

JOURNAL
OF THE FIRST SESSION
OF
THE SENATE
OF
THE UNITED STATES OF AMERICA,
BEGUN AND HELD
AT THE CITY OF NEW YORK,
MARCH 4, 1789,
AND IN THE THIRTEENTH YEAR OF THE INDEPENDENCE OF THE SAID STATES.

149
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WASHINGTON:

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1820.

IN SENATE UNITED STATES,

MAY 1, 1820.

Resolved, That there be printed, under the direction of the Secretary of the Senate, in the form in which the Journals are now printed, in brier type, that part of the Journal thereof, of which the Senate are not in possession of any printed copy; and there be printed three hundred copies thereof.

Attest,

CHARLES CUTTS, *Secretary*.

JOURNAL

OF THE FIRST SESSION OF THE SENATE OF THE UNITED STATES,
BEGUN AND HELD AT THE CITY OF NEW YORK, MARCH 4, 1789,
AND IN THE THIRTEENTH YEAR OF THE INDEPENDENCE OF THE
SAID STATES: VIZ.

NEW HAMPSHIRE,
MASSACHUSETTS,
CONNECTICUT,
NEW YORK,

NEW JERSEY,
PENNSYLVANIA,
DELAWARE,
MARYLAND,

VIRGINIA,
SOUTH CAROLINA, AND
GEORGIA.

Being the eleven States that have respectively ratified the Constitution of Government for the United States, proposed by the Convention held at Philadelphia, on the 17th September, 1787.

WEDNESDAY, MARCH 4, 1789.

The following members of Senate appeared and took their seats:

From New Hampshire,	the Honorable	{ John Langdon, and
Massachusetts,	the Honorable	{ Paine Wingate,
Connecticut,	the Honorable	{ Caleb Strong,
Pennsylvania,	the Honorable	{ William S. Johnson, and
Georgia,	the Honorable	{ Oliver Ellsworth,
		{ William Maclay, and
		{ Robert Morris,
		{ William Few.

The number not being sufficient to constitute a quorum, they adjourned from day to day, until

WEDNESDAY, MARCH 11, 1789.

The same members present as on the 4th: Agreed, that the following circular letter should be written to the absent members, requesting their immediate attendance.

NEW YORK, March 11, 1789.

SIR: Agreeably to the Constitution of the United States, eight members of the Senate, and eighteen of the House of Representatives, have attended here since the 4th of March. It being of the utmost importance that a quorum sufficient to proceed to business be assembled as soon as possible, it is the opinion of the gentlemen of both Houses, that information of their situation be immediately communicated to the absent members.

We apprehend that no arguments are necessary to evince to you the indispensable necessity of putting the Government into immediate operation; and, therefore, earnestly request, that you will be so obliging as to attend as soon as possible.

We have the honor to be, Sir,

Your obedient humble servants,

JOHN LANGDON,
PAINE WINGATE,
CALEB STRONG,
WILLIAM S. JOHNSON,
OLIVER ELLSWORTH,
ROBERT MORRIS,
WILLIAM MACLAY,
WILLIAM FEW.

To the Honorable

Tristram Dalton,
William Paterson,
Jonathan Elmer,
George Read,
Richard Bassett,
Charles Carroll,
John Henry,
Richard Henry Lee,
William Grayson,
Ralph Izard,
Pierce Butler,
James Gunn.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, MARCH 12, 1789.

Present, as yesterday.

The number sufficient to make a quorum not appearing, they adjourned from day to day, until

WEDNESDAY, MARCH 18, 1789.

Present, the same as on the 12th.

Agreed, that the following circular letter should be written to eight of the absent members, urging their immediate attendance.

New York, March 18, 1789.

SIR: We addressed a letter to you the 11th instant, since which no Senator has arrived. The House of Representatives will probably be formed in two or three days. Your presence is indispensably necessary. We therefore again earnestly request your immediate attendance, and are confident you will not suffer our, and the public anxious expectations to be disappointed.

We have the honor to be, Sir,

Your obedient humble servants,

JOHN LANGDON,
PAINE WINGATE,
CALEB STRONG,
WILLIAM S. JOHNSON,
OLIVER ELLSWORTH,
ROBERT MORRIS,
WILLIAM MACLAY,
WILLIAM FEW.

To the Honorable

Jonathan Elmer,
William Paterson,
George Read,
Richard Bassett,
Charles Carroll,
John Henry,
Richard Henry Lee,
William Grayson.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, MARCH 19, 1789.

Present, as yesterday.

The Honorable William Paterson, from the state of New Jersey, appeared and took his seat.

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, MARCH 20, 1789.

Present, as yesterday.

Adjourned to 11 o'clock to-morrow morning.

SATURDAY, MARCH 21, 1789.

Present as yesterday.

The Honorable Richard Bassett, from the state of Delaware, appeared and took his seat.

The number sufficient to constitute a quorum not appearing—adjourned from day to day, until

SATURDAY, MARCH 28, 1789.

Present, as on the 21st.

The Honorable Jonathan Elmer, from the state of New Jersey, appeared and took his seat.

The number sufficient to constitute a quorum not appearing, adjourned from day to day, until April the 6th; when the Honorable Richard Henry Lee, from the state of Virginia, appeared and took his seat in the Senate.

MONDAY, APRIL 6, 1789.

The Senate assembled: present,

From New Hampshire,	{ Mr. Langdon and
Massachusetts,	{ Mr. Wingate,
Connecticut,	{ Mr. Strong,
New Jersey,	{ Mr. Johnson and
Pennsylvania,	{ Mr. Ellsworth,
Delaware,	{ Mr. Paterson and
Virginia,	{ Mr. Elmer,
Georgia,	{ Mr. Maclay and
	{ Mr. Morris,
	Mr. Bassett,
	Mr. Lee,
	Mr. Few.

Being a Quorum, consisting of a majority of the whole number of Senators of the United States.

The credentials of the afore-mentioned members were read, and ordered to be filed.

The Senate proceeded by ballot to the choice of a President, for the sole purpose of opening and counting the votes for President of the United States.

JOHN LANGDON, Esquire, was elected.

Ordered, That Mr. Ellsworth inform the House of Representatives, that a quorum of the Senate is formed; that a President is elected for the sole purpose of opening the certificates and counting the votes of the electors of the several states in the choice of a President and Vice President of the United States; and that the Senate is now ready in the Senate Chamber, to proceed, in the presence of the House, to discharge that duty: And that the Senate have appointed one of their members to sit at the Clerk's table to make a list of the votes as they shall be declared; submitting it to the wisdom of the House to appoint one or more of their members for the like purpose—Who reported, that he had delivered the message.

Mr. Boudinot, from the House of Representatives, communicated the following verbal message to the Senate:

Mr. President: I am directed by the House of Representatives to inform the Senate, that the House is ready forthwith to meet the Senate, to attend the opening and counting of the votes of the Electors of the President and Vice President of the United States."—And he withdrew.

Ordered, That Mr. Paterson be a teller on the part of the Senate.

The Speaker and the House of Representatives attended in the Senate chamber, for the purpose expressed in the message delivered by by Ellsworth— and after some time withdrew.

The Senate then proceeded by ballot to the choice of a President of their body, pro tempore.

JOHN LANGDON, Esq. was duly elected.

The President elected for the purpose of counting the votes, declared to the Senate, that the Senate and House of Representatives had met, and that he, in their presence, had opened and counted the votes of the electors for President and Vice President of the United States, which were as follow:

STATES.	George Washington, Esq.	John Adams, Esq.	Samuel Huntingdon, Esq.	John Jay, Esq.	John Hancock, Esq.	Robert H. Harrison, Esq.	George Clinton, Esq.	John Rutledge, Esq.	John Milton, Esq.	James Armstrong, Esq.	Edward Telfair, Esq.	Benjamin Lincoln, Esq.
New Hampshire, -	5	5	—	—	—	—	—	—	—	—	—	—
Massachusetts, -	10	10	—	—	—	—	—	—	—	—	—	—
Connecticut, -	7	5	2	—	—	—	—	—	—	—	—	—
New Jersey, -	6	1	—	5	—	—	—	—	—	—	—	—
Pennsylvania, -	10	8	—	—	2	—	—	—	—	—	—	—
Delaware, -	3	—	—	3	—	—	—	—	—	—	—	—
Maryland, -	6	—	—	—	—	6	—	—	—	—	—	—
Virginia, -	10	5	—	1	1	—	3	—	—	—	—	—
South Carolina, -	7	—	—	—	1	—	—	6	—	—	—	—
Georgia, -	5	—	—	—	—	—	—	—	2	1	1	1
	69	34	2	9	4	6	3	6	2	1	1	1

Whereby it appears, that

GEORGE WASHINGTON, Esq. was unanimously elected President, and

JOHN ADAMS, Esq. was duly elected Vice President, of the United States of America.

Mr. Madison came from the House of Representatives with the following verbal message:

Mr. President: I am directed by the House of Representatives to inform the Senate, that the House have agreed, that the notifications of the election of the President and of the Vice President of the United States, should be made by such persons, and in such manner, as the Senate shall be pleased to direct. And he withdrew.

Whereupon, the Senate appointed Charles Thomson, Esq. to notify George Washington, Esq. of his election to the office of President of the United States of America, and Mr. Sylvanus Bourn to notify John Adams, Esq. of his election to the office of Vice President of the said United States.

The instructions to the messengers are in the following words:

IN SENATE, April 6, 1789.

SIR: The Senate of the United States have appointed you to wait upon General Washington, with a certificate of his being elected to the office of President of the United States of America. You will therefore prepare to set out as soon as possible,

and apply to the Board of Treasury for such sums as you may judge necessary for the expenses of the journey.

JOHN LANGDON, President pro tem.

To CHARLES THOMSON, Esq.

IN SENATE, April 6, 1789.

SIR: The Senate of the United States have appointed you to wait on John Adams, Esq. with a certificate of his being elected to the office of Vice President of the United States. You are therefore to set out with the dispatches herewith sent you as soon as possible, and to apply to the Treasury Board for one hundred dollars, towards defraying the expenses of your journey.

JOHN LANGDON, President, pro tem.

To Mr. SYLVANUS BOURN.

Ordered, That Mr. Paterson, Mr. Johnson, Mr. Lee, and Mr. Ellsworth, be a committee to prepare the certificates of the election of the President and of the Vice President of the United States; and to prepare letters to George Washington, Esq. and to John Adams, Esq. to accompany the said certificates respectively.

The certificates and letters are as follow:

Be it known, That the Senate and House of Representatives of the United States of America, being convened in the city and state of New York, the sixth day of April, in the year of our Lord one thousand seven hundred and eighty-nine, the underwritten, appointed President of the Senate, for the sole purpose of receiving, opening, and counting the votes of the Electors, did, in the presence of the said Senate and House of Representatives, open all the certificates, and count all the votes of the electors for a President and for a Vice President; by which it appears, that GEORGE WASHINGTON, Esq. was unanimously elected, agreeably to the constitution, to the office of President of the United States of America

In testimony whereof, I have hereunto set my hand and seal.

JOHN LANGDON.

NEW YORK, April 6, 1789.

SIR: I have the honor to transmit to your Excellency the information of your unanimous election to the office of President of the United States of America. Suffer me, Sir, to indulge the hope, that so auspicious a mark of public confidence will meet your approbation, and be considered as a sure pledge of the affection and support you are to expect from a free and an enlightened people.

I am, Sir, with sentiments of respect,

Your obedient, humble servant,

JOHN LANGDON.

To his Excellency GEORGE WASHINGTON, Esq.

Be it known, That the Senate and House of Representatives of the United States of America, being convened in the city and state of New York, the 6th day of April, in the year of our Lord one thousand seven hundred and eighty nine, the under-written, appointed President of the Senate, for the sole purpose of receiving, opening, and counting the votes of the electors, did, in the presence of the said Senate and House of Representatives, open all the certificates, and count all the votes of the electors for a President and for a Vice President; by which it appears, that JOHN ADAMS, Esq. was duly elected, agreeably to the Constitution, to the office of Vice President of the United States of America.

In testimony whereof, I have hereunto set my hand and seal.

JOHN LANGDON.

NEW YORK, April 6, 1789.

SIR: I have the honor to transmit to you the information of your being elected to the office of Vice President of the United States of America. Permit me, Sir, to hope, that you will soon safely arrive here, to take upon you the discharge of the important duties, to which you are so honorably called by the voice of your country.

I am, Sir, with sentiments of respect,

Your obedient, humble servant,

JOHN LANGDON

To JOHN ADAMS, Esquire.

A letter from James Duane, Esq. was read, enclosing resolutions of the Mayor, Aldermen, and Commonalty of the city of New York, tendering to Congress the use of the City-Hall.

The Senate adjourned to 11 o'clock, to-morrow morning.

TUESDAY, APRIL 7, 1789.

The Senate assembled: present as yesterday.

The Senate proceeded to elect a door-keeper, and James Mathers was chosen.

Ordered, That Mr. Ellsworth, Mr. Paterson, Mr. Maclay, Mr. Strong, Mr. Lee, Mr. Bassett, Mr. Few, and Mr. Wingate, be a committee, to bring in a bill for organizing the Judiciary of the United States.

Ordered, That Mr. Ellsworth, Mr. Lee, Mr. Strong, Mr. Maclay, and Mr. Bassett, be a committee to prepare a system of rules to govern the two Houses in cases of conference, and to take under consideration the manner of electing Chaplains, and to confer thereupon with a committee of the House of Representatives.

Ordered, That the same committee prepare a system of rules for conducting business in the Senate.

The Senate adjourned to 11 o'clock to-morrow.

WEDNESDAY, APRIL 8, 1789.

The Senate assembled: present as yesterday.

The Senate proceeded by ballot to the choice of a Secretary. SAMUEL ALYNE OTIS, Esq. was elected.

The respective petitions of Abraham Okee, Cornelius Maxwell, and Abraham Mitchell, praying to be employed as attendants on the Senate, were read, and ordered to lie on the table.

The Senate proceeded to elect a Messenger, and Cornelius Maxwell was appointed.

The Senate adjourned to 11 o'clock to-morrow.

THURSDAY, APRIL 9, 1789.

The Senate assembled: present as yesterday.

The memorial of John Bryce was read, praying to be employed as book-binder, &c. to the Senate and House of Representatives.

Ordered, That Mr. Langdon, Mr. Johnson, and Mr. Few, be a Committee to make the necessary arrangements for receiving the President; and that they be empowered to confer with any Committee of the House of Representatives that may be appointed for that purpose.

The Senate adjourned until Saturday next, at 11 o'clock, A. M.

SATURDAY, APRIL 11, 1789.

The Senate assembled: present,

From New Hampshire,	{ Mr. Langdon and
Massachusetts,	{ Mr. Wingate,
Connecticut,	{ Mr. Strong,
New Jersey,	{ Mr. Johnson and
Pennsylvania,	{ Mr. Ellsworth,
Delaware,	{ Mr. Paterson and
Virginia,	{ Mr. Elmer,
Georgia,	{ Mr. Maclay,
	{ Mr. Bassett,
	{ Mr. Lee,
	{ Mr. Few.

The Senate adjourned until Monday next, at 11 o'clock.

MONDAY, APRIL 13, 1789.

The Senate assembled: present, as on Saturday,

Except Mr. Paterson, who had leave of absence; and

The honorable Ralph Izard, from the state of South Carolina, the honorable Charles

Carroll, from the state of Maryland, and the honorable George Read, from the state of Delaware, severally produced their credentials, and took their seats in the Senate.

The report of the committee appointed the 7th instant, upon a system of rules for conducting business in the Senate, was read, and ordered to lie until to-morrow, for consideration.

On motion, *Ordered*, That a committee of three, on the part of the Senate, be appointed to confer with any committee on the part of the House of Representatives, instructed to that purpose, upon the future disposition of the papers in the office of the late Secretary of Congress, and report; and that Mr. Johnson, Mr. Izard, and Mr. Maclay, be the committee on the part of the Senate,

On motion, *Ordered*, That the committee appointed the 9th instant, to determine the ceremonial proper to be observed on the reception of the President, be empowered to consider what arrangements are necessary for the reception of the Vice President, and to confer with any committee the House may instruct to that purpose.

On motion, *Ordered*, That Mr. Lee, Mr. Ellsworth, and Mr. Few, be a committee to consider and report upon the communications made on the 6th instant, from the Mayor, &c. of the city of New York, tendering to Congress the use of the City Hall.

On motion, *Ordered*, That an addition of one from each state not having a member already on the committee, be added to the committee of the 7th of April, to bring in a bill for organizing the Judiciary of the United States; and Mr. Carroll and Mr. Izard were joined.

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, APRIL 14, 1789.

The Senate assembled: present,

From New Hampshire,	{ Mr. Langdon, and
Massachusetts,	{ Mr. Wingate,
Connecticut	{ Mr. Strong,
New Jersey,	{ Mr. Johnson, and
Delaware,	{ Mr. Ellsworth,
Maryland,	{ Mr. Elmer,
South Carolina,	{ Mr. Read, and
Georgia,	{ Mr. Bassett,
	{ Mr. Carroll,
	{ Mr. Izard,
	{ Mr. Few.

The honorable Tristram Dalton, from the state of Massachusetts, appeared, produced his credentials, and took his seat in the Senate.

On the report of the committee appointed the 13th instant, to take into consideration the letter and communications from the Mayor of the city of New York,

Ordered, That the following letter be written to the Mayor of the city of New York, by the President; and that nothing further for the present be done in the business.

NEW YORK, April 14, 1789.

SIR: The Senate have considered the letter that you were pleased to address to their House on the 6th instant; and they entertain a proper sense of the respect shewn to the general government of the United States, by providing so commodious a building for the accommodation of Congress, as the Mayor, Aldermen, and Commonalty of the city have appropriated to that use. The appointment of Mr. Skaats to the care of the public hall would be very agreeable to the Senate; but, in their idea, such appointment must depend upon a legislative act for creating the office, and then the officer to fill it will come constitutionally from the nomination of the President of the United States, with the approbation of Senate. In the mean time, the Senate have no objection to the Mayor and Aldermen appointing such person to the care of the hall as they deem worthy of such trust.

I have the honor to be, &c.

Signed by the President of the Senate.

The Hon. JAMES DUANE.

The rules and orders as reported by the committee were again read, and ordered to lie for consideration.

On motion, a committee, consisting of Mr. Read, Mr. Ellsworth, and Mr. Lee, were appointed to consider of the utility of printing the Journals weekly, and furnishing the members with copies; and the same committee are instructed to determine the mode of keeping the Journals, and report.

The Senate adjourned to 11 o'clock to-morrow.

WEDNESDAY, APRIL 15, 1789.

The Senate assembled: present, as yesterday:

Also, Mr. Dalton and Mr. Paterson.

The committee appointed the 7th of April, to prepare a system of rules to govern the two Houses in cases of conference, to take into consideration the manner of electing chaplains, and to confer thereon with a committee of the House of Representatives, reported: That they had conferred on the business with a committee of the House of Representatives for that purpose appointed. Whereupon,

Resolved, That, in every case of an amendment to a bill agreed to in one House and dissented to in the other, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committees shall, at a convenient time, to be agreed on by their chairman, meet in the conference chamber, and state to each other verbally, or in writing, as either shall choose, the reasons of their respective Houses, for and against the amendment, and confer freely thereon.

