dieial Court, came on the trial of Henry Blackburn for the murder of Grorge Wil kinfan. The witnesses were direct, full and c niffent, On the evening of the 14th Angust, the deceased went to the house of the criminal, and after nine o'clock propoled to return to his lodgings with a wo-man who had been invited to the houle on his account. In the course of the even-ing Wilkinson had been repeatedly afted for a loss of money, which he declared he had not at his command. When he made his laft motion to leave the houfe, Black burn arofe and fastened the door, & when he could not prevail on Wilkinson to tarty longer, he took down a fword, and advanced towards the door with a fword in tening the person who should attempt to go cening the perion who inputed attempt to go cost. As foon as Wilkinfon approached the door, Blackburn blew out the candle and flabbed him. Wilkinfon fell inflantly op-on the floor, and called for the woman who was his companion. But as no quar-rel had exified, they were unable at first to rei non extinct, they are the second for the groans which Wikinfon uttered, and it was too dark to make any differery. Blackborn was at length prevailed upon to light his candle, and by the grozes of Wikinfon a woman was awak ened, who flept below, and who, spon the ed ernans was induced to get up. continued grant. Wat induced to get up, and go into the chamber under pretence of lighting her caudle. As the returned, the femile friend of George, communicated to her shat had happened. The woman then entered, and having convinced to the table of ta herfelf of the fact, faid the would call for help. Upon this declaration Blackburg enter his hoofe. But as foon as the wo man went abroad, Blackburn went down after her in fearch of a physician. The woman succeeded, and brought a man from the neighbourhood into the houfe, and they raifed the deceafed from the floor, and foon after the physician arrived, it being shout three o'clock. Blackburn then laid down upon the floor, and flept outil morning. In the morning Wilkinson was care ried to the charity house, and Blackburn finding the alarm, thought of the expedi-ent of a pretended wound in the head from Wilkinson, to excele the rath murder he had committed. But he had been feen by feveral persons in the morning without nttering any complaint, or shewing any Ikinfon depoled before he died, ref-

peffing the principal tacts, and pertited pecting the principal tacts, and perment that there had been no previous quartel, or appethenion on his part of what had hap-peed.—Gratt infectibility was differen-ed by Blackburn asold the grouns of the expiring young man, and has continued flace the grantation.

Blackburn was a parive of Great Britain and employed as a chimner (weeper in this town. Wilkinfon was from the fame country. Upon the trial, Mr. Dane and Mr. Andrews were counted for the prilon-

The Judges were clearly of opinion tha it was murder, and by Blackburn, and the jury after a thort ablence, returned their verdift Guilty. Sentence of death was yefterday paffed upon bim.

Extrall of a letter from Mr. Mair, to a

Sydney, New South Wales, My dear Friend,

My dear Friend,
For by that name I shall always address
you, I am perfectly well——I am pleased
with my situation, as much as a man can be, Separated from all he loved and respected; but I feel no regret; for in the cause of the people, I consider my life and my hap-pinels as things of no value.

pinels as things or no value.

'I have been conflaully occupied in preparing the evidence in exculpation, and the defence of Media. Palmer and Skir--That affair will make a noise in Europe.

Palmer, Skirving, and myfelf, live in

the utmost harmony from our fociety Margarot is expelled.

Margarot is expelled.

Of our treatment here I cannot speak too highly; erastinde will forever bind me to the officers civil and military.—I shudder to ask the vain question—What their remembrance is the only idea which differbs the repose of my tomb, for so I must call this fireation of privation from all that was dear to me. Remember me carriefly and affectionately to them all!

In the magnificent library of that mo. mands on faid shate, are defined to exhibit nathers, the pitture of Dr. Price, given me about far feellowed.

by Mr. —, is fulpended; to that tibra.

by Mr. — is fulpended; to that tibra.

By I likewise preferred the memoirs of Mr.

Flollis, the gift of that excellent man Mr.

As a finall matter of curiosty, I fend ' May be bad, of the PRINTER beresf-19 A KIAL of HENRY BLACKBURN.

You THE MUNDER of WILKINSON.

S A L E M. Nov. 17.

ON Thousday 128, at the Supreme Ju. and to no climate. I thall always with tender refnen: think of ent, the most perceful evenings of my ples, the most peaceral returning of my life, were fpeat in their spartments. You must fend him copies of my trial, of my engraved picture, and of every thing relatives.

