

## CONNECTICUT GAZETTE.

FRIDAY, FEBRUARY 22, 1788.

NEW-LONDON: Printed by TIMOTHY GREEN, at the Northwest Corner of the PARADE. PARADE

BOSTON, Jan. 31.  
PROCEEDINGS OF CONVENTION.

(Continued from our last.)

The 8th section of art. I. containing the POWERS OF CONGRESS, being read,

GEN. BROOKS said, this article contained more matter than any yet read; and he wished to know, whether there is not to be some general restrictions to the general articles.

Hon. Mr. KING. Mr. President, it is painful to me, to obtrude my sentiments on the Convention, so frequently. However, Sir, I console myself with the idea that my motives are as good as those of more able gentlemen, who have remained silent. Sir, this is a very important clause, and of the highest consequence to the future fortune of the people of America. It is not my intention to go into any elaborate discussion of the subject—I shall only offer those considerations which have influenced my mind in favour of the article; in the hope that it may tend to reconcile gentlemen to it—It shall not be with a view of exhibiting any particular knowledge of mine:—For such is not my intention. Hitherto we have considered the construction of the general government—we now come, Sir, to the consideration of the powers with which that government shall be clothed. The introduction to this Constitution, is in these words, “We the people, &c.”

—The language of the Confederation, is “We the States, &c.” The latter is a mere Federal Government of the States: Those, therefore, that assemble under it have no power to make laws to apply to the individuals of the States confederated: And the attempts to make laws for collective societies, necessarily leave a discretion to comply with them or not. In no instance has there been so frequent deviations from first principles, as in the neglect or refusal to comply with the requisitions of general governments for the collection of monies. In the ancient governments this has been a principal defect. In the United Provinces of the Netherlands it has been conspicuously so. A celebrated political writer—I mean *John de Witt*, formerly Pensioner of Holland, says, that in the confederacy of 1570, though the articles were declared equally binding on the several Provinces, yet, any one had it in its power to comply with the requisitions of the generality, or not; and some Provinces taking advantage of this discretionary power, never paid any thing. During 40 years of their war with Spain, the Province of Holland paid 3 parts of an hundred, of all the expenses thereof—Two or three of the Provinces never so much as passed a resolution to pay any thing; and *De Witt* says, that two of them paid not a single guilder. What was the consequence? In one instance, Holland compelled a neighbouring Province to comply with the requisitions, by marching a force into it. This was a great instance of usurpation, made in the time of a war. The Prince of Orange, and the generality, found that they would not continue the war, in this manner. What was to be done? They were obliged to resort to the expedient of doubling the ordinary requisitions on the States. Some of the Provinces were prevailed upon to grant these requisitions fully; in order to induce Holland to do the same.—She seeing the other States appearing thus forward, not only granted the requisitions, but paid them—the others did not. Thus was a single province obliged to bear almost the whole burdens of the war—And one hundred years after, the accounts of this war, were unsettled: What was the reason? Holland had but one voice in the States-General:—That voice was feeble when opposed by the rest. This fact is true.—And the history of our country, is a melancholy proof of the same truth—Massachusetts has paid, while other States have been delinquent. How was the war carried on with the paper-money? Requisitions on the States for that money were made—Who paid them? Massachusetts, and a few others. A requisition of 20,000,000 dollars were quoted on Massachusetts—and it was paid. This State has paid in her proportion of the old money: How comes it then, that gentlemen have any of this money by them?—Because the other States have shamefully neglected to pay their quotas. Do you ask for redress? You are scoffed at. The next requisition was for 11,000,000 of dollars, 6,000,000 of which, were to be paid in facilities—the rest in silver money—for discharging the interest of the national debt. If the Legislatures found a difficulty in paying the hard money, why did they not pay the paper? But 1,200,000 dollars have been paid.—And six States have not paid a farthing of it. [After mentioning another requisition equally disregarded, Mr. K. said,] Two States have not paid a single farthing, from the moment they signed the Confederation to this day, if my documents are to be depended on, and they are open to inspection