The committee abovementioned, further reported,

That two Chaplains, of different denominations, be appointed to Congress, for the present session, the Senate to appoint one, and give notice thereof to the House of Representatives, who shall, thereupon, appoint the other; which Chaplains shall commence their services in the Houses that appoint them, but shall interchange weekly.

Which was also accepted.

The committee to whom it was referred to consider of and report respecting the ceremonial of receiving the President, and the arrangements necessary for the reception of the Vice President, agreed to the following report, viz.

That Mr. Osgood, the proprietor of the house lately occupied by the President of Congress, be requested to put the same, and the furniture thereof, in proper condition for the residence and use of the President of the United States, and otherwise, at the expense of the United States, to provide for his temporary accommodation.

That it will be more eligible, in the first instance, that a committee of three members from the Senate, and five members from the House of Representatives, to be appointed by the two Houses respectively, attend to receive the President, at such place as he shall embark from New Jersey for this city, and conduct him, without form, to the House lately occupied by the President of Congress; and that at such time thereafter as the President shall signify it will be most convenient for him, he be formally received by both Houses.

That a committee of two members from the Senate, and three members from the House of Representatives, to be appointed by the Houses respectively, wait on the Vice President of the United States, as soon as he shall come to this city, and, in the name of the Congress of the United States, congratulate him on his arrival.

Which report was read and accepted.

The Senate proceeded to the consideration of the report of the committee upon rules for conducting business in the Senate, and, after some progress, adjourned to 11 o'clock to-morrow morning.

THURSDAY, APRIL 16, 1789.

The Senate assembled: present as yesterday.

The Senate proceeded by ballot to the choice of the committees, conformably to the report of the committee of both Houses, agreed to the 15th instant:—Mr. Langdon, Mr. Carroll, and Mr. Johnson, were appointed to wait on the President, and Mr. Ellsworth, and Mr. Dalton, were appointed to wait on the Vice President.

Ordered, That Mr. Strong, Mr. Izard, and Mr. Lee, be a committee to report a mode of communication to be observed between the Senate and House of Representatives with respect to papers, bills, and messages, and to confer thereon with such committee as may be appointed by the House of Representatives for that purpose.

The petition of David Ramsay, that a law might pass, securing to him and his heirs an exclusive right of vending, &c. his "History of the American Revolution," was read.

The report of the committee appointed to determine upon rules for conducting business in the Senate, was agreed to. Whereupon,

Resolved, That the following rules, from No. I, to XIX, inclusive, be observed.

I. The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistake may be corrected that shall have been made in the entries.

II. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any printed paper while the journals or public papers are reading, or when any member is speaking in any debate.

III. Every member, when he speaks, shall address the chair, standing in his place, and when he has finished, shall sit down.

IV. No member shall speak more than twice in any one debate on the same day, without leave of the Senate.

V. When two members rise at the same time, the President shall name the person to speak; but in all cases the member first rising shall speak first.

VI. No motion shall be debated until the same shall be seconded.

VII. When a motion shall be made and seconded, it shall be reduced to writing, if desired by the President, or any member, delivered in at the table, and read by the President, before the same shall be debated.

VIII. While a question is before the Senate, no motion shall be received unless for an amendment, for the previous question, or for postponing the main question, or to commit it, or to adjourn.

IX. The previous question being moved and seconded, the question from the Chair shall be: "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put.

X. If a question in debate contain several points, any member may have the same divided.

XI. When the yeas and nays shall be called for by one-fifth of the members present, each member called upon shall, unless for special reasons he be excused by the Senate, declare, openly and without debate, his assent or dissent to the question. In taking the yeas and nays, and upon the call of the House, the names of the members shall be taken alphabetically.

XII. One day's notice at least shall be given of an intended motion for leave to bring in a bill.

XIII. Every bill shall receive three readings previous to its being passed; and the President shall give notice at each, whether it be the first, second, or third; which readings shall be on three different days, unless the Senate unanimously direct otherwise.

XIV. No bill shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

XV. All committees shall be appointed by ballot, and a plurality of votes shall make a choice.

XVI. When a member shall be called to order, he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, without debate; but, if there be a doubt in his mind, he may call for the sense of the Senate.

XVII. If a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President may be better enabled to judge of the matter.

XVIII. When a blank is to be filled, and different sums shall be proposed, the question shall be taken on the highest sum first.

XIX. No member shall absent himself from the service of the Senate without leave of the Senate first obtained.

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, APRIL 17, 1789.

The Senate assembled: present as yesterday.

The petition of Leonard Bleecker, to be appointed serjeant at-arms, was read, and ordered to lie on the table.

The Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, APRIL 18, 1789.

The Senate assembled: present as yesterday.

A letter from the Speaker of the House to the President was read, enclosing a concurrence of the House, with the resolve of Senate of the 15th, upon the mode of conference between the Senate and House of Representatives; also, a concurrence upon the mode of choosing Chaplains.

On motion, *Resolved*, That the following be subjoined to the standing orders of the Senate:

XX. Before any petition or memorial, addressed to the Senate, shall be received and read at the table, whether the same shall be introduced by the President, or a member, a brief statement of the contents of the petition or memorial shall verbally be made by the introducer.

The Senate adjourned until 11 o'clock on Monday morning.

MONDAY, APRIL 20, 1789.

The Senate assembled: present as on Saturday.

The honorable John Henry, from the state of Maryland, produced his credentials, and took his seat in the Senate.

The honorable James Gunn, from the state of Georgia, produced his credentials, and took his seat in the Senate.

On motion, *Resolved*, That Mr. Strong and Mr. Izard be a committee to wait on the Vice President, and conduct him to the Senate Chamber.

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, APRIL 21, 1789.

The Senate assembled: present as yesterday.

The committee appointed on the 20th instant, consisting of Mr. Strong and Mr. Izard, to conduct the Vice President to the Senate chamber, executed their commission; and Mr. Langdon, the President pro-tempore, meeting the Vice President upon the floor of the Senate Chamber, addressed him as follows:

SIR: I have it in charge from the Senate, to introduce you to the chair of this House; and, also, to congratulate you on your appointment to the office of Vice President of the United States of America.

After which Mr. Langdon conducted the Vice President to the chair, when the Vice President addressed the Senate as follows:

Gentlemen of the Senate: Invited to this respectable situation by the suffrages of our fellow citizens, according to the Constitution, I have thought it my duty cheerfully and readily to accept it. Unaccustomed to refuse any public service, however dangerous to my reputation, or disproportioned to my talents, it would have been inconsistent to have adopted an other maxim of conduct at this time, when the prosperity of the country, and the liberties of the people, require, perhaps, as much as ever, the attention of those who possess any share of the public confidence.

I should be destitute of sensibility, if, upon my arrival in this city, and presentation to this legislature, and especially to this Senate, I could see, without emotion, so many of those characters, of whose virtuous exertions I have so often been a witness — from whose countenances and examples I have ever derived encouragement and animation; whose disinterested friendship has supported me, in many intricate conjunctures of public affairs, at home and abroad: Those celebrated defenders of the liberties of this country, whom menaces could not intimidate, corruption seduce, nor flattery allure: Those intrepid assertors of the rights of mankind, whose philosophy and policy have enlightened the world, in twenty years, more than it was ever before enlightened in many centuries, by ancient schools, or modern universities.

I must have been inattentive to the course of events, if I were either ignorant of the fame, or insensible to the merit, of those other characters in the Senate, to whom it has been my misfortune to have been hitherto personally unknown.

It is with satisfaction, that I congratulate the people of America on the formation of a national Constitution, and the fair prospect of a consistent administration of a government of laws. On the acquisition of an House of Representatives, chosen by themselves; of a Senate thus composed by their own State Legislatures; and on the prospect of an executive authority, in the hands of one whose portrait I shall not presume

to draw—Were I blessed with powers to do justice to his character, it would be impossible to increase the confidence or affection of his country, or make the smallest addition to his glory. This can only be effected by a discharge of the present exalted trust on the same principles, with the same abilities and virtues, which have uniformly appeared in all his former conduct, public or private. May I, nevertheless, be indulged to inquire, if we look over the catalogue of the first magistrates of nations, whether they have been denominated presidents or consuls, kings or princes, where shall we find one, whose commanding talents and virtues, whose over-ruling good fortune, have so completely united all hearts and voices in his favor? who enjoyed the esteem and admiration of foreign nations and fellow citizens with equal unanimity? Qualities so uncommon, are no common blessings to the country that possesses them. By those great qualities, and their benign effects, has Providence marked out the head of this nation, with an hand so distinctly visible, as to have been seen by all men, and mistaken by none.

It is not for me to interrupt your deliberations by any general observations on the state of the nation, or by recommending, or proposing, any particular measures. It would be superfluous, to gentlemen of your great experience, to urge the necessity of order. It is only necessary to make an apology for myself. Not wholly without experience in public assemblies, I have been more accustomed to take a share in their debates, than to preside in their deliberations. It shall be my constant endeavor to behave towards every member of this most honorable body with all that consideration, delicacy, and decorum, which becomes the dignity of his station and character: But, if, from inexperience, or inadvertency, any thing should ever escape me, inconsistent with propriety, I must entreat you, by imputing it to its true cause and not to any want of respect, to pardon and excuse it.

A trust of the greatest magnitude is committed to this Legislature; and the eyes of the world are upon you. Your country expects, from the results of your deliberations, in concurrence with the other branches of government, consideration abroad, and contentment at home—prosperity, order, justice, peace, and liberty: And may God Almighty's providence assist you to answer their just expectations.

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, APRIL 22, 1789.

The Senate assembled: present as yesterday.

On motion, The sense of the Senate was taken, Whether, in the choice of a Chaplain, they shall be confined to the list of such gentlemen as may be previously nominated? Passed in the negative.

Agreed, That Saturday next be assigned to proceed to the election of a Chaplain; and that, in the mean time, the members be at liberty to make their nomination.

The petition of William Finnie, praying that he might be appointed serjeant at-arms, was read.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, APRIL 23, 1789.

The Senate assembled: present as yesterday.

The committee appointed on the 16th of April, to report a mode of communication to be observed between the Senate and House of Representatives, with respect to papers, bills, and messages, and to confer thereon with such committee as may be appointed by the House of Representatives for that purpose, have conferred with a committee of the House, and have agreed to the following report:

When a bill or other message shall be sent from the Senate to the House of Representatives, it shall be carried by the Secretary, who shall make one obeisance to the Chair on entering the door of the House of Representatives, and another, on delivering it at the table into the hands of the Speaker. After he shall have delivered it, he shall make an obeisance to the Speaker, and repeat it as he retires from the House.

When a bill shall be sent up by the House of Representatives to the Senate, it shall be carried by two members, who, at the bar of the Senate, shall make their obeisance to the President, and thence, advancing to the Chair, make a second obeisance, and deliver it into the hands of the President. After having delivered the bill, they shall make their obeisance to the President, and repeat it as they retire from the bar: The Senate shall rise on the entrance of the members within the bar, and continue standing until they retire.

All other messages from the House of Representatives shall be carried by one member, who shall make his obeisance as abovementioned; but the President of the Senate, alone, shall rise.

Read and accepted.

On motion, *Resolved*, That a committee, consisting of three members, be appointed to consider and report, what style or titles it will be proper to annex to the offices of President and of Vice President of the United States; if any other than those given in the constitution. Also, to consider of the time, place, and manner, in which, and the person by whom, the oath prescribed by the constitution shall be administered to the President; and to confer thereon with such committee as the House of Representatives shall appoint for that purpose.

Mr. Lee, Mr. Izard, and Mr. Dalton, were chosen.

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, APRIL 24, 1789.

The Senate assembled: present as yesterday.

On motion, The question was taken, Whether the report of the committee upon the mode of communication between the two Houses of the Legislature, as yesterday read and accepted in the Senate, shall at this time be sent to the House of Representatives?

Passed in the negative.

On motion, To reconsider the commission of the committee appointed the 23d instant, to report what titles shall be annexed to the offices of President and Vice President;

Passed in the affirmative.

On motion, That the following words, "What titles it will be proper to annex to the offices of President and of Vice President of the United States; if any other than those given in the constitution," be struck out:

Passed in the negative.

On motion, That the words "style or" before the word "title," be added:

Passed in the affirmative.

Adjourned to 11 o'clock to-morrow morning.

SATURDAY, APRIL 25, 1789.

The Senate assembled: present as yesterday.

An order of the House of Representatives, for the recommitment of a report upon the mode of communication between the two Houses, to the committee originally appointed on the part of the House, and directed by the Speaker to the President, was read, and, upon motion, the acceptance of the report of the committee of both Houses by the Senate the 23d instant, was reconsidered, and the recommitment was agreed to on the part of the Senate.

The Senate proceeded to the appointment of a Chaplain, in the manner agreed upon the 15th of April; and

The right reverend Samuel Provoost was elected.

On motion, The committee appointed the 14th instant, to determine the mode of keeping the Journals, were instructed to consider, "Whether the minutes be amended so as to record only the act, as it may be agreed on after the Journal shall be read on the day following."

A letter from Charles Thomson, Esq. dated the 24th of April, 1789, directed to the President of the Senate, purporting his having delivered to General Washington, the certificate of his being elected President of the United States, was read, and ordered to be filed.

The committee appointed to consider of the time, place, and manner, in which, and of the person by whom, the oath prescribed by the constitution shall be administered to the President of the United States, and to confer with a committee of the House appointed for that purpose, report:

That the President hath been pleased to signify to them, that any time or place which both Houses may think proper to appoint, and any manner which shall appear most eligible to them, will be convenient and acceptable to him; that requisite preparations cannot probably be made before Thursday next; that the President be on that

day formally received by both Houses in the Senate Chamber; that the Representatives' Chamber being capable of receiving the greater number of persons, that, therefore, the President do take the oath in that place, and in the presence of both Houses.

That, after the formal reception of the President in the Senate Chamber, he be attended by both Houses to the Representatives' Chamber, and that the oath be administered by the Chancellor of the State of New York.

The committee farther report it as their opinion, that it will be proper that a committee of both Houses be appointed to take order for conducting the business.

Read and accepted; whereupon,

Mr. Lee, Mr. Izard, and Mr. Dalton, on the part of the Senate, together with a committee that may be appointed on the part of the House of Representatives, were empowered to take order for conducting the business.

An order of the House of Representatives, concurring in the appointment of a committee on their part, to confer with a committee appointed the 24th instant on the part of the Senate, to consider and report "what style, &c. it will be proper to annex to the offices of President and of Vice President," was read, by which it appeared that

Mr. Benson, Mr. Ames, Mr. Madison, Mr. Carroll, and Mr. Sherman, were appointed on the part of the House.

Adjourned to 11 o'clock on Monday morning.

MONDAY, APRIL 27, 1789.

The Senate assembled: present as on Saturday.

The committee appointed to take order for conducting the ceremonial of the formal reception, &c. of the President, reported, That it appears to them more eligible that the oath should be administered to the President in the outer gallery adjoining the Senate Chamber than in the Representatives' Chamber, and, therefore, submit to the respective Houses the propriety of authorizing their Committee to take order as to the place where the oath shall be administered to the President, the resolution of Saturday, assigning the Representatives' Chamber as the place, notwithstanding.

Read and accepted.

Resolved, That, after the oath shall have been administered to the President, he, attended by the Vice President and the members of the Senate and House of Representatives, proceed to St. Paul's Chapel, to hear divine service, to be performed by the Chaplain of Congress already appointed.

Sent to the House of Representatives for concurrence.

A letter of the 25th instant, from the Right Rev. Samuel Provoost, to the Secretary, signifying his acceptance of the appointment of Chaplain to Congress, was read, and ordered to be filed.

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, APRIL 28, 1789.

The Senate assembled: present as yesterday.

A letter was received from the Speaker of the House by the President of the Senate, containing the two following enclosures:

The report of a Joint Committee upon the ceremonial to be observed in administering the oath, &c. to the President, as accepted in the House of Representatives; and,

A bill, entitled "An act to regulate the time and manner of administering certain oaths."

The above mentioned report was read, and ordered to lie on the table.

The bill was read the first time, and to-morrow was assigned for a second reading.

The Committee appointed to report a mode of communication to be observed between the Senate and House of Representatives, with respect to papers, bills, &c. and to whom the subject was re-committed, having again conferred with the committee of the House of Representatives, agreed upon a report; which was read, and ordered to lie for consideration.

Adjourned to 11 o'clock to-morrow morning

WEDNESDAY, APRIL 29, 1789.

The Senate assembled: present as yesterday.

Proceeded to the second reading of the bill; entitled "An act to regulate the time and manner of administering certain oaths;" and, after debate, it was committed to Mr. Strong, Mr. Paterson, Mr. Read, Mr. Johnson, and Mr. Henry.

A letter from the Speaker of the House of Representatives to the Vice President was read, communicating the concurrence of the House on a report of a joint committee, on the mode of communicating papers, bills, and messages, between the Senate and House of Representatives;

Also, the concurrence of the House with the Senate on the appointment of a committee, respecting the future disposition of the papers in the office of the late Secretary; and,

Mr. Trumbull, Mr. Cadwallader, and Mr. Jackson, were joined.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, APRIL 30, 1789.

The Senate assembled: present as yesterday.

The report of the Committee on the mode of communication between the Senate and House of Representatives, was taken up, and, after debate, postponed.