I have a nest little boufe here, and an ther two miles diffant, at a farm acrofs the water, which I purchased. A fervant of a friend, who has a ratte for drawing, has sketched the landscape which I sent

you. When any money is transmitted, cause a confiderable part of it to be laid out at the Cape, or at R:o Janeiro in rum, tobacco, Cape, or at Rio Jacetro in rum, tobacco, fogar, &c. which are invaluable, and the outy medium of exchange. We bought fome rum at Ora for one shilling and fine pence per gallon, and can fell it for thirty shillings. In a country, like this, where oney is really of no value, and rum every money is reasily on water, and ram every thing, you must perceive the necessity of my having a constant supply by every vef. (el. For a goat I should pay in move, ten pounds sterling, now for less than eight callons of spirits, at one shilling and fix-pence per gallon, I can make the fame purchafe. Tobacco, at Rio, fells at three ence per pound, here at three shillings and ix pence. That too is an article to be confidered.

Now, my dear friend, I must conclude ; but even in cloting a letter to you, it is like taking farewell forever.—I pray for every bleffing of heaven to reft upon you and your dear family. No day paffes thout your living in my thoughts. Yours fincerely and unalterably.

Levi shephard. HAS just imported from London, large and general affortment of gen

Drugs and Medicines-

Payticians and private families may be supplied upon reasonable terms. He has also just received a very general assurement of English, India & Hard Wate GOODS, mong which are Broadcloths, Caffirmers,

Coatings, Elafficks, Serges, Baizes and Flannels of various colours, role Blankets, Catton Sheering, Balting Clarks, RedSarks, Luteffrings, elegant Tea Trays, a beautiful affortment of Chinges and Calicoes, c. &c.-Likewife, Dye Stuffs and Pa &c. &c.—Likewife, Dre Stuffs and Pain-tert Colour, fuch at Comwood, Redwood, Logwood, Fufick, Nearagus, Coorras, Allom, Orchai, blue and white Vitriol, Verdigrife, Spanith Indigo, Fuch Papers and Jack Cards, White Lead, Spanith Brown and Spanish White, Profisin Blue, Yellow Oker, Lamp Black, Linfeed Oil, Spirits of Turpentine, Varnish, Pitch. Ro-Spirits of I preparine, Varnith, Fitch, Ro-fin, Patty, &c. ——Alfo, bell Boardeaux Brandy, St. Croix and Jamaica Spirits, N. E. Rum, Gin, Poperlo, Molaffea, Ma-deira, Sherry and Malaga Witars, by the Cafe or Gallon, Lucif and Brown Suga, bet Hyfon, Souchong and Bohes Tea, Cofter Chocolate Connamon Cloves Mace: Soal and Upper Leather, &c.

Any of the above Goods may be had at fix months credit, or exchanged for cash or country produce.

N. B. Cash given for Flax, Shipping Fure and Bees Wax.

Northampton, Offober 28. 1795-

Ioseph Clap, jun.

H Asjūlit received, (at his store in Eastuzampton) a parcell of European and
West Under Spirity, Opposition of State o

Salt of the first quality. mediately, for which 3/. per bullel will

be paid.

N. B. All these whose Notes and Book N. B. All thole whole Notes and Book Accounts are now become due, (in the faid Jifsh Cles, jun.) will be food before the hard day of February next, without diffinction, unleft prevented by payment.

Ediampton, 16th Nov. 1795.

A LL perjous industed to be effect of Nathrick and the left of Nathrick of Nathrick and the left of Nathrick of Nat

Rio Jaseiro, to an excellent man who is to seed, and all perjoin, that how any fit work is to seed and the first the same proud to call my friend.