of all. Now, Sir, what faith is to be put in requisitions on the States, for monies to pay our domestic creditors, and discharge our foreign debts—for monies lent us in the day of difficulty and distress.—Sir, experience proves, as well any thing can be proved, that no dependence can be placed on such requisitions. What method then can we devise to compel the delinquent States to pay their quotas.—Sir, I know of none.—Laws to be effective, therefore, must not be laid on States, but upon individuals. Sir, it has been objected to the proposed Constitution, that the power is too great—and by this Constitution is to be sacred.—But if the want of power is the defect in the old confederation—there is a fitness and propriety in adopting what is here proposed, which gives the necessary power wanted. Congress now have power to call for what monies, and in what proportion they please—but they have no authority to compel a compliance therewith.—It is an objection in some gentlemen's minds, that Congress should possess the power of the purse and the sword. But Sir, I would ask, whether every government is not possessed of this power—and the security of the people lies in their having it. The first revenue will be raised from the impost, to which there is no objection—the next from the Excises—and if these are not sufficient direct taxes must be laid. Sir, my intention is rising, was to say, that if we mean to support an efficient federal government, the old confederation being inadequate thereto, the proposed constitution, is the only one that can be substituted.

Hon. Mr. WHITE said, in giving this power we give up everything, and Congress with the purse strings in their hands, will use the sword with a witness.

Mr. DAWES said, he thought the powers in the paragraph under debate should be fully vested in Congress.—We have suffered, said he, for want of such authority in the federal head. This will be evident, if we take a short view of our agriculture, commerce and manufactures. Our agriculture has not been encouraged by the imposition of national duties on rival produce: Nor can it be so long as the several States may make contradictory laws. This has induced our farmers to raise only what they wanted to consume in their own families; I mean, however, after raising enough to pay their taxes: For in this, that upon the old plan, the land has borne the burden. For as Congress could not make laws whereby they could obtain a revenue, in their own way, from impost or excise, they multiplied their requisitions on the several States. When a State was thus called on, it would perhaps impose new duties on its own trade, to procure money for paying its quota of federal demands. This would drive the trade to such neighbouring States as made no such new impositions:—Thus the revenue would be lost with the trade, and the only resort would be a direct tax.

As to commerce, it is well known that the different States now pursue different systems of duties in regard to each other. By this, and for want of general laws of prohibition through the Union, we have not secured even our own domestic traffick that passes from State to State. This is contrary to the policy of every nation on earth. Some nations have no other commerce. The great and flourishing empire of China has but little commerce beyond her own territories; and no country is better circumstanced than we for an exclusive traffic from State to State: Yet even in this we are rivalled by foreigners—by those foreigners to whom we are the least indebted. A vessel from Roseway or Halifax finds as hearty a welcome with its fish and whale-bone at the southern ports, as though it was built, navigated and freighted from Salem Boston. And this must be the case, until we have laws comprehending and embracing alike all the States in the Union.

But it is not only our coasting trade, our whole commerce is going to ruin. Congress has not had power to make even a trade law, which shall confine the importation of foreign goods to the ships of the producing or the consuming country! If we had such a law, we should not go to England for the goods of other nations; nor would British vessels be the carriers of American produce from our sister States. In the States southward of the Delaware, it is agreed that three fourths of the produce are exported, and three fourths of this returns are made in British bottoms. It is said, that for exporting lumber one half the property goes to the carrier, and of the produce in general, it has been computed, that when it is shipped for London from a southern State, to the value of one million of dollars, the British merchant draws from that sum three hundred thousand dollars, under the names of freight and charge. This is money which belongs to the New-England States, because we can furnish the ship; as well as, and much better than the British. Our sister States

are willing we should receive these benefits, and that they should be secured to us by national laws; but until that is done, their private merchants will, no doubt for the sake of long credit, or some other such temporary advantage, prefer the ships of foreigners: And yet we have suffered the insignificant burdens, rather than trust our own representatives with power to help us;—and we call ourselves free and independent States:—We are dependent of each other, but we are slaves to Europe. We have no uniformity in duties, imposts, excises or prohibitions. Congress has no authority to withhold advantages from foreigners, in order to obtain advantages from them. By the 9th of the old articles Congress may enter into treaties and alliances under certain provisos, but Congress cannot pledge, that a single State shall not render the whole treaty of commerce a nullity.