Mr. Lee, in behalf of the committee appointed to take order for conducting the ceremonial of the formal reception, &c. of the President of the United States, having informed the Senate that the same was adjusted; the House of Representatives were notified that the Senate were ready to receive them in the Senate Chamber, to attend the President of the United States while taking the oath required by the Constitution. Whereupon, the House of Representatives, preceded by their Speaker, came into the Senate Chamber, and took the seats assigned them; and the joint committee, preceded by their chairman, agreeably to order, introduced the President of the United States to the Senate Chamber, where he was received by the Vice President, who conducted him to the Chair; when the Vice President informed him, that "the Senate and House of Representatives of the United States were ready to attend him to take the oath required by the Constitution, and that it would be administered by the Chancellor of the state of New York." To which the President replied, he was ready to proceed: and being attended to the gallery in front of the Senate Chamber, by the Vice President and Senators, the Speaker and Representatives, and the other public characters present, the oath was administered. After which the Chancellor proclaimed, "*Long live George Washington, President of the United States.*"

The President having returned to his seat, after a short pause arose, and addressed the Senate and House of Representatives as follows:

*Fellow Citizens of the Senate, and
of the House of Representatives:*

Among the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order, and received on the 14th day of the present month. On the one hand, I was summoned by my country, whose voice I can never hear but with veneration and love, from a retreat which I had chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision, as the asylum of my declining years: a retreat which was rendered every day more necessary as well as more dear to me, by the addition of habit to inclination, and of frequent interruptions in my health, to the gradual waste committed on it by time. On the other hand, the magnitude and difficulty of the trust to which the voice of my country called me, being sufficient to awaken in the wisest and most experienced of her citizens a distrustful scrutiny into his qualifications, could not but overwhelm with despondence, one, who, inheriting inferior endowments from nature, and unpractised in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies. In this conflict of emotions, all I dare aver, is, that it has been my faithful study to collect my duty from a just appreciation of every circumstance by which it might be effected. All I dare hope, is, that if, in executing this task, I have been too much swayed by a grateful remembrance of former instances, or by an affectionate sensibility to this transcendant proof of the confidence of my fellow citizens,

and have thence too little consulted my incapacity as well as disinclination for the weighty and untried cares before me; my error will be palliated by the motives which misled me, and its consequences be judged by my country, with some share of the partiality in which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to the present station, it would be peculiarly improper to omit, in this first official act, my fervent supplications to that Almighty Being who rules over the universe—who presides in the councils of nations—and whose providential aids can supply every human defect, that his benediction may consecrate to the liberties and happiness of the people of the United States, a government instituted by themselves for these essential purposes: and may enable every instrument employed in its administration to execute with success, the functions allotted to his charge. In tendering this homage to the Great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own; nor those of my fellow citizens at large, less than either. No people can be bound to acknowledge and adore the invisible hand, which conducts the affairs of men, more than the people of the United States. Every step by which they have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency; and in the important revolution just accomplished in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most governments have been established, without some return of pious gratitude, along with an humble anticipation of the future blessings which the past seem to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking, that there are none, under the influence of which, the proceedings of a new and free government can more auspiciously commence.

By the article establishing the executive department, it is made the duty of the President "to recommend to your consideration, such measures as he shall judge necessary and expedient." The circumstances under which I now meet you, will acquit me from entering into that subject, farther than to refer to the great constitutional charter, under which you are assembled; and which, in defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me, to substitute, in place of a recommendation of particular measures, the tribute that is due to the talents, the rectitude, and the patriotism, which adorn the characters selected to devise and adopt them. In these honorable qualifications, I behold the surest pledges, that, as on one side, no local prejudices or attachments, no separate views, nor party animosities, will misdirect the comprehensive and equal eye which ought to watch over this great assemblage of communities and interests: so, on another, that the foundations of our national policy will be laid in the pure and immutable principles of private morality; and the pre-eminence of free government be exemplified by all the attributes which can win the affections of its citizens, and command the respect of the world. I dwell on this prospect with every satisfaction which an ardent love for my country can inspire: since there is no truth more thoroughly established, than that there exists in the economy and course of nature, an indissoluble union between virtue and happiness; between duty and advantage; between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and felicity: since we ought to be no less persuaded that the propitious smiles of Heaven can never be expected on a nation that disregards the eternal rules of order and right, which Heaven itself has ordained: and since the preservation of the sacred fire of liberty, and the destiny of the republican model of government, are justly considered as deeply, perhaps as finally staked, on the experiment entrusted to the hands of the American people.

Besides the ordinary objects submitted to your care, it will remain with your judgment to decide, how far an exercise of the occasional power delegated by the fifth article of the constitution, is rendered expedient at the present juncture, by the nature of objections which have been urged against the system, or by the degree of inquietude which has given birth to them. Instead of undertaking particular recommendations on this subject, in which I could be guided by no lights derived from official opportunities, I shall again give way to my entire confidence in your discernment and pursuit of the public good: for, I assure myself, that whilst you carefully avoid every alteration which might endanger the benefits of an united and effective government, or which ought to await the future lessons of experience; a reverence for the characteristic rights of freemen, and a regard for the public harmony, will sufficiently

influence your deliberations on the question, how far the former can be more impregnably fortified, or the latter be safely and advantageously promoted.

To the preceding observations I have one to add, which will be most properly addressed to the House of Representatives. It concerns myself, and will, therefore, be as brief as possible. When I was first honored with a call into the service of my country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty, required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed. And being still under the impressions which produced it, I must decline, as inapplicable to myself, any share in the personal emoluments which may be indispensably included in a permanent provision for the executive department; and must accordingly pray that the pecuniary estimates for the station in which I am placed, may, during my continuance in it, be limited to such actual expenditures as the public good may be thought to require.

Having thus imparted to you my sentiments, as they have been awakened by the occasion which brings us together, I shall take my present leave; but not without resorting once more to the benign Parent of the human race, in humble supplication that, since he has been pleased to favor the American people with opportunities for deliberating in perfect tranquility, and dispositions for deciding with unparalleled unanimity, on a form of government for the security of their union, and the advancement of their happiness; so his divine blessing may be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures, on which the success of this government must depend.

April 30.

G. WASHINGTON.

The President, the Vice President, the Senate, and House of Representatives, &c. then proceeded to St. Paul's Chapel, where divine service was performed by the Chaplain of Congress, after which the President was reconducted to his house by the committee appointed for that purpose.

The Vice President and Senate returned to the Senate Chamber; and,

Upon motion, unanimously agreed, That a committee of three should be appointed to prepare an answer to the President's speech:

Mr. Johnson, Mr. Paterson, and Mr. Carroll, were elected.

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, MAY 1, 1789.

The Senate assembled: present as yesterday.

The report of the joint committee, to whom was recommitted the mode of communication between the Senate and House of Representatives, as made by the committee on the part of the Senate, was taken up, and not accepted.

The same report of the committee on the part of the House, and the acceptance thereof by the House, was considered in the Senate, and it was determined that it should lie until further order.

A motion, "That, when a messenger shall come from the House of Representatives to the Senate, and shall be announced by the door-keeper, the messenger shall be received at the bar of this House by the Secretary, and the bill or paper that he may bring, shall there be received from him by the Secretary, who shall deliver it to the President of the Senate," was committed to Mr. Ellsworth, Mr. Lee, and Mr. Read.

And the committee were instructed to report a mode of sending papers, bills, and messages, from the Senate to the House of Representatives.

Adjourned to 11 o'clock to-morrow morning.

SATURDAY, MAY 2, 1789.

The Senate assembled: present as yesterday.

Agreed, That, until a permanent mode of communication shall be adopted between the Senate and House of Representatives, the Senate will receive messages by the Clerk of the House, if the House shall think proper to send him, and papers sent from the House, shall be delivered to the Secretary at the bar of the Senate, and by him be conveyed to the President.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

“Mr. President: I am commanded by the House of Representatives to bring to the Senate the proceedings of the House on a resolution of the Senate of the 27th of April: Also, to communicate to the Senate the appointment of the Reverend William Lynn, D. D. to be one of the Chaplains to Congress, agreeably to the resolves of the 15th of April.” And he withdrew.

The concurrence of the House of Representatives on the resolve of the 27th, is as follows :

*“In the House of Representatives of the United States,
“the 29th of April, 1789.*

*“The House proceeded to consider the following resolution of the Senate, to wit.
“In Senate, April 27th, 1789.*

“Resolved, That, after the oath shall have been administered to the President, he, attended by the Vice President, and the members of the Senate and House of Representatives, proceed to St. Paul’s Chapel, to hear divine service, to be performed by the Chaplain of Congress, already appointed; whereupon,

“Resolved, That this House doth concur in the said resolution, amended to read as followeth, to wit:

“That, after the oath shall have been administered to the President, the Vice President, and members of the Senate, the Speaker and members of the House of Representatives, will accompany him to St. Paul’s Chapel, to hear divine service performed by the Chaplain of Congress.”

Mr. Strong, by order of the committee appointed the 28th of April, on a bill passed the House of Representatives, entitled “An act to regulate the time and manner of administering certain oaths,” reported sundry amendments: and Monday next was assigned to take the same into consideration.

Adjourned until Monday morning, 11 o’clock.

MONDAY, MAY 4, 1789.

The Senate assembled: present as on Saturday.

Agreeably to the order of the day, the Senate proceeded in the second reading of a bill, entitled “An act to regulate the time and manner of administering certain oaths,” and to the consideration of the amendments reported by the committee, which are as follow:

In line 1, strike out the words “Congress of the United States,” and insert, “Senate and Representatives of the United States of America in Congress assembled.”

At the end of the second paragraph, add the words “of the Senate,” and insert the following clause: “And be it further enacted, That the members of the several state legislatures, and all executive and judicial officers of the several states, who have been heretofore chosen or appointed, or who shall be chosen or appointed before the first day of August next, and who shall then be in office, shall, within one month thereafter, take the same oath or affirmation, except where they shall have taken it before; which may be administered by any person authorized by the law of the state, in which such office shall be holden, to administer oaths. And the members of the several state legislatures, and all executive and judicial officers of the several states, who shall be chosen or appointed, after the said first day of August, shall, before they proceed to execute the duties of their respective offices, take the foregoing oath or affirmation, which shall be administered by the person or persons, who, by the law of the state, shall be authorized to administer the oath of office; and the person or persons so administering the oath hereby required to be taken, shall cause a record or certificate thereof to be made, in the same manner as by the law of the state, he or they shall be directed to record or certify the oath of office.”

In the last paragraph, strike out the words “of the United States of America,” in the third and fourth lines, and insert the same words in the fourth line next after the words “as the case may be;”—and which, being accepted, Tuesday morning, 11 o’clock, was assigned for the third reading of the bill.

The report of the committee, to whom was referred the motion made the 1st instant, upon the mode of sending messages to, and receiving them from, the House of Representatives, was read, and ordered to lie for consideration.

Adjourned to 11 o’clock to-morrow morning.

TUESDAY, MAY 5, 1789.

The Senate assembled: present as yesterday.

Agreeably to the order of the day, the bill, entitled "An act to regulate the time and manner of administering certain oaths," was read a third time, and passed the Senate with the amendments.

Ordered, That the Secretary carry the aforementioned bill to the House of Representatives, together with the amendments, and address the Speaker in the words following:

SIR: The Senate have passed the bill, entitled "An act to regulate the time and manner of administering certain oaths," with amendments, to which they desire the concurrence of your House.

Ordered, That, when a bill has passed the Senate, the Secretary shall endorse the final determination thereon, and the day when such final question was taken, previous to its being transmitted to the House of Representatives.

Adjourned to 11 o'clock on Thursday morning.

THURSDAY, MAY 7, 1789.

The Senate assembled: present as on Tuesday.

The committee appointed to confer with such committee as might be appointed on the part of the House of Representatives, to report what style or titles it will be proper to annex to the office of President and of Vice President of the United States, if any other than those given in the constitution, reported:

Which report was ordered to lie for consideration.

The report of the committee upon the motion committed May 1st, was considered, and the first paragraph thereof accepted; whereupon,

Ordered, That, when a messenger shall come from the House of Representatives to the Senate, and shall be announced by the door-keeper, the messenger or messengers, being a member or members of the House, shall be received within the bar, the President rising when the message is by one member, and the Senate also, when it is by two or more: if the messenger be not a member of the House, he shall be received at the bar, by the Secretary, and the bill or papers that he may bring, shall there be received from him by the Secretary, and be by him delivered to the President.

The Committee appointed to prepare an answer to the President's speech, delivered to the Senate and House of Representatives of the United States, reported as follows:

SIR: We, the Senate of the United States, return you our sincere thanks for your excellent speech delivered to both Houses of Congress; congratulate you on the complete organization of the federal government, and felicitate ourselves and our fellow citizens on your elevation to the office of President; an office highly important by the powers constitutionally annexed to it, and extremely honorable from the manner in which the appointment is made. The unanimous suffrage of the elective body in your favor is peculiarly expressive of the gratitude, confidence, and affection of the citizens of America, and is the highest testimonial, at once, of your merit, and their esteem. We are sensible, sir, that nothing but the voice of your fellow citizens could have called you from a retreat, chosen with the fondest predilection, endeared by habit, and consecrated to the repose of declining years. We rejoice, and with us all America, that, in obedience to the call of our common country, you have returned once more to public life. In you all parties confide; in you all interests unite; and we have no doubt that your past services, great as they have been, will be equalled by your future exertions; and that your prudence and sagacity as a statesman will tend to avert the dangers to which we were exposed, to give stability to the present government, and dignity and splendor to that country, which your skill and valor, as a soldier, so eminently contributed to raise to independence and empire.

When we contemplate the coincidence of circumstances, and wonderful combination of causes, which gradually prepared the people of this country for independence; when we contemplate the rise, progress, and termination of the late war, which gave them a name among the nations of the earth, we are, with you, unavoidably led to acknowledge and adore the great arbiter of the universe, by whom empires rise and fall. A review of the many signal instances of divine interposition in favor of this country, claims our most pious gratitude: and permit us, sir, to observe, that, among the great events which have led to the formation and establishment of a federal go-

vernment, we esteem your acceptance of the office of President as one of the most propitious and important.

In the execution of the trust reposed in us, we shall endeavor to pursue that enlarged and liberal policy to which your speech so happily directs. We are conscious that the prosperity of each state is inseparably connected with the welfare of all, and that, in promoting the latter, we shall effectually advance the former. In full persuasion of this truth, it shall be our invariable aim to divest ourselves of local prejudices and attachments, and to view the great assemblage of communities and interests committed to our charge with an equal eye. We feel, sir, the force, and acknowledge the justness of the observation, that the foundation of our national policy should be laid in private morality; if individuals be not influenced by moral principles, it is in vain to look for public virtue; it is, therefore, the duty of legislators to enforce, both by precept and example, the utility, as well as the necessity, of a strict adherence to the rules of distributive justice. We beg you to be assured that the Senate will, at all times, cheerfully co-operate in every measure which may strengthen the Union, conduce to the happiness, or secure and perpetuate the liberties, of this great confederated republic.

We commend you, sir, to the protection of Almighty God, earnestly beseeching him long to preserve a life so valuable and dear to the people of the United States, and that your administration may be prosperous to the nation, and glorious to yourself.

IN SENATE, MAY 16, 1789.

Read and accepted; and

Ordered, That, the Vice President should affix his signature to the address in behalf of the Senate.

Mr. Beckley, the Clerk of the House of Representatives, delivered a message, purporting "that the House had concurred with the Senate in the amendments proposed on a bill, entitled 'An act to regulate the time and manner of administering certain oaths;' and, "that the House proposed an amendment to the third amendment, by inserting after the word 'legislatures in the first place,' the words 'at the next session of the said legislatures respectively.'"

He also brought to the Senate a resolve of the House of Representatives, appointing Mr. Bland, Mr. Trumbull, and Mr. Vining, a committee on the part of the House, to confer with any committee to be appointed on the part of the Senate, and report "joint rules to be established between the two Houses, for the enrollment, &c. of the acts of Congress, and to confer on the mode of presenting addresses, bills, &c. to the President." And he withdrew.

The Senate agreed to the amendment proposed by the House of Representatives to the amendment to the afore-mentioned bill; and appointed Mr. Langdon, Mr. Read, and Mr. Henry, a committee on their part, for the purpose expressed in the resolve of the House of Representatives received this day; which, together with the concurrence of the Senate to the amendment on the amendment to the bill above mentioned, was carried to the House by the Secretary.

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, MAY 8, 1789.

The Senate assembled: present as yesterday.

The report of the committee appointed to determine "What style or titles it will be proper to annex to the office of President and Vice President of the United States, if any other than those given in the constitution;" and to confer with a committee of the House of Representatives appointed for the same purpose, was considered, and disagreed to.

The question was taken, "Whether the President of the United States shall be addressed by the title of *His Excellency*?" and it passed in the negative.

On motion that a committee of three be appointed to consider and report under what title it will be proper for the Senate to address the President of the United States, Mr. Lee, Mr. Ellsworth, and Mr. Johnson, were elected.

Adjourned to 11 o'clock to-morrow.

SATURDAY, MAY 9, 1789.

The Senate assembled: present as yesterday.

Mr. Beckley, the Clerk of the House of Representatives, delivered a message, purporting that the House had accepted the report of a committee appointed to consi-

der, what style or title it will be proper to annex to the office of President and of Vice President of the United States, if any other than those given in the constitution. And he withdrew.

Ordered, That Mr. Few, Mr. Maclay, and Mr. Strong, be a committee to view the apartments in the city hall, and to confer with any committee that may be appointed by the House of Representatives for that purpose, and report how the same shall be appropriated.

The committee appointed to consider under what title it will be proper for the Senate to address the President of the United States, reported; the consideration of which was postponed until Monday next.

The Secretary was charged with a message to the House of Representatives, with the order of Senate passed the 7th instant, on the mode adopted by the Senate in receiving communications from that House.

Ordered, That Mr. Lee, Mr. Ellsworth, and Mr. Johnson, be a committee, to confer with any committee to be appointed by the House of Representatives, on the difference of opinion now subsisting between the two Houses, respecting the title of the President of the United States: and, on motion for reconsideration, the instruction to the committee was agreed to, as follows:

"That they consider and report under what title it will be proper for the President of the United States in future to be addressed, and confer thereon with such committee as the House of Representatives may appoint for that purpose."

The Secretary carried to the House of Representatives the appointment of a committee on the part of the Senate to view the rooms in the city hall, and to confer upon their appropriation;

The rejection of the report of the committee appointed to consider what style, &c. it will be proper to annex to the offices of President and of Vice President;

And the appointment of a committee on the part of the Senate to confer on a title under which it will be proper to address the President of the United States,

Adjourned until 11 o'clock on Monday morning.

MONDAY, MAY 11, 1789.

The Senate assembled: present as on Saturday.

Ordered, That the consideration of the report of the committee upon "the title by which it will be proper for the Senate to address the President," be postponed until Tuesday next.

Ordered, That a committee, to consist of Mr. Ellsworth, Mr. Carroll, and Mr. Few, be appointed, to consider and report a mode of carrying into execution the second paragraph of the third section of the first article of the constitution.

The committee appointed the 13th of April, to confer with a committee of the House of Representatives, upon the future disposition of the papers in the office of the late Secretary of Congress, made a report, which was ordered to lie until a committee, appointed May 7, to confer with a committee of the House "on joint rules to be established for the enrollment, &c. of the acts of Congress," should report.

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, MAY 12, 1789.

The Senate assembled: present as yesterday, and Mr. Morris, from the state of Pennsylvania.

Mr. Beckley, the Clerk of the House of Representatives, delivered a message, purporting, that the House had concurred in the appointment of a committee on their part, consisting of Mr. White, Mr. Scott, and Mr. Sturges, to confer with the committee appointed on the part of the Senate, May the 9th, on the appropriation of the rooms in the city hall;

Also, that the House had appointed a committee, consisting of Mr. Madison, Mr. Trumbull, Mr. Page, Mr. Benson, and Mr. Sherman, to confer with any committee that the Senate shall appoint on the disagreeing votes of the Senate and House of Representatives upon the report of their joint committee, appointed to consider what titles shall be given to the President and to the Vice President of the United States, if any other than those given in the constitution. And he withdrew.

Ordered, That the committee appointed the 9th of May, to consider "by what title it will be proper for the Senate to address the President of the United States," be instructed to confer with the committee of the House of Representatives, agreeably to the proposition in their message of this day.

A motion for the committee, appointed to address the President, to proceed, was postponed to Thursday next.