In the magnificent library of that mo.

the grafs, drz. or fingle. Beer's ALMANACK, for

1796. THE Lunations, Conjunctions, Eclip-fes, Jedgment of Weather, rifung & fetting of Planets, length of days & nights; Courts in Connecticut and Maffachafetts; Tide Table for high water at New-Haven; istorical anecdote of the famous Charle biltorical sneedote of the Ismona Charles le Qoint; ascelote of an vld Gentleman and his Negm; of the Philosopher Blas; of a Ledy, questioned about her age; of an unprincipled Per; of a poor man who had a termagant wife; of a fheriff by the name of Bell; of Charles the L; of the leader of a muficul band; of a gentlemat and his fervant; of Henry fourth; of and his fervant; of Henry fourth; of a Justice of Peace; of two Negroes; of Lady Lane; of Admiral Coligny; of a Countryman and his Wife; of a country Clergyman who had drawn a blank in the matrimonial lottery; of a young lady who had buried and old hufband whom the matried for money; Extraordinary Will made by a Miter in Ireland; an Italian

made by a Miler in Ireland; an Italian Story; a Venetian Story, by Pafquin; Gratitude incompatible with Love: how to grow Rich; Entraodianty advertif-ment; curious account of an Arrelt of a dead Hotel, by an order from the Inquisi-tors to bring him to the Huly Office; the Matrianoial Creed : Butlefque on Duel-ling : an English Story : Man and Wife; a Natrative of the captivity and escape of Mrs. Frances Scort, an inhabitant of Washerb ; Whofe findeth a Wife findeth a good

ALSO, Writing, Printing, and Wrapping PAPER

(manuis-flured in this town) by whole fale and retail—Webster's Institute, all parts —Cash, or any of the above articles, given for clean COTTON and Lines RAGE,

Not Tiggs.

Not NEW GOODS. Hutchens & Hanchet, HAVE just received a good affortment of European and India OODS

ogether with an affortment of Crockery and Hard ware GOODS, which they wish to dispose of on very real-anable terms for ready pay or their usual terms of credit. Those indebted to them are defired to

call and fee what is best to be done.

Westhington, Nov. 17. 1795. Sylvester Woodbridge's NEW GOODS,

HAVE just arrived, which with the old, make a compleat affertment of English, Hard Ware, and W. I. GOODS, which he is now felling very low for eath, and on approved credit—he receives in and on approved credit—he receives in payment, most kinds of country produce, fuch as Beef., Pork, Bens. Wax, Butter, Cheefe, Flax, Lard, Tallow, White-Beans all kinds-of Grain, After, Flax Seed white Oak Staves, &c. - He has alfo a few excellent Cane Reeds, and a nurflery of Apple Trees, inocolated with particular fruit, now fit for ferring out, which he withes to difpole of .- He has alfo a vok tee, Chocolate, Cromsmon, Cloves, Mace, withes to difpole of.—He has alfo a yoke of good fize ONEN in excellent order for Raitins, Figs. Starch, &c.—Alfo, a quantity of H. illow Ware, Iron, Steel, Nails & will fell on reafonable thems.—He has all Nail Reds. Glais. Shovels and Spades.

Nail Reds. Glais. Shovels and Spades.

Meeting House, well financed for a Meeting House, well financed for a Meeting House, well financed for a Meeting House. Meeting House, well fituated for a Me quire of SETTINHANNUM, III

ung to the premifes.

Said Woodbridge want to purchafe a
gaunity of INDIAN CORN, for which he will pay a part in cath.

Southampton, Nov. 11, 1795.

For Sale. A GOOD dest ARAM, lying in Con-way, containing yhour 208 adres, with about Rolactes and a improvement, well fenced, and well washed, with new buildings, a boofe, 37 bv 18, and a good barn, 50 by 50, well failled as any barn to the town—For particulars, enquire of Licut. Jabra Newball of Canway, or Col. Taight Stabbing of Destiald.

Conwai, Nov. 19. 1795. TAKEN up in Sept. last, a red lined rubite faced STEAR, one year old last spring, no artificial mark. The owner is fpring, no artificial mark—The owner is defired to prove property and take him away, JOHN PITSINGER. Westambton. Nov. 18, 1795.

Lost on Monday last, a Gold Sleeve Button. Should any one find and lodge it with the Printer, he shall be handsomely rewarded.

Northampton Nov. 25.

. CASH GIVEN FOR CLEAN COTTON AND LINEN RAGS,

Wright & Stoddard, HAVE just received a new fupply of C O O D which they will fell on reasonable terms, for

ready pay or flort credit.

ALL indebted to them, whole times of payment are become due, are requested to fettle immediately—those that negled, will be fued indifferiminately, by the first of annary next. Northampton, Nov. 18, 1795.

