the adoption of systematic measures for procuring timber and other supplies;

And that Messrs. Harper, Gallatin, N. Smith, Cochran, Jones, Isaac Parker, Hindman, Blount, and Simikson, are appointed a committee of ways and means.

Wednesday, December 19.

Mr. Gordon said it would be recollected that last session when the bill for laying direct taxes was before the house, some amendments were proposed, which owing to the late tests of the session were not taken up for decision, he particularly alluded to that respecting selling lands, and therefore moved that the committee of ways and means be directed to enquire whether any or what alterations may be necessary in that act. Agreed.

Mr. W. Claiborne called up his resolution of Monday last for printing the constitution. He said it would be allowed by every gentleman on the floor that the circulation of the Constitution was extremely limited, and such a publication must be allowed to be highly desirable, however he knew it would be so in the district he represented: he wished to see the constitution in the hand of every free man; it must be very useful to enable the people to recur to first principles; if the house were desirous of attaching the people to their government, they should publish the constitution for their information. It was a desirable object to hand down to posterity the constitution by which they were bound, it was becoming the house to put it in the hand of every person, who would watch it with vigilance against innovation.

How far it might be desirable in the middle, and Eastern States, it was very much to be wished for. The house were the other day told by a gentleman from Massachusetts (Mr. Thatcher) that the people of the western country were not uniform on the laws or constitution? that it was not political, but moral information they wanted; that they had obtained corrupt habits, and fixed characters: he would declare those assertions was a calumny, and of the vilest kind [The Speaker interrupted Mr. Claiborne, as he said Mr. Thatcher was checked at the time for the indulgence he took] He had no doubt but if the constitution were put into the hands of the people, they would preserve it inviolate. He then moved that 50,000 copies be printed and distributed as by the resolution. He had obtained information of the expence from a printer, and could inform the house, that 50,000 copies would not cost more than 1000 dollars, which small sum he thought would be well applied in vending such valuable information.

The question was taken to fill the blank with 50,000. Ayes 32—Noes 33.

Mr. Claiborne then moved 40,000. Ayes 33—Noes 32.

The resolution being before the house, Mr. N. Smith said he should have no objection to the publication, did he suppose it necessary. He could hardly conceive, however, what new light had just at this time flashed into the mind of the gentleman who moved it, the amendments had been adopted a considerable time, and no gentleman had thought proper to make such a motion till now, and even at this time, no new reason was produced in its favor.

The amendments, together with the whole constitution, were published with an addition of the laws in the year 1796: at that time there were two amendments which were not adopted, but there was a note distinguishing them. He knew no reason why the constitution should not be in the hands of every person in the United States, but whether the government were to take upon themselves to be at the expence and trouble of the extraordinary publication of it, was a question. The gentleman had allowed that there were but one or two States in want of the information: it was in the power of any printer, or of any State, or of any gentleman to make any publication they thought necessary. There had been an equal distribution of the constitution with the laws, and he wished to make one distinction between the constitution and the laws, not between one law, and another as it respected their publication, but treat all alike. He knew no particular reason which could induce him to vote in favor of the resolution. A gentleman from Pennsylvania on a motion for publishing the alien and the sedition laws, told the house that though he could see no good reason for publishing, though not necessary, yet he should vote for it, lest it should be laid, that he wished to prevent information going to the people. Did I think with that gentleman, said Mr. Smith, I must vote for the present motion; I have not the least doubt but those gentlemen who vote against it will be thought to be desirous of withholding information from the people; but as I do not think it necessary and being at liberty to follow the dictates of my own understanding, I shall vote against it.

Mr. Claiborne explained his former ideas, he did not say that the middle and eastern States did not want it, for he was inclined to think that it would be a valuable information throughout the Union: a want of local information had prevented him mentioning more than the southern and western States. From his information there had been 5000 copies of Swifts edition of the laws published and distributed, but that did not extend every where. If any publication was made from that, a perjury to have the constitution must purchase the laws.—A number of the legislators, judges and justices in the several States could be found who did not possess a copy of the constitution, but its possession such persons could be valuable. It surely was a subject of national legislation and belonging to the general government to order a direct copy to be distributed. It was proper, he said, that the House should take it up, and inform the people of the limits of the power they had delegated to them, and what portion of authority they had conceded to their use. In the neighbourhood of this city, and of her populous parts, copies of the laws and constitution could be purchased, but there were many parts where the people could not by any means purchase it. It being an important information, he hoped it would be given.

