

Federal Government is founded: For it must eventually stand or fall with these principles. The Federal Government is the constitutional principle of one of them. It is essential to the Federal Government that it be maintained, by abolishing the powers of the State Governments, change its own nature and become a very different system from what it originally was; but to maintain it, as it now is, will be self-defeating by maintaining them in as much respectability, as their Federal Constitutions will admit.

Government being founded in the nature of man, the establishment of it has been attempted in all countries and by all nations. Wherever the officers who have been designated to execute it have held their authority independent of the people, slavery and despotism have succeeded. In every part of the world, therefore, where literature and useful knowledge have prevailed, the people have struggled for a free form of government; and while they have attended carefully to their own interests, they have distinguished the friends of freedom from the friends of arbitrary power, and aided their liberty, as not abusing it, they have continued to be free and happy.

For all citizens to have an equal right to elect, and to elect to office, is a privilege which other countries have not been able long to retain; but from the estimate which is put upon civil liberty by our fellow-citizens, from the mode of education in this country and from that most laudable pride, which each member of our great Republic feels in standing as the guardian of his own freedom, we have the happiness of being assured, that we shall long enjoy a blessing which other nations have forfeited by their folly, and want of attention.—We are all united to employ our endeavours to preserve, encourage, and maintain in the great body of the people, those ideas upon which the glory of our country, and the felicity of future generations, so essentially depend.

It is true the late revolution has involved the United States as a government, and the particular States in a large debt; but the vast increase of population, and the growing resources of our country, will soon be amply sufficient for the discharge of it. And also we may feel the weight of it for a time, we shall derive great consolation from comparing our circumstances with those of other nations, and from recollecting that this day we are indebted, for the preservation of our country, to the blood of our fathers, and that instead of being mere passive dependents upon, and a grade below the subjects of a Foreign Sovereign, each citizen not only claims rank with every citizen of other nations, but rises superior to them all, by possessing a part of the sovereignty of his own country.

In addition to the other favours we enjoy as a government, we have the blessings of peace and tranquillity; Industry and economy prevail, and the people appear to be satisfied and contented.

The happiness of the people, that sole object of all good government, is every where acknowledged: The field has been sown, and the seed is sown in great abundance. Our industry and commerce have been prosperously, and there appears to be laudable exertions to introduce the useful arts to the country. A number of gentlemen have in the town of Boston, and other towns, carried the manufacture of Glass to a great degree of perfection; they deserve great applause for their spirited exertions. And from the attempts of other worthy citizens, we have reason to hope, that there will be as great success in the manufacture of glass in the same town.

Speech of the Hon. Mr. Madison, in the House of Representatives.

The line of true policy for a Commonwealth, is at all times found in the exercise of justice. It is sometimes unfortunate that happens that the situation of a State renders it impossible for the governing power to do that, which in justice ought to be done; when this happens those who have been the greatest friends to the State are generally the greatest sufferers. We find with the highest satisfaction that the Public Securities of the United States are very fast approximating in their real, to their nominal value. But while they were very low, many of those persons who took them, or the securities exchanged for them, in the place of money, and have been obliged to part with them at a very great discount, have been sufferers. However much we may lament the sufferings of these people, we cannot remedy them for the situation of the country was such, at that time, that the resources which they ought to be turned to the channel of justice in which they ought to have been directed. And now the very existence of the great Republic of America, depends upon the support of public Credit.

The Congress of the United States having assumed four millions of dollars of the debt of this Commonwealth, the residue remains as the object of finance for this particular Government. Perhaps upon the final adjustment of our accounts with Congress it may appear that this also is chargeable upon the United States, but the creditors still are to look to this State for payment. The original basis of securities issued by this Government has received great injury, and greater still will accrue to them, unless from your proceedings it shall be made evident to the world, that the interest of the residue of our debt will be provided for in a manner fully equal in point of advantage to that proposed by Congress, and that a pecuniary annual payment may be relied upon, unless this is done, the citizens who have parted with their property to save their country from impending ruin, will be obliged to continue to dispose of their securities at discount, and must be finally taxed to redeem them at par, from those who shall be holders of them. I have no doubt, Gentlemen, but that you are fully impressed with this impor-

tant subject; but I feel it to be my duty to urge upon you a speedy progress in restoring credit to the Commonwealth.

By the act of Congress for assuming a part of the debt of this State, it is agreed, that if the whole of the sum allowed to be subscribed by the holders of our Public Securities shall not be subscribed within the present year, that this State shall receive from the United States, interest according to the provision of the act, upon so much of the sum proposed to be loaned as shall not be subscribed. Which interest to receive by the State, is to be received in trust for the subscribing creditors of this Commonwealth until there shall be a settlement of accounts between this and the United States. If measures could be adopted to raise the credit of this Government so far as that the holders of our Public Securities would place such a confidence in them, as they would in the proposal of the United States, it would afford great ease to those creditors who have a right to subscribe towards the four millions, to apply to our own Treasury for their interest. I propose this idea for your attention, but shall not enlarge upon it.