Notide is hereby given to the Non-relident Proprietors of Lands, lying in Hawley, that their lands are taxed in flate, town, county, School, highway, and miniferta xes, for the year 1703 and 1794, committed to me the fullenbes far 1794, committed to me the feblember for to collect, are as follows: For the year 1793-

Jonah Cooley, No. 64 4 11 2 Hitchcock, 61 4 11 2 Daniel Burt, 70 4 11 2 Hatfield Equivalent, first division,

For the year 1794, thirty acres of the outh East corner of a lot, laid out to J. Cooley, Wotthington, 123 181 I. Coulev. Bort, De Harrie. Werthington, J. Chapins,

Second divition of Hatheld Equivalent Bordyell, 56 o 8 o
Read Frant, 13 o 2
Read Frant, 13 o 2
Read Frant, 17 5 o
Unla faid rares are paid on the fight
the laft Tuefday in December next, 5
much of faid lands will be fold at public

rendue, at the houle of Capt. Elijab Field, in faid Hawley, 25 will discharge said tax-

in faid Hawicy, as only es withintervening charges. DAVID PARKER, Colledor. Hawley, November 9, 1795.

A HORSE loft.

STRAYED or fluien out of the meaden in Northampton, a fmall black Horle, three years old last spring, sourteen hands high, trots and canters, shud before, his hind feet white, as high as his foot lock.— Whoever will take ou faid Horfe, and old Wheter will take up the raotic, and gui-information to Eraffus Lyman, or the fab-feriber, shall be bandfomely rewarded, by SAMUEL LYMAN, Northampton, Nav. 16 1795.

Advertisement.

ALL tessons are bereby continued not to receive or pass a Final Sentence Certificate issued and figured by Jonathon Pierces—No. 45,401, in forces of John Amsideo, for 71, 30-90th dallars, dated 35 March. 1784, as it will prove to be counter-feit, the true case being destroyed by fire in January, 1789, when in my coffedy. ELI SKINNER.

Stelburne, Nov 9 1795-

Steiburns. New 9 1795.

AREN we by publicities, on the 24th day of Odobre left, a dark farel MARE, supposed to be empyare tel left pring, flood before, test all, no unbit above, the owner is defired to come and preser property, and take her away by posing charges.

JONATHAN GRANSON.

Albiteld, November 19, 1795.

Broke into the inclosure of the Subferiber on the 11th inflant, 11th Heifer, a year pat, no artificial mark, the owner is defined to prove property pif charges and takhe her away.

SHUBAL HILLMAN.

Williamsburgh, Nov. 18th 1795-

TRAITED from the phytriche left fave,

a red and white HEIFER, one year
eld left fyring, marked with a crep on the
left ear.—W bover will give information
where the may be found, that he hand/intety recurred, by Is rewarded, by
GEORGE DAVENPORT.

Williamburgh, Nov 1795. TAKEN up by the Subferibers, race Bar-rells and one Firstin afteat in the River-TheOomer is defired to call on Silas Breun.

jun. prove property pay charges and take them away. URIAL CLARK. SILAS BROWN. BENTA BROWN.

Eaflampton. Nov. 11. 1795-BROKE into the inclosure of the jubicit
ber, on the Elib of Oldors, a WEA.
THER, marked with a balf pring, cut the apper fide of the off ear and two flitt in the top of the fant. The summer is defered to prove property, pay charges; and toke him away. SIMEON DAT.

Northampton, New. 13, 1795.

## Sampshire D

NORTHAMPTON, (Muffatbufetts) PRINTED AND PUBLISHED BY WILLIAM BUTLER.

[Vol. X.]

W E D N E S D A Y, DECEMBER 9, 1795.

[NUMB. 484]

from the Gazette of the United States.

EXPLANATION ENTLANATION, cr the fulfield of a late attack upon the Perfeloa of the United States, and the former and profest heretary of the Treafuny, in relative to the compression of the Prefiltes.

A YERY virulent attack has recordly

inted States, the prefent Secretary of the her, on the ground of extra payments to be Prelident on account of his falary! The charges against all three are no less

seens than thefe of intentional violation d the configuration of the laws and of heir respective curts of effice. I amex the epithet intentional, because, though tot expressly pled in the terms of the at tack, it is implied in every line of it: floor involuntary error of confirmation, it hat could even be made out, would not md defpifing every principle which the people have established for the fecurity of their right's, of fetting at definite all law and authority and of ferralle fabriffin and compliance with the lawless will and plea-

compliance with the land of waill and plea-jers of a Preindent."