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, MAY 13, 1789.

The Senate assembled: present as yesterday, and Mr. Paterson, from the state of New Jersey.

The committee appointed the 11th inst. on the mode of carrying into execution the second paragraph of the third section of the first article of the constitution, reported:

And the report was ordered to lie for consideration.

Ordered, That Mr. Langdon, Mr. Strong, and Mr. Carroll, be a committee, to confer with any committee that may be appointed on the part of the House of Representatives, and report what newspapers the members of the Senate and House of Representatives shall be furnished with, at the public expense.

A committee, consisting of Mr. Johnson, Mr. Read, Mr. Langdon, Mr. Morris, Mr. Dalton, Mr. Elmer, Mr. Henry, and Mr. Gunn, was appointed to report a bill, defining the crimes and offences that shall be cognizable under the authority of the United States, and their punishment.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, MAY 14, 1789.

The Senate assembled: present as yesterday.

The petition of Archibald M'Lean, to be employed as a printer to the Senate and House of Representatives, was read, and ordered to lie on the table.

The Secretary carried to the House of Representatives the order of Senate, passed yesterday, appointing a committee to report "what newspapers the members of Congress shall be furnished with, at the public expense."

The committee, appointed the 9th instant, to determine "under what title it will be proper for the Senate to address the President," and to confer with a committee of the House of Representatives "upon the disagreeing votes of the Senate and House," informed the Senate, that they had conferred with a committee of the House of Representatives, but could not agree upon a report.

The committee, appointed the 9th instant, "to consider and report under what title it will be proper for the Senate to address the President of the United States of America," reported, that, in the opinion of the committee, it will be proper thus to address the President: *His Highness the President of the United States of America, and Protector of their Liberties.*

Which report was postponed;

And the following resolve was agreed to, to wit:

From a decent respect for the opinion and practice of civilized nations, whether under monarchical or republican forms of government, whose custom is to annex titles of respectability to the office of their Chief Magistrate; and that, on intercourse with foreign nations, a due respect for the majesty of the people of the United States may not be hazarded by an appearance of singularity, the Senate have been induced to be of opinion, that it would be proper to annex a respectable title to the office of President of the United States; but the Senate, desirous of preserving harmony with the House of Representatives, where the practice lately observed in presenting an address to the President was without the addition of titles, think it proper, for the present, to act in conformity with the practice of that House:

Therefore, *Resolved*, That the present address be "*To the President of the United States*," without addition of title.

A motion was made to strike out the preamble as far as the words "But the Senate;" which passed in the negative:

And, on motion for the main question, it passed in the affirmative.

The committee appointed to consider and report a mode of carrying into effect the provision in the second clause of the third section of the first article of the Constitution, reported:

Whereupon, *Resolved*, That the Senators be divided into three classes:

The first to consist of Mr. Langdon, Mr. Johnson, Mr. Morris, Mr. Henry, Mr. Izard, and Mr. Gunn;

The second of Mr. Wingate, Mr. Strong, Mr. Paterson, Mr. Bassett, Mr. Lee, Mr. Butler, and Mr. Few;

And the third of Mr. Dalton, Mr. Ellsworth, Mr. Elmer, Mr. Maclay, Mr. Read, Mr. Carroll, and Mr. Grayson.

That three papers of an equal size, numbered 1, 2, and 3, be, by the Secretary, rolled up and put into a box, and drawn by Mr. Langdon, Mr. Wingate, and Mr. Dalton, in behalf of the respective classes in which each of them are placed; and that the classes shall vacate their seats in the Senate according to the order of numbers drawn for them, beginning with number one:

And that, when Senators shall take their seats from States that have not yet appointed Senators, they shall be placed by lot in the foregoing classes, but in such manner as shall keep the classes as nearly equal as may be in numbers.

The committee appointed to confer with a committee of the House of Representatives, in preparing proper rules to be established for the enrollment, &c. of the acts of Congress, reported; which report was ordered to lie for consideration.

Ordered, That the committee appointed to draft an answer to the President's speech, wait on him, and request him to appoint the time when it will be agreeable to receive the address of the Senate, at his own house.

Adjourned to 11 o'clock to-morrow.

FRIDAY, MAY 15, 1789.

The Senate assembled: present as yesterday.

The committee appointed to draft an answer to the President's speech, further reported; whereupon it was

Agreed, That the Senate should wait on the President at his own house on Monday next, at a quarter after 11 o'clock, and that the Vice President then present the address of the Senate, as agreed to on the 7th instant.

The Senate proceeded to determine the classes, agreeably to the resolve of yesterday, on the mode of carrying into effect the provision of the second clause of the third section of the first article of the constitution, and the numbers being drawn, the classes were determined as follows:

Lot No. 1, drawn by Mr. Dalton, contained Mr. Dalton, Mr. Ellsworth, Mr. Elmer, Mr. Maclay, Mr. Read, Mr. Carroll, and Mr. Grayson, whose seats shall, accordingly, be vacated in the Senate, at the expiration of the second year.

Lot No. 2, drawn by Mr. Wingate, contained Mr. Wingate, Mr. Strong, Mr. Paterson, Mr. Bassett, Mr. Lee, Mr. Butler, and Mr. Few, whose seats shall, accordingly, be vacated in the Senate, at the expiration of the fourth year.

Lot No. 3, drawn by Mr. Langdon, contained Mr. Langdon, Mr. Johnson, Mr. Morris, Mr. Henry, Mr. Izard, and Mr. Gunn, whose seats shall, accordingly, be vacated in the Senate, at the expiration of the sixth year.

Adjourned to 11 o'clock to-morrow morning.

SATURDAY, MAY 16, 1789.

The Senate assembled: present as yesterday.

A message from the House of Representatives, by Mr. Beckley, their Clerk; who informed the Senate that "the House had concurred in the appointment of a committee, consisting of Mr. Sylvester, Mr. Wynkoop, and Mr. Smith, of South Carolina, to confer with a committee appointed on the part of the Senate the 13th instant, and to report what newspapers the members of Congress shall be furnished with at the public expense: and that it was an instruction to the said committee, on the part of the House, to receive proposals for printing the acts and other proceedings of Congress." And he withdrew.

The question being taken, Whether the Senate will give a similar instruction to the committee on their part? It passed in the affirmative. And the Secretary informed the House of Representatives of the concurrence.

Ordered, That the petitions from sundry printers, presented to the Senate, be referred to the committee of the Senate appointed the 13th inst.

The committee appointed the 14th of April to consider the mode of keeping and publishing the journals, &c. reported: and the report was ordered to lie on the table.

Adjourned until 11 o'clock on Monday next.

MONDAY, MAY 18, 1789.

The Senate assembled: present as on Saturday.

Agreeably to the order of the 15th instant, the Senate waited on the President of the United States at his own house, when the Vice President, in their name, delivered to the President the address agreed to on the 7th inst. To which the President of the United States was pleased to make the following reply:

GENTLEMEN: I thank you for your address, in which the most affectionate sentiments are expressed in the most obliging terms. The coincidence of circumstances which led to this auspicious crisis, the confidence reposed in me by my fellow citizens, and the assistance I may expect from counsels which will be dictated by an enlarged and liberal policy, seem to presage a more prosperous issue to my administration than a diffidence of my abilities had taught me to anticipate. I now feel myself inexpressibly happy in a belief that Heaven, which has done so much for our infant nation, will not withdraw its providential influence before our political felicity shall have been completed, and in a conviction that the Senate will at all times co-operate in every measure which may tend to promote the welfare of this confederated republic. Thus supported by a firm trust in the great arbiter of the universe, aided by the collected wisdom of the Union, and imploring the divine benediction on our joint exertions in the service of our country, I readily engage with you in the arduous, but pleasing task of attempting to make a nation happy.

G. WASHINGTON.

The petition of Thomas Greenleaf, that he might be appointed printer to Congress, was read, and committed to the committee to whom petitions of a similar nature were referred on the 16th instant.

The petition of Paul Pritchard, in behalf of himself and other shipwrights of South Carolina, was read, and ordered to lie for consideration.

A message by Mr. Beckley, the Clerk of the House of Representatives; who brought to the Senate a bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," which he informed the Senate the House had passed, and to which they desired the concurrence of the Senate. And he withdrew.

The bill above mentioned was read a first time, and Thursday next was assigned for the second reading; and it was

Ordered, That fifty copies thereof be printed, in the mean time, for the use of the Senate.

Ordered, That Mr. Lee be a committee on the part of the Senate, to join any committee appointed for that purpose on the part of the House of Representatives, and lay before the President of the United States, for his approbation, a bill, entitled "An act to regulate the time and manner of administering certain oaths," after it shall be enrolled, examined by the said committee, and signed by the Speaker of the House of Representatives, and by the Vice President.

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, MAY 19, 1789.

The Senate assembled: present as yesterday.

The Secretary carried to the House of Representatives the resolve of Senate, passed the 18th instant, appointing a committee on their part to lay before the President a bill, entitled "An act to regulate the time and manner of administering certain oaths," after it shall be enrolled, &c.

The committee to whom was referred the motion for printing the journals of the Senate, and furnishing each member with a copy thereof; and also, to report upon the mode of keeping the journals; and who were instructed to consider whether the minutes be amended, so as to record only the acts of the Senate on the journal, reported as follows:

"That one hundred and twenty copies of the journals of the legislative proceedings only, be printed once a month; commencing the first publication on the first day of June next; and that each member be furnished with a copy: that the proceedings of the Senate, when they shall act in their executive capacity, shall be entered and kept in separate and distinct books.

"That every vote of the Senate shall be entered on the journals, and that a brief statement of the contents of each petition, memorial, or paper, presented to the Senate, be also inserted on the journals.

"That the journals, previous to each publication, be revised by a committee to be appointed from time to time for that purpose;" which report was accepted.

The committee appointed to confer with a committee of the House of Representatives, and report what newspapers the members of Congress shall be furnished with at the public expense, reported in part; which report was ordered to lie on the table.

Ordered, That Mr. Paterson, Mr. Carroll, and Mr. Wingate, be a committee to revise the journal, previous to its publication.

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, MAY 20, 1789.

The Senate assembled: present as yesterday.

The petition of Thomas Allen, to supply the stationery that may be wanted for the use of Congress, was read, and referred to the committee on petitions of a similar nature.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, MAY 21, 1789.

The Senate assembled: present as yesterday.

The honorable William Grayson, from the state of Virginia, appeared, produced his credentials, and took his seat in the Senate.

Resolved, That all bills on a second reading shall be considered by the Senate in the same manner as if the Senate were in a committee of the whole, before they shall be taken up and proceeded on by the Senate agreeable to the standing rules, unless otherwise ordered.

Mr. Grayson was added to the committee appointed the 13th of May, "to define the crimes and offences that shall be cognizable under the authority of the United States, and their punishment."

Ordered, That the second reading of a bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," be postponed until Monday next.

Adjourned until 11 o'clock to-morrow morning.

FRIDAY, MAY 22, 1789.

The Senate assembled: present as yesterday.

A message from the House of Representatives, by Mr. Beckley, their Clerk, who brought to the Senate an enrolled bill, entitled "An act to regulate the time and manner of administering certain oaths," signed by the Speaker of the House of Representatives, and informed the Senate "that the House had agreed in the appointment of a committee on their part, consisting of Mr. Partridge and Mr. Floyd, to lay the bill before the President, after it shall have passed the formalities prescribed in the resolve of the 18th of May." And he withdrew.

The committee appointed to examine the afore-mentioned bill, reported, that they had performed the service; whereupon, the bill was signed by the Vice President, and was, by the committee thereunto appointed, laid before the President of the United States for his approbation.

Adjourned until 11 o'clock on Monday next.

MONDAY, MAY 25, 1789.

The Senate assembled: present as on Saturday.

Mr. Elmer had leave of absence for three weeks.

The Senate proceeded in the consideration of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States:" And, after progress,

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, MAY 26, 1789.

The Senate assembled: present as yesterday.

A message was delivered from the House of Representatives, by Mr. Beckley, their Clerk, who delivered the following resolve: And withdrew.

"In the House of Representatives of the United States,

Monday, the 25th of May, 1789.

"Resolved, That a committee be appointed, to confer with any committee which may be appointed by the Senate, on the proper method of receiving into either House, bills or messages from the President of the United States. The members appointed, Mr. Partridge, Mr. Floyd, and Mr. Thatcher.

"Extract from the journal,

"JOHN BECKLEY, Clerk."

The message was considered, and the appointment of a committee on the part of the Senate, was concurred : Mr. Lee and Mr. Izard were joined.

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, MAY 27, 1789.

The Senate assembled: present as yesterday.

The Secretary went to the House of Representatives with a message, purporting the concurrence on the part of the Senate, in the appointment of a committee upon the mode of receiving messages from the President of the United States, agreeably to the proposition of the House of Representatives made yesterday.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, MAY 28, 1789.

The Senate assembled: present as yesterday.

The Senate proceeded in the consideration of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States;" and, after debate,

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, MAY 29, 1789.

The Senate assembled: present as yesterday.

Proceeded in the consideration of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States."

The committee, appointed the 13th instant, to confer with the committee of the House of Representatives, and report "what newspapers the members of Congress shall be furnished with at the public expense," further reported; which report was ordered to lie on the table.

A message from the House of Representatives, by Mr. Beckley, their Clerk; who brought to the Senate an engrossed bill, entitled "An act imposing duties on tonnage;"

A resolve of the House of Representatives of the 28th, providing the members of the Senate and House of Representatives each, with a set of the journals of the late Congress;

A resolve of the 28th, on the report of a joint committee appointed "to confer on the mode of furnishing the members of the Senate and House of Representatives with newspapers, journals," &c.

Also, a resolve of this day, on the report of a joint committee appointed "to confer upon the mode of receiving, in the Senate and House of Representatives, bills, &c. from the President of the United States," desiring the concurrence of the Senate thereto. And he withdrew.

*In the House of Representatives of the United States,
the 29th of May, 1789.*

Mr. Partridge, from the committee appointed to confer with a committee of the Senate, on the proper method of receiving into either House, bills or messages from the President of the United States, made a report, and the said report being amended, to read as followeth :

"That, until the public offices are established, and the respective officers are appointed, any returns of bills and resolutions or other communications from the President, may be received by either House, under cover, directed to the President of the Senate, or Speaker of the House of Representatives, (as the case may be) and transmitted by such person as the President may think proper:

"*Resolved*, That this House doth agree to the said report.

"Extract from the journal,

"JOHN BECKLEY, Clerk."

In Senate, read and concurred.

The bill and other resolutions were ordered to lie for consideration.

Adjourned until 11 o'clock on Monday morning.

MONDAY, JUNE 1, 1789.

The Senate assembled: present as on Saturday.

The Secretary carried to the House of Representatives the concurrence of the Senate upon a resolve of the House of the 29th of May, on the mode of receiving communications from the President of the United States.

A message from the House of Representatives, by Mr. Beckley, their Clerk :

Mr. President: I am directed to inform the Senate that the President has affixed his signature to a bill, entitled "An act to regulate the time and manner of administering certain oaths," and has returned it to the House of Representatives, from whence it originated. And he withdrew.

The Senate proceeded in the consideration of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," and, after debate,

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 2, 1789.

The Senate assembled: present as yesterday.

The resolve of the House of Representatives, of the 28th May, was considered, viz:

*"In the House of Representatives of the United States,
Thursday, the 28th May, 1789.*

"The House proceeded to consider the two reports, one made the 19th instant, the other the 26th instant, by the committee appointed to confer with a committee of the Senate, to consider and report what newspapers the members of Congress shall be furnished with at the public expense, and to receive proposals for printing the acts and other proceedings of Congress: and the first report, in the words following, to wit:

"That, in their opinion, public economy requires that the expense heretofore incurred by the public, of supplying every member of Congress with all the newspapers printed at the seat of Congress, should be retrenched in future; but, as your committee consider the publication of newspapers to be highly beneficial in disseminating useful knowledge throughout the United States, and deserving of public encouragement, they recommend, that each member of Congress be supplied, at the public expense, with one paper, leaving the choice of the same to each member, and that it be the duty of the Secretary of the Senate, and Clerk of the House of Representatives, to give the necessary directions to the different printers, to furnish each member with such papers as he shall choose." Being again read and debated,

Resolved, That this House doth disagree to the said report. The other report being again read, and amended to read as follows:

"That it would be proper that it should be left to the Secretary of the Senate and Clerk of the House of Representatives, to contract with such person as shall engage to execute the printing and binding business on the most reasonable terms, the paper being furnished by the said Secretary and Clerk, to such person, at the public expense. That such person as they shall contract with, shall be obliged to render a state of his accounts quarterly, and that six hundred copies of the acts of Congress, and seven hundred copies of the journals be printed, and distributed to the executive and judicial, and heads of departments of the government of the United States, and the executive, legislative, and judicial of the several states:"

Resolved, That this House doth agree to the said report.

Extract from the journal,

JOHN BECKLEY, *Clerk.*

And, on the question of concurrence on the first report, it was postponed.

The other report was read, and concurred with an amendment, viz. after the words "and distributed to the," insert "members of the legislative, to the."

The Senate proceeded in the consideration of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States."

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 3, 1789.

The Senate assembled: present as yesterday.

Proceeded in the consideration of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States,"

And further postponed the second reading until to-morrow at 11 o'clock.

The Secretary informed the House of Representatives of the concurrence of the Senate in a resolve of the 28th of May, upon the mode of printing the acts and journals of Congress as agreed to yesterday; and requested the House of Representatives to send to the Senate, "An act to regulate the time and manner of administering certain oaths."

A message from the House of Representatives, by Mr. Beckley, their Clerk: who brought to the Senate the act last mentioned; informed the Senate of the concurrence of the House of Representatives in their amendment on a resolve of the 28th May, on the mode of printing the acts and journals of Congress. And he withdrew.

Ordered, That Mr. Langdon administer the oath to the Vice President; which was done accordingly.

And the Vice President administered the oath, according to law, to the following members: to Mr. Langdon, Mr. Wingate, Mr. Strong, Mr. Dalton, Mr. Johnson, Mr. Ellsworth, Mr. Paterson, Mr. Maclay, Mr. Morris, Mr. Read, Mr. Bassett, Mr. Carroll, Mr. Henry, Mr. Lee, Mr. Grayson, Mr. Izard, Mr. Few, and Mr. Gunn.

The same oath was, by the Vice President, administered to the Secretary, together with the oath of office.

Ordered, That Mr. Morris, Mr. Carroll, Mr. Langdon, Mr. Read, and Mr. Lee, be a committee to consider and report the mode of communicating the acts of Congress to the several states in the Union, and the number necessary for that purpose.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 4, 1789.

The Senate assembled: present as yesterday.

On the report of the committee appointed the 3d June, to consider the mode of communicating the acts of Congress to the several states in the Union,

Resolved, That, in ten days after the passing of every act of Congress during the present session, or until some other regulation shall be adopted, twenty-two printed copies thereof, signed by the Secretary of the Senate and Clerk of the House of Representatives, and certified by them to be true copies of the original act, be lodged with the President of the United States, and that he be requested to cause to be transmitted, two of the said copies, so attested as aforesaid, to each of the supreme executives in the several states.