Our manufactures are another great subject, which has received no encouragement by national duties on foreign manufactures, and they never can by any authority in the old Confederation. It has been said, that no country can produce manufactures until it be overstocked with inhabitants. It is true, the United States have employment, except in the winter, for their citizens in agriculture—the most respectable employment under heaven: But it is now to be remembered, that since the old Confederation, there is a great emigration of foreign artisans hither, some of whom are left here by the armies of the last war and others, who have more lately fought the new world, from hopes of mending their condition—these will not change their employments. Besides this, the very face of our country leads to manufactures. Our numerous falls of water, and places for mills, where paper, snuff, gun-powder, iron-works, and numerous other articles are prepared—these will save us immense sums of money, that otherwise would go to Europe. The question is, have these been encouraged? Has Congress been able, by national laws, to prevent the importation of such foreign commodities as are made from such raw materials as we ourselves raise. It is alleged, that the citizens of the United States have contracted debts within the last three years, with the subjects of Great-Britain, for the amount of near six million dollars, and that consequently our lands are mortgaged for that sum. So Corsica was once mortgaged to the Genoese merchants, for articles which her inhabitants did not want, or which they could have made themselves, and was afterwards sold to a foreign power. If we wish to encourage our own manufacture—to raise the value of our own lands, we must give Congress the powers in question.

The Hon. Gentleman from Norton, last speaking, says, that if Congress have the power of laying and collecting taxes, they will use the power of the sword. I hold the reverse to be true. The doctrine of requisitions of demands upon a whole State, implies such a power: For surely a whole State, a whole community, can be compelled only by an army; but taxes upon an individual implies only the use of a collector of taxes. That Congress, however, will not apply to the power of direct taxation, unless in cases of emergency, is plain; in such, as thirty thousand inhabitants will elect a representative, eight tenths of which electors perhaps are yeomen, and holders of farms, it will be their own fault if they are not represented by such men as will never permit the land to be injured by unnecessary taxes.

Gen. THOMPSON. Mr. President, I totally abhor this paragraph. Massachusetts have ever been a leading State; now let her give good advice to her sister States. Suppose nine States adopt this Constitution—who shall touch the other four?—Some cry out force them—I say draw them. We love liberty—Britain never tried to enslave us until she told us we had too much liberty.—We cannot have too much liberty.—The Confederation wants amendment—shall we not amend it? The Convention were sent on to Philadelphia to amend this Confederation—but they made a new creature—and the very setting out of it is unconstitutional.—In the Convention, Pennsylvania had more members than all New-England—and two of our delegates only were persuaded to sign the Constitution. Massachusetts once shut up the harbours against the British.—There I confess I was taken in. Don't let us be in a hurry again. Let us wait to see what our sister States will do. What shall we suffer, if we adjourn the consideration of it, for five or six months?—It is better to do this, than adopt it so hastily. Take care we don't disunite the States.—By uniting we stand, by dividing we fall.

TUESDAY, Jan. 22.

Section 3th Bill under consideration.

Hon. Mr. DELTOD. It is apparent Sir, that gov-



From a late Philadelphia Paper.

To the PEOPLE of the UNITED STATES.