Were confiderations personal to myfell;
shase to be confider, the prifest strengt would betreated with no greater attention than has been shewn to all the anonyrous funders, by which I have been to long and implacably purfued. But convinced by a consider of objects from for more than four years, that there exists in this country as apprincipled and during combination, under the influence of further signs, to observe that the support of the first part of the party means subject fault by means, which four even of face, the due and efficient administration of the prefent government, to make our moft important national interefts fubfervimod, important national intends fablered, ent to the views of a foreign power, and, as means to thefe ends, to definy by calumny and militarief mation the conditions of the people in the realy circuous men of our country, and to transfer it, which the power of the flate, to ambitions, imriguing, and hypocritical pretenders to extraordinary ment, and particular. Perceiving likewife, that this infatoated combination, in the belief that the well earned efferm and attachment of his fellow cities. nation, to the beiter that the well earned efferen and attendment of his fellow citizens towards the prefers chief magificate of the United States is the principal remaining oblizable to the execution of their plan are making the most are tenuous and fightmatic efforts to extinguish those fentineaus in the breaks of the people—I think it a duty to depart from my general tole of conduct, and to submit to the public, of conduct, and to mome to the public, with my name, an explanation of the principles, which have governed the Tecalmy Dipartment on the point in quellon.

I finall flate, in the first place, that the

rale with regard to expenditures, and appropriations which has aniformly regulated the practice of the department, is this: the practices of the department, in this vist, to iften mi mover from the Treefing hat fin an object for subtle there was a law pervisely puffel, making an appropriation and department to find a motivation to make a superpose to arise. But there being fack a low cast an adequate fand to physical separation to a star of the fertile two performed, or the further two different mines are defined, to make different mines are the treafury for the chife, if it appeared left and explaint for two life the party was charged and held accountable, it was an advance or duritipation for which the party was charged and held accountable, it for the formation of the fervice or by the familing of the Employ—II of fervices it, it was a psymini, lapply-If afterwards, it was a payment, and went to fome general head of account

a foch. Thus if a form was appropriated for pro the common to make advances on ac- | he the true one cent of the contractors long before the fepties were furnified. If the law was pured in one year for the next, there would be no hefitation to make the advance im

of expenditure. And folikewife advances | with the cooffication, either by way of ad | more true than that the fame differences have been made for the ofe of the Prefi dent and of the Members of both houses of Congress in anticipation of their respec-ive compensation. It will without diffi-culty be comprehended that this practice of the treafory has in fome cales he fential to the due coarfe of the public fer-

Every good judge will be feefible that from the infofficiency of individual capi tals to such large advances as the supplies of an army require, it was indifcentible the obtaining them, that anticipations from the Treasury should enable the contractions to do what otherwise they would have been unabie to do ; and that thefe anticipation must also have been the efficit of procuring the supplies on cheaper terms to the Unit-ed States.

When it is considered too that the zerny

has operated for feveral years pall, the difance of five or fix hundred miles from the east of government, and a confiderable part of the year from the radences of the country, and obsernations of waters, it is impracticable to transmit mostes to the feenes of payment—it will be perceived bear feered meanings, that is to be pre that without advances from the Treadury ferred which will bed accord with conve that withour advances from the Treatury.

In anticipation of their pay, one only a compliance with the engagements of the government would have been impossible, but the troops multi have been always left unreafounably in arrear. In Jone 1994.

Congress passed a law declaring that the amount as that the arrears should not care control to the passed and the amount as that the arrears should not care control to make the passed and the control to the passed and the passed and the passed are sometime. ceed two months-Compliance with this regulation renders anticipation at certain feafons, matters of physical necessity; yet that law gave no special authority for the

parpole. A particular cale by way of example, in which, diffine from general roles, advances or anticipations in the War Department are necessary, respects the recruiting fer-vice, the officers detached on this fervice who are for a long time differ from their corps require the accommodation of an adcorps require the accommodation of an advance of pay to be able to dichasge their duty.—Towards the polibility of enlishing nee, it is indiffered to the shoot derry with them the bounty money, and this apon conjecture of what way be done, and with the polibility that it must be ingalent to be a supported by the polibility that it must be ingalent ones thereing the towards must be supported by the polibility that it must be ingalent ones thereing the towards must be supported by the political parts of able to obtain men, the ultimate expenditure, may not take place. This inflance will fuggeft to reflection an inflate number of cases, in the course of the public fervice, in which a di fourfement from the Treatury mift pre-cate the execution of the object and may exceed the fum finally requisite for it.