The Secretary carried the aforesaid resolve to the House of Representatives for their concurrence.

The Senate proceeded to the second reading of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States;"

And the further consideration of the bill was postponed until to-morrow.

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, JUNE 5, 1789.

The Senate assembled: present as yesterday.

A message from the House of Representatives, by Mr. Beckley, their Clerk: who informed the Senate of the concurrence of the House on the resolution of the 4th June, upon the mode of communicating the acts of Congress to the executives of the several states in the Union. And he withdrew.

According to the order of the day, the Senate proceeded in the second reading of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States."

Adjourned until Monday next at 11 o'clock.

MONDAY, JUNE 8, 1789.

The Senate assembled: present as on Friday.

The honorable Pierce Butler, from the state of South Carolina, appeared, produced his credentials, and took his seat in the Senate.

The Vice President administered the oath to Mr. Butler.

"In the House of Representatives of the United States;

Thursday, the 28th of May, 1789.

"On motion,

"Resolved, That every such member of the present Congress, as is not yet furnished with a set of the journals of the late Congress, shall, on application to the keeper of the records and papers of the said late Congress, be entitled to receive a complete set of such journals.

"Extract from the journal,

"JOHN BECKLEY, *Clerk.*"

Read and concurred;

And the Secretary carried a message to the House of Representatives accordingly.

The Senate proceeded in the second reading of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," and agreed that Mr. Ellsworth, Mr. Morris, Mr. Lee, Mr. Butler, and Mr. Dalton, be a committee to consider and report the expediency of adding a clause, prohibiting the importation of goods from China or India, in ships or vessels, other than those belonging to the citizens of the United States.

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 9, 1789.

The Senate assembled: present as yesterday.

The petitions of Brittingham Dickinson and others, in behalf of the shipwrights of Baltimore town, and of John Wharton and others, in behalf of the shipwrights of Philadelphia, praying that such restrictions may take place, as to effect the revival of their branch of business;

The petition of Thomas Long and others, in behalf of the tradesmen and manufacturers of Baltimore town;

Of Gibbon Sharp and others, in behalf of the manufacturers of the town of Boston;

Of Anthony Post and others, in behalf of the manufacturers of the city of New York, praying that such regulations and restrictions may be adopted in relation to the importation of foreign articles, as may encourage home manufactures;

Also, the petition of Jacob Morgan and others, in behalf of the distillers of Philadelphia;

And of John McLellan, in behalf of the merchants and traders of Portland, praying that the proposed duty on molasses may be either abolished, or greatly reduced; were severally read, and ordered to lie for consideration.

The bill, entitled "An act imposing duties on tonnage," was read a first time, and Thursday next was assigned for the second reading.

The Senate proceeded in the second reading of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," and Wednesday next was assigned for the third reading of the bill.

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 10, 1789.

The Senate assembled: present as yesterday.

Agreeably to the order of the day, proceeded to a third reading of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States."

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 11, 1789.

The Senate assembled: present as yesterday.

Proceeded in the third reading of the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States."

And the question being taken upon the bill, it was concurred, with the following amendments:

Page 1, line 1, At A insert, 'for the discharge of the debts of the United States.'

Line 3, Strike out 'Congress,' and insert, 'Senate and Representatives,' and after the words 'United States,' insert, 'of America in Congress assembled.'

Line 4, Expunge 'fifteenth day of June,' and insert 'first day of July.'

7, Strike out the words following: 'On all distilled spirits of Jamaica proof,

imported from the European dominions of any state or kingdom, having a commercial treaty with the United States, per gallon, 12 cents.

'On all other distilled spirits, imported from the European dominions of such state or kingdom, per gallon, 10 cents.'

Line 10 Strike out the word 'other.'

11 Strike out '15,' and insert '10.'

12 Strike out '12,' and insert '8.'

13 Strike out '5,' and insert '3.'

14 Strike out '25,' and insert '18.'

15 Strike out '15,' and insert '10.'

16 Strike out '8,' and insert '5.'

17 Strike out '25,' and insert '16.'

Page 2, Lines 1 and 2, Strike out '75' and insert '60.'

4 Strike out '200,' and insert '150.'

10 At B, insert 'on indigo per pound, 16 cents.'

11 Strike out '3' and insert '1.'

15 At E, insert 'or in ships or vessels built in foreign countries, and on the sixteenth day of May last wholly the property of a citizen or citizens of the United States, and so continuing until the time of importation.'

Line 19 Strike out '10' and insert '12'

20 Strike out the words following: 'On all teas imported from any country other than China or India, in any ship or vessel whatsoever, or from China or India in any ship or vessel which is not wholly the property of a citizen or citizens of the United States, as follows:

'On bohea tea, per pound, ten cents.

'On all souchong or other black teas, per pound, fifteen cents.

'On all hyson teas, per pound, thirty cents.

'On all other green teas, per pound, eighteen cents.'

And insert 'On all teas imported from Europe, in ships or vessels built in the United States, and belonging wholly to a citizen or citizens thereof, or in ships or vessels built in foreign countries, and on the sixteenth day of May last wholly the property of a citizen or citizens of the United States, and so continuing until the time of importation, as follows:

'On bohea tea, per pound, eight cents.

'On all souchong, and other black teas, per pound, thirteen cents.

'On all hyson teas, per pound, twenty-six cents.

'On all other green teas, per pound, sixteen cents.

'On all teas imported in any other manner than as above mentioned, as follows:

'On bohea tea, per pound, fifteen cents.

'On all souchong, and other black teas, per pound, twenty-two cents.

'On all hyson teas, per pound, forty-five cents.

'On all other green teas, per pound, twenty-seven cents.

'On all goods, wares, and merchandises, other than teas imported from China or India, in ships not built in the United States, and not wholly the property of a citizen or citizens thereof, nor in vessels built in foreign countries, and, on the sixteenth day of May last, wholly the property of a citizen or citizens of the United States, and so continuing until the time of importation, twelve and an half per centum ad valorem.'

At C, insert 'on gun powder,' and 'on all paints ground in oil, ten per centum ad valorem.'

Line 32, strike out '7½,' and insert '10;'

And, in the same line, strike out 'of metal.'

At K, insert 'on shoe and knee buckles, ten per centum ad valorem.'

Page 2, line 33 and 34, strike out '7½,' and insert '10.'

Page 3, lines 1, 2, 3, 6, 9, 10, strike out '7½,' and insert '10.'

At L, insert 'on gold and silver lace, on gold and silver leaf, ten per centum ad valorem.'

'And that all the articles dutied ad valorem, be arranged together under their respective rates.'

At M, insert 'on playing cards, per pack, ten cents.'

Line 17, after 'wool,' insert 'cotton,' and strike out the words 'other than indigo.'

Line 21, insert after 'sixty cents,' and on cotton, per pound, three cents.'

Page 4, line 1, strike out the following words: 'And be it further enacted by the authority aforesaid, that there shall be allowed and paid on every gallon of rum dis-

tilled within the United States, and exported beyond the limits of the same, in consideration of the duty on the importation of the molasses from which the said rum shall have been distilled, six cents.'

Page 3, line 23, at N, insert 'except on distilled spirits, other than brandy and geneva.'

Line 25, at O, insert 'as settled by the late treaty of peace.'

Page 4, line 7, at P, insert 'or in vessels built in foreign countries, and, on the sixteenth day of May last, wholly the property of a citizen or citizens of the United States, and so continuing until the time of importation.'

The second reading of the bill, entitled "An act imposing duties on tonnage," was postponed until to-morrow.

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, JUNE 12, 1789.

The Senate assembled: present as yesterday.

The second reading of the bill, entitled "An act imposing duties on tonnage," was farther postponed to Monday next.

The Secretary carried to the House of Representatives the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," as concurred with amendments.

Mr. Lee, in behalf of the committee thereto appointed, reported "a bill to establish the judicial courts of the United States;" which was read the first time, and Monday, the 22d of June, was assigned for the second reading.

Ordered, That Mr. Butler be added to the committee appointed "to consider and report a bill defining the crimes and offences that shall be cognizable under the authority of the United States, and their punishment."

Adjourned until Monday next, at 11 o'clock.

MONDAY, JUNE 15, 1789.

The Senate assembled: present as on Friday.

Proceeded to the second reading of a bill, entitled "An act imposing duties on tonnage;" and, after debate,

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 16, 1789.

The Senate assembled: present as yesterday.

Proceeded in the second reading of the bill, entitled "An act imposing duties on tonnage."

Assigned to-morrow at 11 o'clock for the third reading.

The petition of Richard Phillips, praying for consideration on account of his past services, was read, and ordered to lie on the table.

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 17, 1789.

The Senate assembled: present as yesterday.

Agreeably to the order of the day, proceeded to the third reading of the bill, entitled "An act imposing duties on tonnage," and concurred in the same, with the amendments following:

Line 1, strike out 'the Congress of the United States,' and insert 'the Senate and Representatives of the United States of America, in Congress assembled.'

Line 4, strike out at A, 'now belonging,' and insert 'on the 29th day of May, 1789, belonging, and during the time such ships or vessels shall continue to belong.'

Lines 5, 6, and 7, strike out from c. to d. viz: 'on all ships,' &c. and insert 'on all ships or vessels hereafter built in the United States, belonging wholly or in part to subjects of foreign powers, at the rate of twenty cents per ton.'

Line 7, next after the words 'on all,' insert 'other.'

Line 8, strike out from e. to f. viz: 'belonging wholly or in part to subjects of other powers.'

Lines 9 and 10, strike out from g. to h. viz: 'on all ships,' &c.

Line 14, strike out 'no' and 'shall be,' and insert 'every.'

Line 17, insert after 'citizens thereof,' 'shall on each entry pay fifty cents per ton.'

Line 19, strike out 'June,' and insert 'July.'

On motion,

Ordered, That a committee, to consist of Mr. Butler, Mr. Morris, Mr. Langdon, Mr. Dalton, and Mr. Lee, be appointed, to arrange and bring forward a system for the regulation of the trade and intercourse between the United States and the territory of other powers in North America, and the West Indies, so as to place the same on a more beneficial and permanent footing.

The committee, appointed May the 9th, to view the rooms in the city hall, and to confer with a committee of the House of Representatives appointed for that purpose, reported.

Ordered, That the report lie for consideration.

Mr. Beckley, the Clerk of the House of Representatives, brought up the following resolve:

In the House of Representatives of the United States,

Monday, the 15th of June, 1789.

The House proceeded to consider the amendments of the Senate to the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States." Whereupon,

Resolved, That this House doth agree to the 1st, 8th, 9th, 10th, 16th, 18th, 19th, 20th, 21st, 23d, 31st, 33d, 34th, 35th, 36th, 37th, 38th, 39th, and 40th amendments; and doth disagree to the 2d, 4th, 5th, 6th, 7th, 11th, 12th, 13th, 14th, 15th, 17th, 22d, 24th, 25th, 26th, 27th, 28th, 29th, 30th, and 32d amendments.

The third amendment was read, and agreed to with an amendment, by striking out the word 'July,' proposed to be inserted by the Senate, and inserting in lieu thereof the word 'August.'

Test, JOHN BECKLEY, *Clerk*.

And he withdrew.

Ordered, That to-morrow be assigned for the consideration of the above message. Adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 18, 1789.

The Senate assembled: present as yesterday.

The bill, entitled "An act imposing duties on tonnage," with amendments, was carried to the House of Representatives by the Secretary.

The Senate proceeded to the consideration of the message from the House of Representatives of yesterday, upon the proposed amendments to a bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States;" and, after debate,

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, JUNE 19, 1789.

The Senate assembled: present as yesterday, and Mr. Elmer, from the state of New Jersey.

Proceeded in the consideration of the message from the House of Representatives of the 17th, upon the amendments proposed by the Senate to a bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States;" and insisted on their amendments, as follow: No. 2, 4, 5, 6, 7, 11, 12, and 17; but receded from the following amendments, No. 3, 13, 14, 15, 22, 24, 25, 26, 27, 28, 29, 30, and 32; and the Secretary delivered the message to the House of Representatives accordingly.

The Committee, appointed May 9th, to view the rooms in the city hall, and to confer with a Committee of the House of Representatives appointed for that purpose, reported in part:

That the two rooms on the first floor in the south-west angle of the said hall, are not necessary for the accommodation of Congress, and that the mayor of the city be notified thereof, that the said rooms may be occupied by such persons as the corporation may employ to take charge of the building.

Read and accepted, and sent to the House of Representatives for concurrence.

Adjourned until 11 o'clock on Monday next.

MONDAY, JUNE 22, 1789.

The Senate assembled: present as on Friday.

The Vice President administered the oath to Mr. Elmer.

Proceeded to the second reading of "a bill to establish the judicial courts of the United States;" and, after progress,

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 23, 1789.

The Senate assembled: present as yesterday.

Proceeded in the second reading "a bill to establish the judicial courts of the United States;" and, after progress,

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 24, 1789.

The Senate assembled: present as yesterday.

Proceeded in the second reading "a bill to establish the judicial courts of the United States."

A message from the House of Representatives, by Mr. Beckley, their Clerk; who brought to the Senate

The concurrence of the House upon the report of a committee, appointed May the 9th, to view the rooms in the city hall;

A bill, entitled "An act for establishing an Executive Department, to be denominated the Department of Foreign Affairs," which had passed the House of Representatives, and to which the concurrence of the Senate was desired;

A bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," together with the concurrence of the House of Representatives, upon the second amendment, and their concurrence on the third amendment insisted on by the Senate, with an amendment, viz:

After the words 'Senate and,' to insert 'House of;'

The non-concurrence of the House on the fourth and fifth amendments insisted on by the Senate, and their desire of a conference with the Senate on the subject matter of disagreement on the sixth, seventh, eleventh, twelfth, and seventeenth amendments; with the appointment of Mr. Boudinot, Mr. Fitzsimons, and Mr. Madison, managers of the conference on the part of the House;

Also, a bill, entitled "An act imposing duties on tonnage," and the agreement of the House of Representatives to the first, second, and ninth amendments, with an amendment; and their disagreement to the third, fourth, fifth, sixth, seventh, and eighth amendments proposed by the Senate, together with the desire of the House of Representatives of a conference with the Senate upon the subject matter of the amendments disagreed to, with the appointment of Mr. Boudinot, Mr. Fitzsimons, and Mr. Madison, managers of the conference on the part of the House of Representatives. And he withdrew.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 25, 1789.

The Senate assembled: present as yesterday.

Proceeded to consider the message from the House of Representatives on the amendments proposed by the Senate to a bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States;" and,

Resolved, To recede from their second amendment so far as to concur with the House of Representatives in inserting the words 'House of' next to the words 'Senate and.'

Resolved, That the Senate do still insist on the fourth and fifth amendments, but have agreed to the proposed conference; and have charged their managers to confer with those of the House of Representatives, as well on the said fourth and fifth amendments, as on the other amendments, on which the House of Representatives have requested a conference; and the Senate request, that the House of Representatives will also charge their managers to confer with those of the Senate on the said fourth and fifth amendments; and that Mr. Morris, Mr. Lee, and Mr. Ellsworth, be the managers on the part of the Senate;

And a message was carried to the House of Representatives accordingly.

Proceeded to consider the message from the House of Representatives of the 24th, upon their amendments proposed to the bill, entitled "An act imposing duties on tonnage;" and the Senate agreed to recede from their first amendment, so far as to concur with the House of Representatives in the insertion of the words, 'House of,' after 'Senate and;'

And, in the ninth amendment, to strike out the word 'July,' and insert 'August;' and, *Resolved*, That Mr. Morris, Mr. Lee, and Mr. Ellsworth, be a committee to confer with the committee appointed by the House of Representatives, upon the disagreement of the Senate and House on the third, fourth, fifth, sixth, seventh, and eighth amendments, proposed by the Senate;

And a message was carried to the House of Representatives accordingly.

The Senate proceeded to the consideration of the bill, entitled "An act for establishing an Executive Department, to be denominated the Department of Foreign Affairs;" which was read the first time, and ordered to lie for consideration.

Proceeded in the second reading "a bill to establish the judicial courts of the United States;" and, after debate,

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, JUNE 26, 1789.

The Senate assembled: present as yesterday.

Resumed the second reading "a bill to establish the judicial courts of the United States."

Adjourned to 11 o'clock to-morrow morning.

SATURDAY, JUNE 27, 1789.

The Senate assembled: present as yesterday.

Mr. Morris, in behalf of the committee appointed to confer with a committee of the House of Representatives upon the amendments proposed to a bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States;" and upon a bill, entitled "An act imposing duties on tonnage;" reported upon the respective bills; and the reports were ordered to lie for consideration.

Resumed the second reading "a bill to establish the judicial courts of the United States."

A message from the House of Representatives, by Mr. Beckley, their Clerk:

"In the House of Representatives of the United States,

"the 27th of June, 1789.

"Mr. Boudinot, from the managers appointed on the part of this House to attend the conference with the Senate, on the subject matter of the amendments depending between the two Houses to the bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," made a report, whereupon,

"Resolved, That this House doth *recede* from their disagreement to the fourth, fifth, sixth, seventh, eleventh, twelfth, and seventeenth amendments, and doth agree to the said amendments, respectively, with amendments to the said twelfth and seventeenth amendments, as follow: in the twelfth amendment, strike out 'sixteen,' and insert 'twenty;' in the seventeenth amendment, strike out 'one,' and insert 'two.'

"Test,

"JOHN BECKLEY, Clerk."

And he withdrew.

The Senate agreed so far to *recede* from their twelfth and seventeenth amendments, proposed to the House of Representatives, as to concur in their propositions on those amendments.

Adjourned until 11 o'clock on Monday morning.

MONDAY, JUNE 29, 1789.

The Senate assembled: present as on Saturday.

Resumed the second reading of "a bill to establish the judicial courts of the United States."

The bill, entitled "An act for laying a duty on goods, wares and merchandises, im-

ported into the United States," was carried to the House of Representatives, with the amendments as agreed to on the 27th.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

"In the House of Representatives of the United States,

"the 27th of June, 1789.

"Mr. Boudinot, from the managers appointed on the part of this House to attend the conference with the Senate, on the subject matter of the amendments depending between the two Houses, to the bill, entitled "An act imposing duties on tonnage," made a report; whereupon,

"*Resolved*, That this House doth *recede* from their disagreement to the third, seventh, and eighth amendments; and doth agree to the said amendments, with an amendment to the third amendment, as followeth:

"In lieu of striking out the clause, as proposed by the Senate, to retain the same; and add to the end thereof, the words proposed to be inserted by the Senate, amended to read thus: 'on all ships or vessels hereafter built in the United States, belonging wholly, or in part, to subjects of foreign powers, at the rate of thirty cents per ton.'

"*Resolved*, That this House doth *insist* on their disagreement to the fourth, fifth, and sixth amendments.

"Test,

"JOHN BECKLEY, *Clerk.*"

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 30, 1789.

The Senate assembled: present as yesterday.