WHEN we observe how much the several gentlemen of the late convention, who declined to sign the federal constitution, differ in their ground of opposition, we must see how improbable it is, that another convention would unite in the same degree in any plan. Col. Mason and Mr. Gerry complain of the want of a Bill of rights; Governor Randolph does not even mention it as desirable, much less as necessary. Col. Mason objects to the powers of Congress; Governor Randolph and Mr. Gerry make no objections on this point, but the former seems to think the militia an inconvenient and untoward dependence, which is contrary to our opinions in Pennsylvania. Mr. Randolph gives up the objection against the power of Congress, to regulate trade by a majority; Mr. Mason complains of this, and says the objection is insuperable; Mr. Gerry does not say a word against it. Mr. Randolph wishes the President intelligible after a given number of years; Mr. Mason and Mr. Gerry do not make this one of their objections. Mr. Randolph objects to some ambiguities; Mr. Mason does not. Col. Mason objects to the slave trade on the principles of policy merely; Mr. Gerry and Mr. Randolph make no such objections. Mr. Mason objects to the President's pardoning treason; Mr. Gerry makes no such objection, and Mr. Randolph wishes, only, that the offender may be convicted before the President shall have power to pardon! This appears to be a legal solecism. Mr. Randolph objects to the power of Congress to determine their wages (the privilege of every legislature in the union) but Mr. Gerry and Col. Mason do not object to this power. Mr. Randolph objects to the power of the President to appoint judges; Mr. Gerry and Col. Mason do not. Mr. Gerry says the people have no security for the right of election; Col. Mason and Mr. Randolph do not make this objection. Mr. Gerry and Mr. Mason think the representation not duly provided for; Mr. Randolph expresses no such idea. Mr. Mason objects to the want of security for the common law, to the power of the senate to alter money bills, to regulate the officers salaries, to the want of a privy council, to the Vice-President, to the want of a clause concerning the press, and to the want of a power in the states to lay imposts on exports; not one of which are stated as objections by Mr. Randolph or Mr. Gerry. Mr. Randolph objects to the want of a proper court of impeachment for senators (though the state courts of impeachment can always take cognizance of them) Mr. Gerry and Col. Mason do not hold this exceptionable. Col. Mason objects to the states, or Congress, being restrained from passing *ex post facto* laws; Mr. Randolph and Mr. Gerry do not.

The Minority of the Pennsylvania convention, on the other hand differ from all these gentlemen. They say, the defects of the old confederation were not discovered till after the peace; while Mr. Randolph says, the short period between the ratification of the old constitution and the peace was distinguished by melancholy testimonies of its defects and faults. The Minority object, because some persons appointed by Pennsylvania have disapproved of our state constitution, which differs from eleven states in the union in the want of a division in the legislature, and in having nineteen persons to execute the office of governor, whose number will be increased by the addition of one more for every new county.

The Minority object to the latitude taken by the convention; we find no such objection made by Mr. Randolph, Mr. Gerry or Col. Mason. Mr. Gerry says, in his letter it was necessary; and Mr. Mason insisted strongly in the house, that the convention could not do their business, unless they considered and recommended every thing that concerned the interests of the United States, though the first letter of their powers was supposed not to extend so far. The minority say religious liberty is not duly secured; which is omitted as an objection by all the three gentlemen above named. The right of people to fish, fowl and hunt, the freedom of speech, provision against disarming the people, a declaration of the subordination of military to the civil power, annual elections of representatives, and the organization and call of the militia, are considered by the minority of our convention, as on an exceptionable footing; but none of these are even mentioned by Gov. Randolph, Col. Mason or Mr. Gerry. The Minority desire a declaration that such powers as are not expressly given shall be considered as retained; Mr. Randolph thinks this unnecessary, for the states retain every thing they do not grant. Mr. Gerry is silent on this head. The minority desire a constitutional council for the President; Mr. Gerry and Mr. Randolph do not. The Minority except against a court of equity being vested in a federal government; to which neither of the above express any dislike. The minority desire a bill of rights and object to the smallness of the representation; which Mr. Randolph does not. They object to the term of duration of the legislature which none of the above gentlemen find fault with. Nor does the account of particulars end here. The objections severally made by the three honorable gentlemen and the Pennsylvania minority are so different and even discordant in their essential principles, that all hope of any greater unanimity of opinion, either in another convention, or in the people, must be given up by those who are acquainted with the human heart and mind, with their infinitely varying feelings and ideas.