These cases indicate the expediency and

even necessity of the confirmation which ry. And it might be the wn, if neer fary, that it is analogous to the practice under the former government of the United States, and under other governments; and this too where the ther this too where the theory of expendingers is at express discour Confliction, that on money shall be expended, but in configurate of an appropriation by law.

It remains to fee whether this role of It remains to fee whether tous rule of conduct, so indispensable in the practice of the Department, be permitted by a fair in terpretation of the conditution and the

lars.

The general injention of the Conflite-tion (Article I. § IX.) is that "no money shall be drawn from the Treafory but in confequence of appropriations made

The question upon the clause is, whether when an appropriation has been made for a particular fervice or supply, the actual differfement from the Treasury muft fol low the fervice or fample in the names of payment. Or may precede it in the nature of an advance f. I hold the last confirmation which is that adopted by the Treasury to

The clause just cited appears to me to be exactly equivalent to this other clause— " no money (nell be drawn from the reeshe an infinition to make the advance in the heavily first the passing the law and life to the year to which the appropriation made by law," in other words, before the year to which the appropriation made by law," in other words, before more can levelly life from the treating as a policy life, and commenced. So also for any protoc, there must be a law antistics would be furnished to the department of the law antistics and definition and deficient in the member of the law and the law an when a sound be turn-lined to the destruction of the first and foldiers and other stems different may be made confiftently for the first is otherwife; but nothing is the first day of the year, or on the first day of the year.

come or anticipation by way of payment it may precede or follow the fervice, tup oly or other object of expenditure—Eithe will equally fatisfy the words, " in coofe quence of," which are not woods of firith import, but may be taken in feveral fen fes-In one fenfe, that is " in confequence "a thire, which, being bottomed upon

8 9 9

it, follows it in order of time.

A 6 finitement must be either an advance of anticipation of a payment— Tis not prefermable, that the Constitution meant to diffing with between these two modes of distantement; it must have intended to leave this matter wholly to convenience.

The design of the Constitution in this

provision was, as I conceive, to fecun provition was, as I conceive, to fective those important ends, that the purpose, the limit and the fund of every expenditure. In old the ascenained by a previous law. The public fecturity is complete in this particular if no money can be expended but for as abject to me accept and one of a fault, which the laws have prescribed.

Even in coles, which affect only indi-vidual interells, if the terms of a law wil ferred which will bell accord with conve-nience in cales which concern the public, this rule is applicable with fill greater lat-itude—Public convenience is to be pro-moted, public inconvenience to be avoid-ed. The befines of administration reed. The befiness of administration re-quires accommodation to so great a varie sy of errounfiances, that a narrow confine-tion would in countless inflances arrest the wheels of Government.

It has been shown, that the confirmation

which has been adopted at the treafory is to many cases effectial in practice. This inclines the seale in favour of is—the words "in confequence of" admitting of various lignifications.

The practice of this Legislature, as to

appropriation laws, favours this confirme-

Their laws are generally diffind from those which create the cause of expendi-ture. Thus the act which declares that the Prefident shall be allowed at the rate of twenty-five thousand dollars per annun that which declares that each Sensior and Representative shall be entitled to for much per day, that which determines that each Officer and fuldier thall have to much per mooth, &c. -neither of these acts is an act of appropriation. The treasury has not conceived itself authorised to expend a fingle cent upon the bass of any foch act; regarding it merely as confli-tuting a claim upon the government for a certain compensation, but requiring prior that a law be passed authoriting the dif-bursement out of a special fund. This is what is confidered as the law, by which the appropriation is made; from which refute to the public a double fecurity.

Hence every year a particular acl found times more than one) is polled appropriat-ing certain for as for the various branches of the public fervice, and indicating the funds from which the manies are to be drawn. The mied, the fun and the fund are all that are to be found in these acts. They are commonly, if not universally silent as to any thing further.