The Senate proceeded to the consideration of the resolve of the House of Representatives of the 27th, and the report of a committee of conference, on their disagreement to the amendments proposed by the Senate to a bill, entitled "An act imposing duties on tonnage;" and,

Resolved, To *adhere* to their third, fourth, fifth, and sixth amendments. But so far to concur in the amendment of the House of Representatives upon the third amendment, as to agree to the insertion of the following words: 'on all ships or vessels hereafter built in the United States, belonging wholly, or in part, to subjects of foreign powers, at the rate of thirty cents per ton.'

The Senate resumed the second reading of "a bill to establish the judicial courts of the United States;" and, after debate,

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JULY 1, 1789.

The Senate assembled: present as yesterday.

Resumed the second reading of "a bill to establish the judicial courts of the United States."

A message from the House of Representatives, by Mr. Beckley, their Clerk: who informed the Senate that a committee, consisting of Mr. Partridge and Mr. White, was appointed on the part of the House, to join such committee as may be appointed on the part of the Senate, to examine an enrolled bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," and to lay the same before the President of the United States for his approbation. And he withdrew.

Whereupon, Mr. Wingate was appointed on the part of the Senate; and the House of Representatives was notified accordingly.

The bill, entitled "An act imposing duties on tonnage," was carried to the House of Representatives, as agreed to on the 30th of June.

A message from the House of Representatives, by Mr. Beckley, their Clerk; who informed the Senate that the House had receded from their disagreement to the fourth, fifth, and sixth amendments of the Senate, to the bill, entitled "An act imposing duties on tonnage." And he withdrew.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, JULY 2, 1789.

The Senate assembled: present as yesterday.

Mr. Wingate, on the part of the joint committee, reported, that they had examined

the enrolled bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States;" and that the same was perfected.

The Senate resumed the second reading of "a bill to establish the judicial courts of the United States."

A message from the House of Representatives, by Mr. Beckley, their Clerk: who brought up the enrolled bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," signed by the Speaker;

Also, a bill, entitled "An act to establish the Treasury Department," which had passed the House of Representatives, for the concurrence of the Senate thereon.

The enrolled bill was signed by the Vice President, and delivered to the chairman of the committee, who laid it before the President of the United States for his approbation.

Adjourned until 11 o'clock to-morrow morning.

FRIDAY, JULY 3, 1789.

The Senate assembled: present as yesterday.

Resumed the second reading of "a bill to establish the judicial courts of the United States;" and, after debate,

Adjourned to 11 o'clock on Monday morning.

MONDAY, JULY 6, 1789.

The Senate assembled: present as on Friday.

Resumed the second reading of "a bill to establish the judicial courts of the United States."

Assigned to-morrow for the third reading.

The bill, entitled "An act to establish the Treasury Department," was read a first time, and Monday next was assigned for a second reading.

The second reading of a bill, entitled "An act for establishing an executive department, to be denominated the Department of Foreign Affairs, was deferred to Thursday next.

A bill, entitled "An act to establish an executive department, to be denominated the Department of War," was read a first time, and Friday next was assigned for a second reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk: who informed the Senate that the President of the United States had affixed his signature to a bill, entitled "An act for laying a duty on goods, wares, and merchandises, imported into the United States," and had returned it to the House of Representatives;

And that the House had appointed a committee on their part, to be joined by a committee on the part of the Senate, for the purpose of examining an enrolled bill, entitled "An act imposing duties on tonnage," and to lay the same before the President of the United States, for his approbation.

He also brought with him a resolve of the House of Representatives, providing, "that there be prefixed to the publication of the acts of the present session of Congress, a correct copy of the constitution of the United States." And he withdrew.

Mr. Wingate was appointed on the part of the Senate, to join a committee of the House of Representatives in examining, &c. the bill, entitled "An act imposing duties on tonnage."

The resolve of the House of Representatives, providing that a copy of the constitution of the United States be prefixed to the publication of the acts of the present session of Congress, was read; whereupon,

Resolved, That the Senate do concur.

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, JULY 7, 1789.

The Senate assembled: present as on Friday.

According to the order of the day, proceeded to a third reading of "a bill to establish the judicial courts of the United States."

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JULY 8, 1789.

The Senate assembled: present as yesterday.

Mr. Wingate, in behalf of the committee appointed to inspect an enrolled bill, en-

titled "An act imposing duties on tonnage," reported, that they had examined the same, and, the errors being corrected, it was ready to be laid before the President for his approbation.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: I am directed to bring to the Senate an enrolled bill, entitled "An act imposing duties on tonnage," which, having been examined by the committee, is signed by the Speaker of the House of Representatives. And he withdrew.

The Vice President affixed his signature to the above bill, and the committee on the part of the Senate was ordered to proceed.

The Senate resumed the third reading of "a bill to establish the judicial courts of the United States."

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, JULY 9, 1789.

The Senate assembled: present as yesterday.

Mr. Wingate, in behalf of the joint committee appointed to lay before the President of the United States an enrolled bill, entitled "An act imposing duties on tonnage," for his approbation, reported, that they yesterday executed the service assigned them.

The Senate resumed the third reading of "a bill to establish the judicial courts of the United States."

On motion to amend the paragraph, section 27th, line 6th, by inserting, 'that grand jurors, in all cases whatever, and petit jurors, in all cases not punishable with death:'

Passed in the negative.

And in the same section, line 11th, to insert these words, 'that petit jurors, in all cases punishable with death, shall be returned from the body of the county in which the offence was committed:'

Passed in the negative.

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, JULY 10, 1789.

The Senate assembled: present as yesterday.

Resumed the third reading of "A bill to establish the judicial courts of the United States;" and agreed, in section 29th, line 11th, after the word 'for,' to insert 'the executor or administrator,' and to expunge the words, 'the estate of the deceased in the hands of such,' and insert 'the,' line 12th, 'or by.'

In section 30th, to add, 'and may at any time permit either of the parties to amend any defect in the process or pleadings, upon such conditions as the said courts respectively shall, in their discretion, and by their rules, prescribe.'

In section 31st, line 1st, to expunge the words, 'by the authority aforesaid.' So in all cases where the words are redundant.

In line 2d, next after 'that' inclusive, expunge the words 'every justice, &c.' as far as to 'was committed,' in line 9th.

In section 31st, line 10th, after 'by,' insert these words, 'justice or judge of the United States, or by.'

On motion, it was agreed to reconsider the amendment, page 13th, line 35th, 'or on any hearing of a cause in equity in a circuit court;' and in line 39th, to reconsider 'or supreme court, as the case may be.' So the words were struck out.

Adjourned to 11 o'clock to-morrow morning.

SATURDAY, JULY 11, 1789.

The Senate assembled: present as yesterday.

Resumed the third reading of "a bill to establish the judicial courts of the United States."

On motion to insert between section 17th, and 18th, 'And be it further enacted, that it shall be the duty of circuit courts, in causes in equity, and of admiralty and maritime jurisdiction, to cause the facts on which they found their sentence or decree, fully to appear upon the record, either from the pleadings and decree itself, or a state of the case, agreed by the parties or their counsel; or if they disagree, by a stating of the case by the court.'

A motion was made to postpone this, to take up the following: 'And be it further

enacted, that it shall be the duty of circuit courts, in the trial of causes in equity, and of admiralty jurisdiction, where facts are contested, to cause the evidence exhibited at the hearing to be reduced to writing, if either of the parties require it, or a state of the facts to be made, if the parties agree thereto.'

Passed in the negative.

On motion to expunge the word 'facts,' and insert the word 'evidence.'

Passed in the negative.

And on the motion for the main question:

Passed in the affirmative.

Agreed to expunge the 15th section: 'And be it further enacted, that suits in equity,' &c.

Agreed, section 20th, page 8th, line 6th, to expunge 'containing,' and insert 'whereto shall be annexed and returned therewith, at the day and place therein mentioned.'

On motion, 'that, in the trial of causes in the supreme court upon a writ of error from a circuit court, the justices who sat on the trial of the cause below, shall not vote in the decision of the cause, except where the court shall be equally divided, but may assign the reasons of their former decision.'

Passed in the negative.

On motion to insert the following clause: 'but no judge of the supreme court shall sit on any cause wherein he has given judgment in a circuit court.'

Passed in the negative.

Adjourned until 11 o'clock on Monday morning.

MONDAY, JULY 13, 1789.

The Senate assembled: present as on Saturday.

Mr. Butler, in behalf of the committee appointed the 17th of June, "to bring forward a system for the regulation of the trade and intercourse between the United States and the territory of other powers in North America and the West Indies, so far as to place the same upon a more beneficial and permanent footing," reported; and the report was ordered to lie for consideration.

Resumed the third reading of "a bill to establish the judicial courts of the United States;" and,

Agreed to strike out from the word 'where,' line 3d, sec. 22d, to the words 'writ of error,' in line 6th, and what follows the word 'supersedes,' in line 12th, to the word 'execution,' inclusive, and insert instead thereof, 'and whereupon such writ or error.'

To expunge 'well as his costs,' in the last line, and insert as follows: 'also single or double costs, in their discretion.'

Agreed to restore the 15th section, adding the words 'plain, adequate, and,' before 'complete.'

Section eighteenth, last line, agreed to expunge the word 'shall,' and insert as follows: 'but in the discretion of the court may be adjudged to.'

Section ninth, last line, insert 'issues in.'

On motion by Mr. Lee, seconded by Mr. Grayson, to reconsider the twenty-seventh section, and insert, after the word 'services,' in the 11th line, 'Provided always, That in criminal cases, where the punishment is capital, the petit jury shall come from the body of the county where the fact was committed.'

Passed in the negative.

Ordered, That the bill be re-committed.

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, JULY 14, 1789.

The Senate assembled: present as yesterday.

The report of the committee appointed the 17th of June, "to bring forward a system for the regulation of the trade and intercourse between the United States and the territory of other powers in North America and the West Indies, so far as to place the same upon a more beneficial and permanent footing," was further postponed to the 15th of July.

Proceeded to the second reading of a bill, entitled "An act for establishing an Executive Department, to be denominated the Department of Foreign Affairs;" and, after debate,

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JULY 15, 1789.

The Senate assembled: present as yesterday.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed the bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States;" to which they request the concurrence of the Senate. And he withdrew.

The above bill was read a first time, and Friday next was assigned for a second reading.

Resumed the second reading of the bill, entitled "An act for establishing an Executive Department, to be denominated the Department of Foreign Affairs."

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, JULY 16, 1789.

The Senate assembled: present as yesterday.

Resumed the second reading of the bill, entitled "An act for establishing an Executive Department, to be denominated the Department of Foreign Affairs;" and, after debate,

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, JULY 17, 1789.

The Senate assembled: present as yesterday.

Resumed the second reading of the bill, entitled "An act for establishing an Executive Department, to be denominated the Department of Foreign Affairs;" and agreed, line 1st, to expunge the words 'Congress of the United States,' and insert, 'Senate and House of Representatives of the United States of America in Congress assembled;' and assigned to-morrow for a third reading.

On motion, that, on the final question upon a bill or resolve, any Member shall have a right to enter his protest or dissent on the journal, with reasons in support of such dissent, provided the same be offered within two days after the determination on such final question:

Passed in the negative.

The engrossed bill "to establish the Judicial Courts of the United States," was read; and, upon the question, "Shall the bill pass?" the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Bassett, Carroll, Dalton, Ellsworth, Elmer, Few, Gunn, Henry, Johnson, Izard, Morris, Paterson, Read, and Strong.

NAYS.—Messrs. Butler, Grayson, Langdon, Lee, Maclay, and Wingate.

So the bill passed; and the Secretary was directed to carry the same to the House of Representatives for concurrence.

Adjourned to 11 o'clock to-morrow morning.

SATURDAY, JULY 18, 1789.

The Senate assembled: present as yesterday.

Agreeably to the order of the day, proceeded to a third reading of the bill, entitled "An act for establishing an Executive Department, to be denominated the Department of Foreign Affairs."

Ordered, That, in taking the yeas and nays, where the Vice President is called upon to vote, the Secretary propose to him the question.

On motion to strike out of the bill these words: page 3d, line 15th, 'by the President of the United States;' and the yeas and nays being required thereupon by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Few, Grayson, Gunn, Johnson, Izard, Langdon, Lee, Maclay, and Wingate.

NAYS.—Messrs. Bassett, Carroll, Dalton, Elmer, Henry, Morris, Paterson, Read, Strong, and the Vice President.

So it passed in the negative, and the clause proposed to be struck out was retained.

On motion to strike out these words:

Line 4th, 'such duties as shall, from time to time, be enjoined on, or entrusted to, him by the President of the United States, agreeable to the constitution, relative to correspondences, commissions, or instructions, to or with public ministers or consuls

from the United States, or to negotiations with public ministers from foreign states or princes, or to memorials, or other applications from foreign public ministers, or other foreigners, or to such other matters respecting foreign affairs as the President of the United States shall assign to the said department: And furthermore, that the said principal officers shall conduct the business of said department, in such manner as the President of the United States shall, from time to time, order or instruct:

And insert in lieu thereof these words:

'The duties of his office with integrity, ability, and diligence.'

Passed in the negative.

On motion to strike out of line 13th, these words:

'To be appointed by the said principal officer.'

Passed in the negative.

Agreed to expurge the proviso in lines 17th, 18th, and 19th, to wit:

'*Provided, nevertheless,* That no appointment of such chief clerk shall be valid, until the same shall have been approved by the President of the United States.'

Upon the question, "To concur in this bill as amended?" and one-fifth of the Senators present requiring the yeas and nays, the determination was as follows:

YEAS.—Messrs. Bassett, Carroll, Dalton, Ellsworth, Elmer, Henry, Morris, Paterson, Read, and Strong.

NAYS.—Messrs. Few, Grayson, Gunn, Johnson, Izard, Langdon, Lee, Maclay, and Wingate.

So the bill was concurred with amendments.

The petition of Robert Sickles and others, meters of the city of New York, praying that an augmentation of the rate for measuring grain, &c. may be made in the act for the collection of duties, was read, and ordered to lie on the table.

Assigned Monday next for the second reading of the bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States."

Adjourned to 11 o'clock on Monday morning.

MONDAY, JULY 20, 1789.

The Senate assembled: present as on Saturday, except Mr. Ellsworth, and Mr. Bassett, who had leave of absence.

The Secretary carried to the House of Representatives, for their concurrence, "A bill to establish the Judicial Courts of the United States," and

"A bill for establishing an Executive Department, to be denominated the Department of Foreign Affairs;" concurred in by the Senate with amendments.

Agreeably to the order of the day, proceeded to the second reading of the bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States."

And, after debate, it was committed to Messrs. Morris, Langdon, Carroll, Dalton, and Lee, to report such additions and alterations as they may judge requisite.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act for the establishment and support of light-houses, beacons, and buoys." They have concurred in the amendments proposed by the Senate to a bill, entitled "An act for establishing an Executive Department, to be denominated the Department of Foreign Affairs." And they have received from the President of the United States an enrolled bill, entitled "An act imposing duties on tonnage," with his signature affixed thereto. And he withdrew.

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, JULY 21, 1789.

The Senate assembled: present as yesterday, except Mr. Maclay, who had leave of absence.

Resumed the second reading of a bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States;" and assigned to-morrow for a third reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk: who brought up a bill, entitled "An act to provide for the government of the territory north-west of the river Ohio."

He also informed the Senate, that the House of Representatives had appointed a committee, to be joined by a committee on the part of the Senate, to examine an enrolled bill, entitled "An act for establishing an Executive Department, to be denominated the Department of Foreign Affairs," and to lay the same before the President of the United States, for his approbation.

Mr. Strong was appointed on the part of the Senate, to join the Committee on the part of the House, in examining, &c. the enrolled bill above mentioned; and the Secretary notified the House accordingly.

The bill, entitled "An act to provide for the government of the territory north-west of the river Ohio," was read a first time, and Wednesday was assigned for a second reading.

The bill, entitled "An act for the establishment and support of light-houses, beacons, and buoys," was read a first time, and to-morrow 11 o'clock was assigned for a second reading.

The bill, entitled "An act to establish an Executive Department, to be denominated the Department of War," was read a second time, and the farther consideration of it was postponed until to-morrow.

The bill, entitled "An act to establish the Treasury Department," was read a second time, and ordered to lie for consideration.

Richard Phillips had leave to withdraw his petition.

Adjourned to 11 o'clock to-morrow.

WEDNESDAY, JULY 22, 1789.

The Senate assembled: present as yesterday.

Mr. Strong, in behalf of the joint committee, appointed to examine an enrolled bill, entitled "An act for establishing an Executive Department, to be denominated the Department of Foreign Affairs, reported, that they had performed that service.

A message from the House of Representatives, by Mr. Beckley, their Clerk: who brought up the above mentioned bill, signed by the Speaker of the House of Representatives. And he withdrew.

The enrolled bill being signed by the Vice President, was, by the committee, laid before the President of the United States for his approbation.

Adjourned to 11 o'clock to-morrow.

THURSDAY, JULY 23, 1789.

The Senate assembled: present as yesterday.

The bill, entitled "An act for the establishment and support of light-houses, beacons, and buoys," was read a second time, and committed to Mr. Morris, Mr. Langdon, and Mr. Dalton.

On the question, whether the clauses in the bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States," providing, "that oaths shall be administered to the master, or other persons having the charge or command of any ship or vessel," shall be expunged, and the words 'and the owner's and master's declaration, with penalties for false entry,' be substituted?

Passed in the negative.

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, JULY 24, 1789.

The Senate assembled: present as yesterday.

The committee appointed on the bill, entitled "An act for the establishment and support of light-houses, beacons, and buoys," reported amendments, which were read, and ordered to be printed.

The committees requested a recess, to give opportunity to perfect their reports.

Adjourned to 11 o'clock to-morrow.

SATURDAY, JULY 25, 1789.

The Senate assembled: present as yesterday.

The honorable Rufus King, from the state of New York, appeared, produced his credentials, and took his seat.

And the oath was administered to him according to law.

The petition of Matthew Talcott and others, citizens of the state of Connecticut, praying that the port of Middletown, in the said state, might be established a port of entry and delivery, was read, and ordered to lie for consideration.

The second reading of the bill, entitled "An act to provide for the government of the territory north-west of the river Ohio," was further postponed to Monday next.

Adjourned to 11 o'clock on Monday morning.

MONDAY, JULY 27, 1789.

The Senate assembled: present as on Saturday.

The honorable Philip Schuyler, from the state of New York, appeared, produced his credentials, and took his seat; and the oath was administered to him according to law.

Mr. Paterson had leave of absence for four days.

A message from the House of Representatives, by Mr. Beckley, their Clerk: who brought up a bill, entitled "An act for settling the accounts between the United States and individual States," for concurrence; and informed the Senate that the President of the United States had affixed his signature to a bill, entitled "An act for the establishment of an Executive Department, to be denominated the Department of Foreign Affairs;" and had returned the same to the House of Representatives. And he withdrew.

The first mentioned bill was read a first time, and July the 29th was assigned for a second reading.