PHILANTHROPOS.

THE Subscriber would hereby acquaint all those that have any unsettled concerns with the estate of Mr. JOHN M'CURDY, late of Lyme, deceased, that he will attend on them, relative to said business, at the late dwelling-house of said deceased, in Lyme, on the 18th and 19th instant: after which, on the first Monday and Tuesday in the month of March next. Those respectively concerned, will avoid future trouble and inconvenience to themselves, by their punctual attendance. LYNDE M'CURDY, Adm'r. Norwich, 4th Feb. 1788.

WE the subscribers, being appointed by the hon. Court of Probate, for the district of Stonington, commissioners to receive and examine the claims of the creditors to the estate of Mr. Daniel Latham, late of Groton, deceased, represented in absent, seven months from the date being allowed for that purpose, do hereby give notice, that we shall attend to said business at the dwelling-house of Edward Jeffrey, inholder, in said Groton, on the last Monday of March and April next, at one o'clock afternoon, on each of said days. After the time limited is expired, no accounts will be allowed. All accounts must be properly attested. AMOS PRENTIS, EDWARD JEFFERY, } Comm'rs. STARR CHESTER, }

Groton, 5th Feb. 1788. All persons indebted to said estate, are desired to make immediate payment, to EBENEZER LEDYARD, jun. Adm'r.

To be sold at Public Vendue, at the sign-posts in Lyme, for hard money, John Lawrence, Esq's certificates, soldier notes due before 1785, and military orders.

SO much of the real estate of the following persons, as will pay their state and town taxes in my hands to collect, with lawful cost, viz. Capt. Joseph Marher, on the 10th day of April next, at the public sign-post in the first society; Thomas Beckwith, Stephen Smith, jun. and Thomas Smith, 2d. on the 17th. at the public sign-post in the east society; John Brockway; 2d. Ebenezer Brockway, widow Hephzibah Harrison, Benjamin Lord. Abijah Mack, and Nathan Peck, on the 14th, at the sign-post in the north society; widow Elizabeth Comstock, David Deane Prat, and Abner Ranford on the 19th; Amos Avery, jun. Timothy Beebe, Nathan Latimer, Hallam Latimer, Nathan Latimer jun. and Henry Roland, jun. on the 21st of said month, in Chesterfield society, and town of Montville, by RICHARD LORD, Collector. Lyme, 16th Feb. 1788.

THE General Assembly of Connecticut, holden in October last, having upon the petition of Joseph Kellogg, of Chatham, in the county of Middlesex resolved, that upon his resigning up oath, and assigning to the subscribers for the benefit of his creditors, all his estate, except wearing apparel and necessary household furniture, and obtaining a proper certificate thereof, he (the said Joseph Kellogg) should be discharged from all demands incurred before the date of said petition.

Public notice is hereby given, that such estate hath been resigned up and assigned to the subscribers, and a meeting of the creditors of said Joseph Kellogg, is hereby to be holden at the dwelling-house of Capt. Richard Hamlin, inholder in Middletown, on Wednesday the 16th day of April next, at 10 o'clock in the forenoon, when the major part of the creditors present, may (if they see cause) appoint other trustees in stead of any of the subscribers, and make regulations respecting future meetings, as well as respecting the management of such estate, and the payment of dividends. And all persons indebted to said Joseph Kellogg, are hereby desired to make immediate payment to the subscribers. WENSLEY HOBBY, ASHER MILLER, } Trustees SAMUEL W. DANA, }

Middletown, Feb. 11, 1788. THE hon. Court of Probate, for the district of Stonington, have allowed seven months from the date hereof, for the creditors to the estate of Thomas Fanning, late of Groton, deceased, to exhibit their claims. Those indebted to said estate will please to make immediate payment, to CHARLES FANNING, Adm'r. February 5th, 1788.

Attendance will be given at the house of the deceased, the second Monday of March, and first Monday of April next.