This I regard as confinding of the claufe in the Conflictation. The appropriation laws are in execution of that prowifing and falul all its purpoles. And they are frient as to the diffinition between antiripation and payment in other words as to the manner of diffusionent. Hence I conclude that if there exists a

party of the Predden, an advance upon that fam, in anticipation of the ferrice, is rement for objecting proper measures as conflictational as a symmet after the ferrice proper precisions. It is also been preformed; in other words, for up to incre justly the charge of impractioning of a quarter, as a mach expression.

there was not an existing appropriation.—

The fill and far that no many had been libbed right, in the officer of government between manipulation of the fer ice; a said their compensations, either on

were within the limits of the fums appro priated. It there was an excels at the end of one year, there had been a previous appropriation for a fueceeding year, upon which that excels was an advance. It is objected to this practice, that the

It is objected to this practice, that the death of the party between the advance to him and the expiration of the equivalent, term of fevices, by fuperceding the object of the advance, would render it a milra-penditure of for much money, and therefore a violation of the Conflittenion.

I answer, that the fame cassality might have the same eff. it in other causes, in which it would be against common sense to foppofe that an advance might not be

to foppofe that an advance might not be made with legality and propriety.

Suppose, for example, a law was to be prifted directing a given quantity of pow-der to be purchased for public ofe, and ap-propriating a definite four for the purchase, and suppose intelligence brought to the Se-creary of the Tevalue, that the constitucreary of the Treatury, that the quantity required could be produced for prompt payment at Boffon. It cannot in fuch a cafe be doubted, that the full fun appropriated might be legally advanced to an agent, reproceed to B. floon to make the purchase—yer that agent might die, and the money never be applied according to its defination, or the defired quantity might be produced for a lefs fum and a halance remain in his hands.

In either cafe there would be money draws from the Treafury, which was not applied to the object of the law; in the last case there is no fixed object for the difborfement, because the balance is a firebordement, occusic the bilance is a for-ples. This proves that the polifibility of a failure or falling thort of the object; for which an advance is made, is not an ob-jection to its legality. Indeed the confe-quence is a putible one in every cafe of an acticipation, whether to constrained or once puotic agents, for a determined or indetermined one of

other public agents, for a determined or indetermined porpore.

The configuence us, that the form one-pied most be accounted for and refunded. This dilitation here again is between an advance and a payment.—More caunot certainly be finally and than is equal to the object of an appropriation, though the farm appropriated exceed the furn meetfury.—But more may be advanced to the full extent of the appropriation, thus may be all-instally exhausted by the object of the expenditure, on the condition which always astends as advance, of accounting for the application and refunding an excess. This application and refunding an excess. This is a direct answer to the question, whether more can be paid than is necellary to fatusly the abj of of an appropriation. More cannot be paid, but more may be advanced, on the zerodatability of the person to whom it is advanced.

whom it is advanced.

The case flated by way of example is alfo concludive to the point, that money may
be drawn from the Treafury in anticipation of the object of expenditure.

But rifque of lofs to the public may attend the principle a this is true, but it is at true in all the cafes of advances to contraction, &c. as in those of advances upon felaries and compensations—nor does this point of risk effect the question of legality; it tookes metely that of the prudent exer-cise of discretion. When large sums are advanced, it is usual to obtain security for advanced, it is usual to obtain iccurity, on their due application or for indemnification. This federity is greater or less, according to the circumlances of the parties to whom the advances are made; when fmall foms are advanced efpecially if for purpose quickly fulfilled, and to perfous who are themfelves adequate furtien, no callactral fecurity is demunded—the head his been perfoined; in other weeks, to autoiner; polity the charge of impact and the confidence of a quatter; faller, et the best dense, or profuse, he may be difmitted or thing of a quatter; a sa much extraord, positive according to the instead of the Conflictation as the payment of test integrabed.

by the Confliction as the psymetron feat infloadadt.

Barthe principle which is fet to would, the end of the quester.

It is in this fenfe that the prefent Sected it is laid, be predefive of confulon, different conformation of the Prefent principle which is fet to would be a featured by the conformation of the fent principle which is fet to would be a featured by the conformation of the feature of the unit of the feature of the unit of the feature of the unit of the feature of the conformation of the feature of the unit g veroment is made payable out of the ac