Gentlemen,

I have former times to communicate to you, which I shall make the subject on particular Measures, and shall recommend them to your attention as deserving your notice—I shall do all within my power to render the session useful to our fellow citizens, and agreeable to you.

The Secretary will be before you the Afs and Journals of Congress so far as I have received them since your last session.

JOHN HANCOCK.
COUNCIL CHAMBER, January 26, 1791.

In SENATE Jan. 17.
His Excellency's Speech being delivered, was read, & committed to Cotton Titch, Judah Thatcher, Benjamin Austin, Jun. with such as the Hon. House may join, to consider thereof, and report.

Sent down for concurrence.

S. PHILLIPS, President.
In the House of Representatives, Jan. 27.
Read and concurred, and Mr. Bress, Mr. Jarvis, Mr. Henthaw, and Mr. Coney are joined.

D. CONY, Speaker.
The contrast entered into by the Commonwealth on the one part, and Messrs. Gorham and Phelps on the other, relative to the lands in the Western Territory, belonging to this State, and which had been disposed of to those gentlemen, being laid before the House, a desultory conversation ensued on the subject of appointing a committee to consider the state of the said lands, and receive any information which could be afforded them on the subject.—The speakers were Messrs. Carnes, Breck, Bowdoin, Dr. Bates and Mr. Hollars.

AFTERNOON.
Petitions were read in the morning, Dr. Coney presented a petition signed by a large number of respectable citizens in the county of Lincoln, praying that an ACADEMY may be founded in the town of Hallowell, which was referred to a select committee.

On motion of Mr. Carnes, the contrast of Messrs. Gorham and Phelps was again taken under consideration.—That gentleman observed, that much information relative to the state of those lands was necessary before any determination on the propriety of expelling the same to sale, or entering into co-partnership with Messrs. G. and P. (one or the other of which must be resolved on by the Commonwealth, prior to the 5th of March next) could be made; and concluded with moving, "That a committee be appointed, to take the lands under consideration"—intending to ground on their report the future proceedings of the House. This motion was seconded by Mr. Breck, and opposed by Messrs. Mason, Ho, and Jun.—the former of whom having misconceived the motion made by the member from Lynn, Mr. Holmes and Mr. Gardiner, spoke in explanation, and Mr. Breck said a few words in addition to his former reasoning. After a short conversation a committee of five were chosen.

FRIDAY, January 28.
SEVERAL private and local petitions were read, & disposed of.

Mr. Gardiner presented a bill for "docking all estates that, now exist, and prevent the creating of any in future within this Commonwealth." On motion of Mr. Mason Jun. it was read a first time, and the committee was appointed by Mr. Bowers and others; and on motion for the same, and assigning a time for a second reading, the House divided, and a majority of One was pronounced.—Wednesday next, at 10 o'clock was accordingly assigned, and in the interim the bill was committed to Messrs. Kidlock, Bowers, Holmes, Henthaw, and Davis.

A memorial from the Hon. the Judge of Probats for LINCOLN county, relative to certain fees of office, &c. was read and committed to Messrs. Davis, Smith, and Leavens.

Mr. Carnes informed the House that the Hon. David Sewall, Esq. had appeared to take his seat, as a member from York—and as that gentleman was peculiarly situated with his instructions how to proceed; whether to attend him to the Governor and Council, for his qualification or not.

Mr. Gardiner rose, and observed, that however worthy the character—however irreproachable the conduct of the gentleman who then appeared—he was strongly opposed to his admission into that House. He said it was highly improper, that any man who held an office of profit and emolument under a foreign government, should be permitted to take his seat among them. He reminded them that on a former occasion, he had said, that he heard a voice from Heaven, and it was the voice of truth, saying, "The cannot serve two

masters; for either ye will love the Lord, or ye will love the King, ye cannot serve both." The Lord, he said, fill vibrated on his ear, and in his heart, and in his dislates, he should be opposed to any person so lately trusted with the Hon. Gentlemen, whose case was now before them, being permitted to be qualified.—He thought it inexpedient for any Gentleman to go for a seat in the Legislature of this State, who by the constitution is debarred to be a free citizen; or, whose qualification is equivocal.—He observed, that on his motion a committee was yesterday raised to consider whether any one holding an office of profit under the federal government, is eligible to a seat in that House—but the result of their investigation was not before the House.—He explained some terms he had used on a former day; and declared by the word "foreigner," he meant not an alien born—or a person speaking a different language; but by any one holding an office of profit, or being in any manner connected with a foreign government—which he conceived the federal government to be.—He averred that such persons could not be impartial—that the impulse of gratitude would sway them powerfully, perhaps without their knowing it, in any determinations where the interests of the government under which they served, were involved or affected. It could not be a doubt how such an officer would act.—He hoped a day would be assigned them the merits of the question which has now arisen would be discussed, and Judge Sewall heard on the subject.—He expressed great respect towards that Gentleman, and doubted not but his actions as a man would be judged by worthy motives—but he viewed him as a Federal Officer—and he regarded the interests of his country, which he loved, more than his friends.