To be Sold very cheap, A New Dwelling-House and Garden, pleasantly situated at the head of Niantick River, in New-London. For further particulars, enquire of AMASA BEEBE, living on the premises, or EBENEZER BEEBE, at East-Wharff.

To be Sold cheap for Cash, or good Security, for one year.

A FARM lying in Killingly, containing Two hundred and thirty-seven acres of Land, under good improvement, with a good Orchard, House, two Barns, Corn-house, &c. For terms, enquire of ANDREW HUNTINGTON, in Norwich. Norwich, Feb. 22th, 1788.

NOTICE is hereby given to all persons having demands on the estate of PAUL WHEELER, Esq. late of Stonington, deceased, that the hon. Court of Probate, for the district of Stonington, have allowed twelve months from the first day of January, 1788, to the creditors to file estate to exhibit their claims against said estate: those who neglect, will ever afterwards be debarred a recovery. PAUL WHEELER, Executor.

CASH given for SHIPPING-FURRS, By Ebenezer & Simeon Thomas, At their Store in Norwich.

ALL persons indebted to said Thomas, whose accounts or notes are become due, are requested to make immediate payment, or they may expect their accounts or notes will be put in suit. Norwich, 30th Jan. 1788.

Cash given for all kinds of Shipping FURRS, By EBENEZER BACKUS, of Windham.

73) Dec. 25, 1787.

To be sold on the premises. SO much of the real estates of the following persons, as will pay their state and town taxes in my hands to collect, with costs of sale, for cash, Lawrence's certificates, soldier notes out before 1785, and civil list orders, viz. Capt. Joseph Packwood, lying in Montville, on the 11th day of April next, Jonathan Chapel, deceased, on the 12th, Thomas Hempstead, non-resident, on the 14th, Ebenezer Williams, deceased, on the 15th, William Wignan, on the 16th, Samuel Fosdick, non-resident, Constant Crocker, and Thomas Manwaring, on the 17th, Daniel Chapman, non-resident, on the 20th, Richard Chapman deceased, and Jonathan Chapel, 2d, deceased, on the 21st, and Samuel Swaddle on the 22d day of the aforesaid month, by JOSHUA RAYMOND, jun. Collector.

The subscriber will give his attendance at Mr. Pember Calkins, on Mondays as usual, and all those that still owe him rates, and neglect to call and settle the same, may depend on being put to cost, without respect to persons. J. RAYMOND, jun. Collector. New-London, Feb. 5, 1787.

Also will be sold on the premises, for Lawrence's certificates, soldier notes out before 1785, on the 20th day of April next, SO much of the real estate of Capt. William Prince, non-resident, as will pay the rates still due in my hands, from said Prince, with charges of sale, by AMASA LEARNED, Administrator (so Nathaniel Coit, jun. collector, deceased. New-London, Feb. 5, 1788.

NOTICE is hereby given to all whom it may concern, That six months from the date hereof are allowed by the Court of Probate, for the district of New-London, for the creditors to the estate of HEZEKIAH CHAPMAN, late of Montville, deceased, to exhibit their claims against said estate; and those which are not produced within that time will not be allowed. ATWELL CHAPEL Executor. Montville, 4th Feb. 1788.

Lyme, Jan. 29d, 1788. occupations, by said Emerson. 15 or 16 years of age, as an apprentice to the above N. B. Wanted a ready, well-minded Boy, about 12 years of age, for old gold, silver, brass and copper. Cash given for old gold, silver, brass and copper. favour him with their custom. he shall be able to give a list of names to those who purchasing at the above premises, I have himself notice. Said Emerson having served a regular apprenticeship in the bell-manner, and at the former thirty-hour do, and eight-day time piece. Watch-month and moon a year; eight-day repeating dials; hours, minutes and seconds; day of the WEEK he makes Clocks that carry London to East-Wharff.

In Lyme, East Society, on the road from New-LONDON, DUDLEY EMERSON, CARRIED ON BY Clock & Watch-making & Jewellery.

CASH given for Hatters' and Shipping FURRS, by JOSEPH EMERSON New-London.