Proceeded to the third reading of a bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States;" and,

Resolved, That the Senate do concur therein, with the following amendments:

Page 1, line 4, after 'law,' strike out 'upon,' and insert 'on the tonnage of ships and vessels, and on.'

Line 25, after 'Medford,' insert 'Cohasset.'

Page 4, line 9, after 'also,' strike out 'a,' and insert 'two.' Strike out 'to reside at the city of Hudson,' and insert,

Line 10, 'one to reside at the city of Albany, and the other at the city of Hudson.'

13, after 'Burlington, and,' strike out 'Greenwich,' and insert 'Bridgetown.'

24, strike out 'Greenwich,' and insert 'Bridgetown.'

27, after 'Salem,' insert 'Port Elizabeth or,' and after 'Maurice river,' insert 'Stillwell's landing on.'

Line 28, strike out 'Greenwich,' and insert 'Bridgetown.'

Page 5, line 5, after 'annexed,' insert 'New Castle and.' Strike out 'a' after 'as,' and insert 's' after 'port' in the second place.

Line 11, after 'river shall be,' strike out 'constituted.'

12, after 'Baltimore,' insert 'which shall be the sole port of entry.'

15, strike out 'constituted.'

16, after 'Chester,' insert 'which shall be the sole port of entry.'

17, after 'inclusive,' insert 'and Cambridge shall be a port of delivery only.'

18, after 'Oxford,' insert 'which shall be the sole port of entry.'

20, after 'inclusive,' insert 'and Salisbury shall be a port of delivery only.'

21, after 'Vienna,' insert 'which shall be the sole port of entry.'

24, strike out 'constituted.'

25, after 'Snow-Hill,' insert 'which shall be the sole port of entry.'

Page 6, line 11, strike out 'ten,' and insert 'twelve.' After 'to wit,' insert 'Hampton as one port.'

Line 12, after 'Tappahannock,' insert 'Yeocomico river, including Kinsale.'

13, after 'Louisville,' insert 'the authority of the officers at Hampton shall extend over all the waters, shores, bays, harbors, and inlets, between the south side of the mouth of York river, along the west shore of Chesapeake Bay to Hampton, and thence up James river to the west side of Chicahomony river; and a collector shall be appointed to reside at Hampton, which shall be the sole port of entry.'

Line 16, strike out 'the point of landing forming the south shore at the mouth of York river, thence up to Hampton,' and insert 'the mouth of James river.'

Line 17, strike out 'including both shores thereof,' after 'James river.'

19, strike out 'or Portsmouth, as the Secretary of the Treasury shall direct.'

20, strike out 'Hampton.'

Page 7, line 8, strike out 'to the district of Dumfries, including Newport, shall be annexed Yeocomico river, including Kinsale, as a port of delivery only; and a collector

for the district shall be appointed to reside at Dumfries, which shall be the sole port of entry; also, a surveyor to reside at Barren point, on Yeocomico river, and the authority of the officers of the said district shall extend over all the waters, shores, bays, harbors, and inlets, comprehended on the south side of Potomac river, from Smith's point to Cockpit point, on the said river,' and insert 'the district of Yeocomico river, including Kinsale, shall extend from Smith's point, on the south side of Potomac river, to Boyd's hole, on the same river, including all the waters, shores, bays, rivers, creeks, harbors, and inlets, along the south shore of Potomac river, to Boyd's hole aforesaid; and Yeocomico, including Kinsale, shall be the sole port of entry, and a collector shall be appointed to reside on Yeocomico river. The district of Dumfries, including Newport, shall extend from Boyd's hole to Cockpit point, on the south side of Potomac river; and a collector shall be appointed to reside at Dumfries, which shall be the sole port of entry; and the authority of the officers of this district shall extend over all the waters, shores, bays, harbors, and inlets, comprehended between Boyd's hole and Cockpit point, aforesaid.'

Page 8, line 14, after 'Jekyl island,' insert 'Frederica shall be a port of delivery only.'

Line 21, strike out 'constituted'

27, after 'Wilmington,' insert 'Newcastle and Port Penn.'

28, after 'Georgetown,' insert 'on Potomac.'

29, strike out 'or,' and insert 'and.'

Page 9, line 4, strike out 'any port or place in India or China, or beyond.'

Line 5, insert after 'Cape of Good Hope,' 'or from any place beyond the same.'

8, after 'Delaware,' insert 'Baltimore town.'

12, strike out 'and', and insert 'or.'

16, strike out '(except the port of Hampton in the said district.)'

21, strike out 'Hampton.'

27, after 'or,' insert 'the collector.'

Page 10, line 5, after 'Portsmouth,' insert 'or with the collector for the port of Hampton.'

Line 15, strike out 'making the same.'

18, after 'of goods,' insert 'to employ proper persons as weighers, gaugers, measurers, and inspectors, at the several ports within his district, together with such persons as shall be necessary to serve in the boats which may be provided for securing the collection of the revenue; to provide, at the public expense, and with the approbation of the principal officer of the Treasury Department, store-houses, for the safe keeping of goods, together with such scales, weights, and measures, as shall be deemed necessary.'

Line 22, strike out 'and jointly with him to employ proper persons as weighers, gaugers, measurers, and inspectors at the several ports within their district, together with such persons as shall be necessary to serve in the boats which may be provided for securing the collection of the revenue; to provide, at the public expense, and with the approbation of the principal officer of the Treasury Department, store-houses for the safe keeping of goods, together with such scales, weights, and measures, as shall be deemed necessary.'

Page 11, line 6, after 'naval officer,' insert '*And be it further enacted, That every collector appointed in virtue of this act, in case of his necessary absence, sickness, or inability to execute the duties of his office, may appoint a deputy, duly authorized under his hand and seal, to execute and perform, on his behalf, all and singular the powers, functions, and duties, of collector of the district to which he, the said principal, is attached, who shall be answerable for the neglect of duty, or other mal-conduct of his said deputy in the execution of the office.*'

'*And be it further enacted, That, in case of the disability or death of any collector, the duties and authorities vested in him by this act shall devolve on his deputy, if any such hath been appointed, (for whose conduct the estate of such disabled or deceased collector shall be liable,) and the said deputy shall exercise the authority, and perform all the duties, until a successor shall be appointed. But, in cases where no deputy is appointed, the authorities and duties of the disabled or deceased collector shall devolve upon the naval officer of the same district, until a successor, duly authorized and sworn, shall enter upon the execution of the duties of the said office.*'

Line 9, after 'port,' strike out 'and the surveyor shall, in like manner, execute all the duties required of other surveyors.'

Line 25, after 'informer,' insert 'and no weigher, gauger, measurer, or inspector, shall execute the duties of his office, until he shall have taken the above oath or affirmation.'

Page 12, line 7, after 'is bound,' insert 'and the name or names of the person or persons to whom the goods are consigned; or, in cases where the goods are shipped to order, the names of the shippers, noting the goods consigned to their orders.'

Line 19, after 'authorised,' insert 'and required.'

27, after 'ship or vessel,' insert 'but in open day or.'

30, strike out 'and if he be a pilot or officer of the customs.'

Page 13, line 1, after 'years,' insert 'and it shall be the duty of the collector of the district to advertise the names of all such persons in the public gazette of the state in which he resides, within twenty days after each respective conviction.'

Line 19, strike out 'credible witnesses,' and insert 'reputable citizens of the neighborhood, best acquainted with matters of that kind.'

Line 21, strike out 'within eight days next after the arrival of such ship or vessel.'

24, strike out 'exact.'

27, strike out 'thereon,' and insert 'on the said entry.'

Page 14, line 3, strike out 'thirty,' and insert 'ten.'

Line 25, strike out 'port,' and insert 'district, or to such person as he shall authorise or appoint, on his behalf, to receive the said goods.'

Line 26, strike out 'goods,' and insert 'packages, with their marks and numbers.'

Page 15, line 1, after 'discharged,' insert '*Provided always*, That the said limitation of fifteen days shall not extend to vessels laden with salt or coal; but, if the master or owner of such vessels require longer time to discharge their cargoes, the wages of the inspector, for every day's attendance exceeding the said fifteen days, shall be paid by the master or owner.'

Line 24, strike out 'from India or China,' and insert 'from any place beyond the same.'

Line 25, strike out 'of packages and commissions.'

Page 16, line 9, strike out 'one hundred,' and insert 'fifty.'

Line 14, strike out 'sufficient in,' and insert 'of double the.'

21, strike out 'one hundred,' and insert 'fifty.'

27, after 'clear out,' insert 'the register of which ship or vessel, at the time of entry, shall be lodged in the office of the collector, and there remain until such clearance.'

-Page 18, line 5, after 'equal to,' insert 'double.'

Line 11, after 'by any,' insert 'judge or.'

21, after 'that is to say,' strike out 'every collector in the sum of five thousand dollars; every naval officer in the sum of one thousand dollars; and every surveyor in the sum of one thousand dollars;' and insert 'the collector of Philadelphia, in the sum of sixty thousand dollars; the collector of New York, fifty thousand dollars; the collector of Boston, forty thousand dollars; the collectors of Baltimore town and Charleston, thirty thousand dollars; the collectors of Norfolk and Portsmouth, fifteen thousand dollars; the collectors of Portsmouth, in New Hampshire, of Salem, and Beverly, Wilmington, Annapolis, Georgetown, in Maryland, Bermuda Hundred, and City-point, and Alexandria, ten thousand dollars each; the collectors of Newburyport, Gloucester, Marblehead, Plymouth, Nantucket, Portland, and Falmouth, New London, New Haven, Fairfield, Perth-Amboy, Chester, Oxford, Yorktown, Dumfries, Georgetown, in South Carolina, Beaufort, and Savannah, each five thousand dollars; and all the other collectors in the sum of two thousand dollars each. The naval officers for the ports of Boston, New York, Philadelphia, Baltimore town, and Charleston, ten thousand dollars each; and all the other naval officers in the sum of two thousand dollars each. The surveyors of the ports of Boston, New York, Philadelphia, Baltimore town, and Charleston, five thousand dollars each, and all other surveyors one thousand dollars each.'

Page 18, line 24, after 'vessel,' strike out 'which is not wholly the property of a citizen or citizens of the United States, six dollars; for every entrance of any other ship or vessel of the burthen of one hundred tons or upwards, arriving from any foreign port, four dollars; for every entrance of any such other ship or vessel, under the burthen of one hundred tons, arriving from any foreign port, three dollars;' and insert 'of one hundred tons burthen and upwards, two dollars and an half; for every clearance of any ship or vessel of one hundred tons burthen and upwards, two dollars and an half; for every entrance of any ship or vessel under the burthen of one hundred tons, one dollar and an half; for every clearance of a ship or vessel under one hundred tons burthen, one dollar and an half.'

Line 3, after 'bond,' strike out 'to secure the payment of duties,' and insert 'taken officially.'

Line 4, after 'thirty cents,' insert 'for every official certificate twenty cents; for every bill of health twenty cents; for every other official document, registers excepted, required by the owner or master of every vessel not before enumerated, twenty cents.'

Line 6, strike out 'a common,' and insert 'an office to be provided by the collector, in the place of his residence, most convenient for the trade of the district, in which the said collector and naval officer shall each have, at least, one separate room.'

After 'office,' insert 'and the said fees shall be received by the collector, who shall settle the accounts monthly, and pay to the naval officer the balance which may be due to him on such monthly settlement.'

Page 19, line 7, strike out 'any ship or vessel which is not wholly the property of a citizen or citizens of the United States, and having on board goods, wares, or merchandise, subject to duty, four dollars; for the like services on board any other such ship or vessel, two dollars; for the like services on board any ship or vessel, wholly belonging to a citizen or citizens of the United States, and having on board goods, wares, and merchandise, subject to duty, three dollars; for the like services on board every other ship or vessel, one dollar;' and insert, 'any ship or vessel of one hundred tons and upwards, and having on board goods, wares, and merchandise, subject to duty, three dollars; for the like services on board any ship or vessel of less than one hundred tons burthen, having on board goods, wares, and merchandise, subject to duty, one dollar and an half; on all vessels not having on board goods, wares and merchandise, subject to duty, two-thirds of a dollar.'

Line 12, after 'shall be paid,' insert 'to the collector.'

13, after 'performed,' insert 'and the said collector shall pay weekly to the surveyor the fees so received.'

Line 16, after 'paid by,' strike out 'owners thereof,' and insert 'collector,' out of the revenue.'

Line 18, strike out 'two cents,' and insert 'one cent.'

Page 20, line 25, after 'such goods,' insert 'a protest in due form of law, made by the master and mate, or some of the seamen, or in case no such protest can be had.'

Page 21, line 19, after 'recompence,' insert 'for conniving.'

Line 20, strike out 'with intent to elude the payment of any debt, or the performance of any duty established by law.'

Line 24, strike out 'the sum of one hundred,' and insert 'a sum not less than two hundred, nor more than two thousand.'

Page 22, line 15, after 'merchandise and,' insert 'shall give bond to.'

After 'thereof,' insert 'and to respond the cost in case he shall not support his claim.'

Page 23, line 9, strike out 'two,' and insert 'three.'

24, line 2, strike out 'of foreign,' and insert 'not of their own.'

Line 10, after the end of the paragraph, insert 'and all goods, wares, and merchandise, brought into the United States by land, contrary to this act, shall be forfeited, together with the carriages, horses, and oxen, that shall be employed in conveying the same.'

Adjourned to 11 o'clock to-morrow.

TUESDAY, JULY 28, 1789.

The Senate assembled: present as yesterday.

Mr. Johnson, in behalf of the committee appointed the 13th of May, reported a bill entitled "An act for the punishment of certain crimes against the United States;" which was read a first time, and Monday next was assigned for a second reading.

The Secretary carried to the House of Representatives the bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, or merchandises, imported into the United States," concurred in with amendments.

On motion, the Senators from the state of New York proceeded to draw lots for their classes, in conformity to the resolve of the 14th of May; and two lots, No. 3 and a blank, being, by the Secretary, rolled up and put into the box, Mr. Schuyler drew blank; and, Mr. King having drawn No. 3, his seat shall accordingly be vacated in the Senate at the expiration of the sixth year.

The Secretary proceeded to put two other lots into the box, marked Nos. 1 and 2; and, Mr. Schuyler having drawn lot No. 1, his seat shall accordingly be vacated in the Senate at the expiration of the second year.

Proceeded in a second reading of the bill, entitled "An act for the establishment and support of light houses, beacons, and buoys."

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have considered the amendments proposed by the Senate upon the bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States," and have concurred therein. And he withdrew.

Adjourned to 11 o'clock to-morrow.

WEDNESDAY, JULY 29, 1789.

The Senate assembled: present as yesterday, and Mr. Ellsworth attended.

Resumed the second reading of a bill, entitled "An act for the establishment and support of light houses, beacons, and buoys."

A message from the House of Representatives, by Mr. Beckley, their Clerk: who informed the Senate "that a committee was appointed, with such committee as the Senate on their part might appoint, to examine an enrolled bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States," and, when signed by the Vice President, and Speaker, to lay the same before the President of the United States, for his approbation. And he withdrew.

The Senate proceeded to the appointment of Mr. Few, a committee on their part, for the purposes expressed in the above message; and the Secretary notified the House of Representatives accordingly.

Resumed the second reading of the bill, entitled "An act to establish the Treasury Department;" and postponed the further consideration thereof until to-morrow.

Proceeded to the second reading of the bill, entitled "An act for settling the accounts between the United States and individual states;" and assigned to-morrow for a third reading.

Adjourned to 11 o'clock to-morrow.

THURSDAY, JULY 30, 1789.

The Senate assembled: present as yesterday.

Proceeded to a third reading of the bill, entitled "An act for settling the accounts between the United States and individual states," and resolved, that the Senate do concur therein; and the Secretary notified the House of Representatives accordingly.

Proceeded to the second reading of the bill, entitled "An act for the establishment and support of light-houses, beacons, and buoys."

The committee on the part of the Senate, reported, that the joint committee, appointed to examine an enrolled bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States," had performed that service.

Mr. Beckley, the Clerk of the House of Representatives, brought up the above mentioned enrolled bill, signed by the Speaker. And withdrew.

The Vice President signed the enrolled bill, and the committee proceeded to lay it before the President of the United States.

Proceeded in a second reading of the bill, entitled "An act to establish the Treasury Department;" and assigned to-morrow for a third reading.

On motion, that the sense of the Senate should be taken on the following resolve: to wit.

Resolved, That a clause passed, or amendment made, in committee, shall not be revised in the same committee, but may be so done in the Senate; and no amendment or clause agreed to in the Senate shall be reconsidered until the next reading of the bill, except at the third reading of a bill, when, by the consent of the Senate, it may be amended:

Passed in the negative.

Adjourned to 11 o'clock to-morrow.

FRIDAY, JULY 31, 1789.

The Senate assembled: present as yesterday.

Proceeded to a third reading of the bill, entitled "An act to establish the Treasury Department."

On the question, Shall the words 'and an assistant to the Secretary of the Treasury,' at the end of the first paragraph, be stricken out?

Passed in the negative.

On motion, to strike out the words 'Secretary of the Treasury,' and insert 'three Superintendents of the Treasury:'

It passed in the negative.

And, on the question upon the bill,

Resolved, That the Senate do concur therein, with the following amendments: to wit.

Page 1, line 5, after 'treasury,' insert 'which assistant shall be appointed by the said Secretary.'

Line 20, strike out 'of.' Between the words 'debts' and 'due' insert 'that are or shall be.'

Page 2, line 3, between the words 'the' and 'House,' insert 'Senate and.'

Line 15, strike out 'three,' and insert 'six.'

Line 20, strike out 'certify upon,' and insert 'record.'

Line 21, after 'treasury,' insert 'certify the same thereon.'

Line 23, strike out these words: 'And be it further enacted, That the assistant to the Secretary of the Treasury shall be appointed by the President; and whenever the Secretary shall be removed from office by the President of the United States, or in any other case of vacancy in the office of Secretary, the assistant shall, during the vacancy, have the charge and custody of the records, books, and papers, appertaining to the said office.'

Line 28, strike out 'that shall be'

Page 3, line 5, strike out these words: 'on conviction, be deemed guilty of a high misdemeanor, shall forfeit the penalty of five thousand dollars, and be forever incapable of holding any office under the United States; and any other officer herein mentioned, so offending, shall be removed from office, and pay a fine of two thousand dollars; the forfeitures under this act to go, one half to the United States, the other half to him who will sue for it,' and insert 'be deemed guilty of a high misdemeanor, and forfeit to the United States the penalty of three thousand dollars, and shall, upon conviction, be removed from office, and forever thereafter incapable of holding any office under the United States: *Provided*, That, if any other person than a public prosecutor shall give information of any such offence, upon which a prosecution and conviction shall be had, one half the aforesaid penalty of three thousand dollars, when recovered, shall be for the use of the person giving such information.'