Mr. Carnes wished an early day might be assigned, that as the Servant of that Hon. House he might be as impeded in the performance on the duties of his office. Mr. Henthaw wished to be informed in what manner the House would act respecting the Jearad Jugg; whether they would permit him to remain, pro tempore, in the House, or to resign his office?

Dr. Jarvis said, he hoped unanimity as to the fact, if not the mode, would prevail—and declared he had no doubt what would be the determination of the House. That guided by a reason firm to a vote which had formerly prevailed, a similar determination would be produced by them.—He thought the question in plain, that he would instantly enter on the discussion of it, although he came unprepared to meet it. He with a however to proceed with dispatch—and therefore held himself ready to support an opinion he had formerly avowed—and which had been formed on conditional principles—and that he had never heard any thing urged by his opponents which would induce him to abandon it. Respecting the admission of the suits to the Hon. Gentlemen, he considered them as the conditions of his admission to that House. He said every gentleman who was admitted to that House, whose qualifications were not known, whose eligibility was not ascertained, could not sit on the floor of the House until previous to the admission of all its members—but as the House was not convinced of his eligibility, the oaths ought not to be administered until those doubts were satisfactorily removed. He passed many eulogiums on the abilities and integrity of the Hon. Judge, whom he well knew—and wished to hear him on the subject then under debate.—He remarked that they were not then sitting as Legislators, but Judges of the qualifications of a suspended Member; that they were in search of truth, and it was indifferently to him from whence it was obtained—whether it be derived by an unqualified or an admitted member. He further observed, if his constituents disapproved of any resolve that House might take, they had the power of punishing it in their hands—they might dissolve those who voted in contradiction to the wishes of the Constitution, or who improperly contrived or applied them.—He much wished the House to enter on the business immediately—it would relieve the feelings of the Hon. J. which must be wounded by this delay.—He would therefore move, that the House take into immediate consideration the eligibility of the worthy gentleman returned a member from York. This motion being seconded.

Mr. Bowdoin said, he particularly wished the present time might not be determined on to discuss the question of the Hon. Gentleman's eligibility to a seat in that House. He conceived it would be desirable Judge Sewall, time for preparing himself to support his claim for admission.—And that every intelligence was due to him—as his case was of public importance, and demanded a full investigation of its merits. He said, the gentleman from York, was qualified by bringing with him the commission from his constituents, and a certificate of being duly elected. He thought, nay, he had no shadow of doubt remaining, that the member respecting whom the House then deliberated had a constitutional right to have the oaths administered to him, and to take his seat accordingly.

Mr. Holmes said if Judge Sewall could not be heard without the usual conformity of swearing him, he should be of opinion that he ought to be sworn—but he knew not why the sentiments of the Hon. Gentleman could not be delivered as well without the oaths being administered to him as with.

Mr. Gardiner remarked, if Mr. Sewall was sworn, his qualifications would be allowed, and he would then act officially as he might ought to be permitted to do. He therefore firmly opposed the administration of the oaths.

Mr. Ellis feared the zeal of many gentlemen in that House would try them too far—and would lead them to oppose a measure, the impropriety of which he could by no means dissent. He said, he was not aware of any inconv. money which could possibly be introduced by

permitting the gentleman to be sworn. He then might refer to the House, for their consideration, those strong and convincing arguments which he doubted not, the learned Judge must possess in support of the chief which had been sworn, and heard in defence of his own and his constituents rights, the House might determine on, and confirm his place, or on his expulsion. By swearing him they would not preclude themselves from judging of his eligibility. He said, that on former occasions, gentlemen had confirmed and explained the Constitution so freely, that every worthy member had been excluded; that member was a Federal Officer, and so was the gentleman from York. But that mode of contradiction he did not approve—and had applied at the time as improper and unreasonable. He said, they were sitting under the Constitution of the Commonwealth, in which he could perceive nothing that affected the worthy Judge, who properly and truthfully attended to.—That the indignity charged on the member from York was not specifically, but only by implication. Such contradiction, however, were what gentlemen had termed the spirit of the Constitution. He concluded by wishing that the Hon. Gentlemen might be qualified.

Mr. Gardiner replied, that the letter of the Constitution expressed its spirit, and proclaimed it aloud. He hoped, that this spirit would keep back all officers of foreign governments, from entering that House or any branch of the Legislature. He adverted to the British House of Commons, and declared that by the admission of government officers, that undue and improper influence had been introduced, which has been found to be prejudicial to the interests of the people. But from the House of Commons, from entering that House or any branch of the Legislature. He adverted to the British House of Commons, and declared that by the admission of government officers, that undue and improper influence had been introduced, which has been found to be prejudicial to the interests of the people. But from the House of Commons, from entering that House or any branch of the Legislature. 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