Mr. Sewal did not consider the expence of 1000 dollars as an object of consideration, but as to the information to the people, he believed the resolution would rather operate against it than otherwise, and in this way. The present mode had disseminated 5000 copies, it was said, of the laws and constitution, and they were sent into every part, those copies were continually multiplying by the adventure of the printers in different parts, and thus every person who wished a copy could obtain it by applying to them, there was no part so distant but the inhabitants lived nearer to some printers than they did to the secretary of state who was to distribute the copies contemplated. If the motion was to prevail, who were to be the distinguished men to receive copies? Would one in an hundred of the people have one? Now every man being at the expence of about six pence could purchase a copy. The motion would materially operate against the printers, who if they published, must increase the price of their copies in proportion to the small demand they had, and that would be occasioned by the number distributed gratis by the government, as it would operate against the information, and as it was a foolish expence on the government, he should vote against it.

Mr. Thatcher said he must confess that the question being brought forward again and again, and in so many different shapes, struck him in a very singular manner, it was so complex, he could not undertake to analyze it. The gentleman seemed to say that the people did not know what the constitution was, if he would take the trouble to look back 6 or 7 years and see what the people had done in that time, he would perceive

his error, he meant those in the two or three States he had referred to, as well as others, but if they had not that information, those few copies would be of no service to give it. He said the people had a knowledge of the practical part of the constitution—they understood how to choose a President, Vice President, Senators, Representatives, &c. which they had done from five down to three several times: the practical part of the constitution, he said was the principal part for the people to know, and it was in vain for the gentlemen to pretend they did not know that, since they had acted upon it he asked, did not that gentleman's constituents know it? Did not they know what kind of candidates to vote for, and who were to vote? could he put his finger on a single direction in that instrument and say they did not know it?

Again. For 6, 7 or 8 years past, he said, there had never been a session but some law had been passed, which some of the members of that house had declared was unconstitutional: that idea had gone through the United States, and that law was examined and re-examined repeatedly by clubs, mobs and legislatures. Could they take those things into consideration, and not know what the constitution was? They certainly did know, or else they were in a state of mental apathy so that they would not know. Those people were told, from time to time, that the legislature were depriving them of their rights, that they would not take the matter into consideration: they would not examine into its truth—they would not know, and therefore the publication of the constitution could not add to their information, it was as much in vain as to put spectacles on the nose of a dead man, and expect that he would see by them. It would be idle to send it them, because they would not read, or else they cannot read. Let the gentleman obviate that difficulty; let him show that they can read, and then it would follow they would not read; in either case the information would be in vain.

But there was another argument to show the utility of the motion. There was no State, he said but what there was a printing press. They were not so fully employed but, if there should be a demand for them, they would print an impression of the constitution: if there was a prospect of selling, they certainly would do it, and the people would not be afraid to buy it, the expence of 10 cents would not be much for the constitution: they had money to spare for other things and could for that, but he believed, from the gentlemen's observations, that they cared nothing about it. If, therefore he could hear no arguments to prove its utility, he should be against it.

Mr. Harper said he felt no difficulty in expressing, that the more he reflected on the various motion himself, and other gentlemen had made on the subject, the more he was inclined to doubt of the policy of the government in making this extraordinary publication, he however declared he was very far from entertaining a desire to prevent that promulgation. He did not believe it was a fact that the Printers would always undertake to publish a work: many did not choose to risk it, and various reasons operated to their discouragement. He thought therefore, the house could not depend on its dissemination from that uncertain source. But he doubted whether the copy would be accurate, if the publication was issued from any where but the government. But he said there was another thing in his mind, which was, that the laws published under the direction of the government some time past, did not contain those of a part of the present Congress: it appeared to him expedient that the secretary of state should be directed to publish all the laws which had been passed since that period, and to prefix the constitution thereto: that he thought would be giving the requisite information and would put it into the hands of every person in power throughout the United States, and the printers in different parts could republish copies grounded on the accurate copy. He was not sure that this would do, but in order that it might be examined into, he would move that it be referred to a committee; and that they be instructed to examine the former order of the house on that subject.

Mr. Nicholas was opposed to the motion for commitment, because he could see no objection to the resolution. Some extraordinary assertions, he said had been made which he could not pass over without a remark. It had been said that the people knew all that was necessary for them to know of the constitution; that it was only requisite for them to know respecting elections, and when they had done that they had done all. He was not in the habit of answering that gentleman, but he thought let such doctrines come whence it would, it should be passed over in silence. He was sorry to say, that principles of that kind were frequently broached by particular persons to their advocates, but he must observe they were very unfriendly to that constitution which ought to be placed in the members of that house. Though they were too unexpressed, he hoped they would not be harboured a moment in the breast of any member, as it could not be productive of any good. (To be continued.)