A message from the House of Representatives, by Mr. Beckley, their Clerk: who informed the Senate that "the House of Representatives had appointed Mr. White and Mr. Partridge, with such as the Senate may join, a standing committee, to examine the enrollment of all bills, as the same shall pass the two Houses, and, after being signed by the President of the Senate, and Speaker of the House of Representatives, to present them forthwith to the President of the United States;"

Also, that the President of the United States had affixed his signature to a bill, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States," and had returned it to the House of Representatives. And he withdrew.

The Senate proceeded to appoint Mr. Wingate a committee on their part, to examine and present to the President of the United States the enrolled bills that may pass the Senate and House of Representatives from time to time.

Proceeded to the third reading of the bill, entitled "An act for the establishment and support of light-houses, beacons, and buoys," and resolved to concur therein, with the following amendments:

In the title of the bill, after 'beacons,' strike out 'and,' and after 'buoys,' insert 'and public piers.'

Line 1, strike out the whole of the section, except the word 'that,' and insert 'all expenses which shall accrue from and after the 15th day of August, 1789, in the necessary support, maintenance, and repairs, of all light-houses, beacons, buoys, and public piers, erected, placed, or sunk, before the passing of this act, at the entrance of, or within, any bay, inlet, harbor, or port of the United States, for rendering the naviga-

tion thereof easy and safe, shall be defrayed out of the Treasury of the United States: *Provided, nevertheless*, that none of the said expenses shall continue to be so defrayed by the United States, after the expiration of one year from the day aforesaid, unless such light-houses, beacons, buoys, and public piers, shall, in the mean time, be ceded to, and vested in, the United States, by the state or states, respectively, in which the same may be, together with the lands and tenements thereunto belonging, and together with the jurisdiction of the same.'

Line 11, strike out the whole section.

Line 15, after the word 'states,' insert 'in manner aforesaid.'

Line 18, after the word 'contracts,' strike out the whole of the remaining part of the section, and insert 'which shall be approved by the President of the United States, for building a light house near the entrance of Chesapeake Bay, and for re-building, when necessary, and keeping in good repair, the light houses, beacons, buoys, and public piers, in the several states, and for furnishing the same with all necessary supplies; and, also, to agree for the salaries, wages, or hire, of the person or persons appointed by the President for the superintendence and care of the same.'

'*And be it further enacted*, That all pilots in the bays, inlets, rivers, harbors, and ports, of the United States, shall continue to be regulated in conformity with the existing laws of the states, respectively, wherein such pilots may be, or with such laws as the states may, respectively, hereafter enact for the purpose, until further legislative provision shall be made by Congress.'

The Secretary carried the bill, entitled "An act to establish the Treasury Department," to the House of Representatives, concurred in with the amendments;

Also, the concurrence of the Senate in the resolve of the 31st July, and the appointment of Mr. Wingate a standing committee, jointly with a committee of the House, to examine and present the enrolled bills that may pass the Senate and House of Representatives from time to time.

Proceeded to the second reading of the bill, entitled "An act to provide for the government of the territory north west of the river Ohio;" and postponed the consideration thereof to Monday next.

Adjourned to 11 o'clock on Monday morning.

MONDAY, AUGUST 3, 1789.

The Senate assembled: present as on Saturday.

Proceeded to the second reading of a bill, entitled "An act to provide for the government of the territory north west of the river Ohio;" and assigned to-morrow for a third reading.

The bill, entitled "An act for the establishment and support of light houses, beacons, and buoys," concurred in with amendments, was carried to the House of Representatives by the Secretary.

A bill, entitled "An act to establish an Executive Department, to be denominated the Department of War," was considered, and a third reading postponed until to-morrow.

The bill, entitled "An act for the punishment of certain crimes against the United States," was read a second time, and the further consideration thereof was postponed.

Adjourned to 11 o'clock to-morrow.

TUESDAY, AUGUST 4, 1789.

The Senate assembled: present as yesterday, and Mr. Morris attended.

Proceeded to a third reading a bill, entitled "An act to establish an Executive Department, to be denominated the Department of War."

On motion to strike out these words in lines 6th and 7th, 'and naval,' 'ships,' or 'naval affairs:'

Passed in the negative.

On motion to strike out the words, line 14th, 'and who, whenever the said principal officer shall be removed from office by the President of the United States:'

And the yeas and nays being required by one fifth of the Senators present, the determination was as follows:

YEAS—Messrs. Butler, Few, Gunn, Grayson, Johnson, Izard, Langdon, Lee, and Wingate—9.

NAYS—Messrs. Carroll, Dalton, Ellsworth, Elmer, Henry, King, Morris, Reed, Schuyler, and Strong—10.

So the question was lost, and the words proposed to be struck out, were retained. And, upon the question on the bill,

Resolved, That the Senate do concur therein, with the following amendments:

Line 1, after 'Be it enacted by the,' strike out 'Congress of the United States,' and insert 'Senate and House of Representatives of the United States of America in Congress assembled.'

Line 3, after 'war,' strike out 'and.' Strike out 'by reason of,' and insert 'for.'

16, strike out 'Provided, nevertheless, That no appointment of such chief clerk shall be valid until the same shall have been approved by the President of the United States.'

Which bill, with the amendments, was carried to the House of Representatives.

Proceeded to the third reading of a bill, entitled "An act to provide for the government of the territory north west of the river Ohio."

On motion to insert these words after the word 'President,' in the last line of the second section, 'by and with the consent of the Senate:'

And the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Butler, Few, Gunn, Grayson, Johnson, Izard, Langdon, and Wingate—8.

NAYS.—Messrs. Carroll, Dalton, Ellsworth, Elmer, Henry, King, Morris, Read, Schuyler, and Strong—10.

So it passed in the negative.

And on the question upon the bill, it was

Resolved, To concur therein, with the following amendments, to wit:

Line 10, after 'United States, and' strike out 'all appointments to offices which, by the said ordinance, were to have been made by the United States in Congress assembled, shall be made by the President of the United States, with the advice and consent of the Senate,' and insert 'the President shall nominate, and by and with the advice and consent of the Senate, shall appoint, all officers, which, by the said ordinance were to have been appointed by the United States in Congress assembled.'

Line 17, after 'shall,' insert 'be.'

Which bill, with the amendments, was carried to the House of Representatives.

A message from the House of Representatives, by Mr. Beckley, their Clerk: who brought up a bill, entitled "An act for making compensation to the President and Vice President of the United States," and desired the concurrence of the Senate therein;

Informed the Senate that the House had agreed to the amendments on the bill, entitled "An act for the establishment and support of light houses, beacons, and buoys,"

Brought up the acceptance, by the House of Representatives, of a report of a joint committee upon the mode of presenting addresses, the enrollment of bills, &c.

Also, an enrolled bill, entitled "An act for settling the accounts between the United States and individual states," examined by the committee, and signed by the Speaker of the House of Representatives;

Together with the appointment of Mr. Wadsworth, Mr. Carroll, and Mr. Hartley, a committee, to join with a committee of the Senate, to be appointed for the purpose, "to consider of and report when it will be convenient and proper that an adjournment of the present session of Congress should take place; and to consider and report such business, now before Congress, necessary to be finished before the adjournment, and such as may be conveniently postponed to the next sessions; and, also, to consider and report such matters, now before Congress, but which it will be necessary should be considered and determined by Congress, before an adjournment." And he withdrew.

The Vice President affixed his signature to the enrolled bill, entitled "An act for settling the accounts between the United States and individual states;" and the committee proceeded to lay it before the President of the United States for his approbation.

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, AUGUST 5, 1789.

The Senate assembled: present as yesterday.

Proceeded to a first reading of a bill, entitled "An act for allowing a compensation to the President and Vice President of the United States," and assigned to-morrow for the second reading.

Appointed Messrs. Strong, Ellsworth, and Carroll, a committee, jointly with the com-

mittee of the House of Representatives, to that purpose appointed, to consider what business is necessary to be acted upon prior to an adjournment, and to report a proper time at which an adjournment shall take place, agreeably to a proposition from the House of Representatives of the 4th of August.

The resolve of the House of Representatives, on the report of a joint committee appointed the 8th of May, upon the enrollment and presentation of the acts of Congress, &c. was read, and ordered to be printed for the consideration of the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk: who brought up the concurrence of the House on the amendments proposed by the Senate to a bill, entitled "An act to establish an Executive Department, to be denominated the Department of War;"

Their concurrence on the proposed amendments to a bill, entitled "An act to provide for the government of the territory north-west of the river Ohio;"

And he informed the Senate that the President of the United States had affixed his signature to a bill, entitled "An act for settling the accounts between the United States and individual States;"

He also brought up the following resolve, and the bill therein mentioned. And withdrew.

"CONGRESS OF THE UNITED STATES.

"In the House of Representatives,

"Monday, the 3d of August, 1789.

"The House proceeded to consider the amendments proposed by the Senate to the bill, entitled "An act to establish the Treasury Department;" whereupon,

"Resolved, That this House doth agree to the second, third, fourth, fifth, sixth, and seventh amendments.

"Tuesday, the 4th of August.

"The House resumed the consideration of the amendments proposed by the Senate to the bill, entitled "An act to establish the Treasury Department;" whereupon,

"Resolved, That this House doth agree to the first amendment; also, to so much of the eighth amendment as proposes to strike out the following words, in the seventh clause of the bill: to wit.

"The assistant to the Secretary of the Treasury shall be appointed by the President, and;" and doth disagree to such other part of the said eighth amendment, as proposes to strike out the rest of the clause.

"Wednesday, the 5th of August,

"The House resumed the further consideration of the amendments proposed by the Senate to the bill, entitled "An act to establish the Treasury Department;" whereupon,

"Resolved, That this House doth agree to the ninth and tenth amendments."

The Senate proceeded to the consideration of the above recited message; and,

Resolved to insist on their eighth amendment proposed to the House of Representatives on the bill, entitled "An act to establish the Treasury Department."

Mr. Butler, in behalf of the committee to whom it was referred, "to arrange and bring forward a system to regulate the trade and intercourse between the United States and the territory of other powers in North America and the West Indies," reported,

That it will be expedient to pass a law for imposing an increased duty of tonnage, for a limited time, on all foreign ships and other vessels that shall load in the United States, with the produce of the same, to any port or place in America whereto the vessels of the United States are not permitted to carry their own produce; but such a law being of the nature of a revenue law, your committee conceive that the originating a bill for that purpose, is, by the constitution, exclusively placed in the House of Representatives.

Your committee beg leave further to report, as their opinion, that it will be expedient to direct a bill to be brought in, for imposing similar restraints upon the trade of the European settlements in America with the United States, that are imposed on the trade of the United States with those settlements.

Resolved, That the first clause of this report be accepted, and that the remainder of the report be recommitted; and that it be an instruction to the committee, in case it shall be their opinion that a legislative provision ought to be made on the subject of the commitment, to report a bill for that purpose; and that Mr. Ellsworth, Mr. King, and Mr. Read, be added to the committee.

Adjourned to 11 o'clock to-morrow.

THURSDAY, AUGUST 6, 1789.

The Senate assembled: present as yesterday.

Mr. Wingate, in behalf of the Committee of Enrollment, reported, that they had examined

A bill, entitled "An act for the support of light houses, beacons, buoys, and public piers;"

A bill, entitled "An act to provide for the government of the territory north west of the river Ohio;"

A bill, entitled "An act to establish an Executive Department, to be denominated the Department of War;" and that the same were perfected.

The Senate proceeded to a second reading of a bill, entitled "An act for allowing a compensation to the President and Vice President of the United States, and committed it to Messrs. Morris, Read, Elmer, Schuyler, Langdon, Carroll, Ellsworth, Strong, Few, Izard, and Lee.

"CONGRESS OF THE UNITED STATES.

"In the House of Representatives,

"Monday, the 27th of July, 1789.

"The House proceeded to consider the report of a committee of the whole House, to whom was referred the report of the committee, appointed to confer with a committee of the Senate, in preparing joint rules to be established between the two Houses, for the enrollment, attestation, publication, and preservation, of the acts of Congress; and to regulate the mode of presenting addresses and other acts to the President of the United States: whereupon,

"Resolved, That the following be established joint rules between the two Houses: to wit.

"That, while bills are on their passage between the two Houses, they shall be on paper, and under the signature of the Secretary or Clerk of each House, respectively.

"After a bill shall have passed both Houses, it shall be duly enrolled on parchment, by the Clerk of the House of Representatives, or the Secretary of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the President of the United States.

"When bills are enrolled, they shall be examined by a joint committee of one from the Senate, and two from the House of Representatives, appointed as a standing committee for that purpose, who shall carefully compare the enrollment with the engrossed bills, as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bills, make their report forthwith to the respective Houses.

"After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the House of Representatives, and then by the President of the Senate.

"After a bill shall have thus been signed in each House, it shall be presented by the said committee, to the President of the United States, for his approbation; it being first endorsed on the back of the roll, certifying in which House the same originated, which endorsement shall be signed by the Secretary or Clerk, as the case may be, of the House in which the same did originate, and shall be entered on the journal of each House. The said committee shall report the day of presentation to the President, which time shall also be carefully entered on the journal of each House.

"All orders, resolutions, and votes, which are to be presented to the President of the United States for his approbation, shall, also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner, and by the same committee, as is provided in case of bills.

"That, when the Senate and House of Representatives shall judge it proper to make a joint address to the President, it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker, and both Houses."

Read, and *Resolved,* That the Senate do concur in the report.

A message from the House of Representatives, by Mr. Beckley, their Clerk: who brought up a bill, entitled "An act for registering and clearing vessels, regulating the coasting trade, and for other purposes;"

An enrolled bill, entitled "An act for the support of light houses, beacons, buoys, and public piers;"

An enrolled bill, entitled "An act to provide for the government of the territory north west of the river Ohio;"

An enrolled bill, entitled "An act to establish an Executive Department, to be denominated the Department of War;"

Severally signed by the Speaker of the House of Representatives. And he withdrew.

The three last mentioned bills were signed by the Vice President, and delivered to the committee of enrollment, for presentation; which was accordingly done.

Proceeded to the first reading of a bill, entitled "An act for registering and clearing vessels, regulating the coasting trade, and for other purposes;" and assigned Monday next for a second reading

The Secretary carried to the House of Representatives the bill, entitled "An act to establish the Treasury Department;" with the resolution of the Senate to *insist* on their eighth amendment. Also,

The concurrence of the Senate in the resolve of the House of Representatives, of the 4th of August, and the appointment of a committee, on the part of the Senate, to consider the business necessary to be transacted previous to a recess of Congress.

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, AUGUST 7, 1789.

The Senate assembled: present as yesterday, and Mr. Paterson, from the state of New Jersey, attended.

In the absence of the Vice President, proceeded to elect a President pro tempore; and the votes being collected, and counted, the Hon. John Langdon was unanimously appointed.

A message from the President of the United States, by General Knox:

Gentlemen of the Senate:

The business which has hitherto been under the consideration of Congress, has been of so much importance, that I was unwilling to draw their attention from it to any other subject. But the disputes which exist between some of the United States and several powerful tribes of Indians, within the limits of the Union, and the hostilities which have, in several instances, been committed on the frontiers, seem to require the immediate interposition of the general government.

I have, therefore, directed the several statements and papers which have been submitted to me on this subject, by General Knox, to be laid before you for your information.

While the measures of government ought to be calculated to protect its citizens from all injury and violence, a due regard should be extended to those Indian tribes, whose happiness, in the course of events, so materially depends on the national justice and humanity of the United States.

If it should be the judgment of Congress that it would be most expedient to terminate all differences in the southern district, and to lay the foundation for future confidence by an amicable treaty with the Indian tribes in that quarter, I think proper to suggest the consideration of the expediency of instituting a temporary commission for that purpose, to consist of three persons, whose authority should expire with the occasion. How far such a measure, unassisted by posts, would be competent to the establishment and preservation of peace and tranquility on the frontiers, is also a matter which merits your serious consideration.

Along with this object, I am induced to suggest another, with the national importance and necessity of which I am deeply impressed; I mean, some uniform and effective system for the militia of the United States. It is unnecessary to offer arguments in recommendation of a measure, on which the honor, safety, and well-being of our country so evidently and so essentially depend: but it may not be amiss to observe, that I am particularly anxious it should receive as early attention as circumstances will admit; because, it is now in our power to avail ourselves of the military knowledge disseminated throughout the several states by means of the many well instructed officers and soldiers of the late army; a resource which is daily diminishing by death and other causes. To suffer this peculiar advantage to pass away unimproved, would be to neglect an opportunity which will never again occur, unless, unfortunately, we should again be involved in a long and arduous war.

GEO. WASHINGTON.

New York, August 7, 1789.

The above message was ordered to lie for consideration.

Mr. Morris, in behalf of the committee on the bill, entitled "An act for allowing a compensation to the President and Vice President of the United States," reported an amendment: to wit.

To expunge, in the provision for the Vice President, 'five thousand dollars,' and insert, 'six thousand dollars.'

On motion to reduce the provision for the President of the United States, from 'twenty-five thousand' to 'twenty thousand dollars.'

Passed in the negative.

On motion to make the provision for the Vice President eight thousand dollars, instead of five thousand dollars:

Passed in the negative.

And, on motion, the further consideration of this clause of the bill was postponed.

A message from the House of Representatives, by Mr. Beckley, their Clerk: who informed the Senate, that the President of the United States had affixed his signature to the following bills:

"An act to provide for the government of the territory north west of the river Ohio;"

"An act to establish an Executive Department, to be denominated the Department of War;"

"An act for the establishment and support of light-houses, beacons, buoys, and public piers;" and had returned them to the House of Representatives. And he withdrew.

Mr. Grayson requested leave of absence for the recovery of his health.

The concurrence of the Senate, upon the resolve of the House on the mode of enrollment, and the presentation of bills, &c. was carried to the House of Representatives.

Adjourned to 11 o'clock on Monday morning.

MONDAY, AUGUST 10, 1789.

The Senate assembled: present as on Friday.

Mr. Strong, on behalf of the joint committee appointed the 5th of August, "to consider what business is necessary to be acted upon prior to an adjournment, and to report a proper time at which an adjournment shall take place," reported; and the report was ordered to lie for consideration.

A message from the House of Representatives, by Mr. Beckley, their Clerk: who brought up a bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses;" and requested the concurrence of the Senate therein. And he withdrew.

A message from the President of the United States, by General Knox:

Gentlemen of the Senate:

I have directed a statement of the troops, in the service of the United States, to be laid before you for your information.

These troops were raised by virtue of the resolves of Congress of the 20th October, 1786, and the 3d of October, 1787, in order to protect the frontiers from the depredations of the hostile Indians; to prevent all intrusions on the public lands; and to facilitate the surveying and selling of the same, for the purpose of reducing the public debt.

As these important objects continue to require the aid of the troops, it is necessary that the establishment thereof should, in all respects, be conformed by law to the constitution of the United States.

GEO. WASHINGTON.

New York, August 10, 1789.

A statement of the troops in the service of the United States.

The establishment as directed to be raised and organized by the acts of Congress, of the 3d of October, 1787, to wit:

One regiment of infantry, consisting of 1 lieutenant colonel commandant,
2 majors,
7 captains,
7 lieutenants,
8 ensigns,
1 surgeon,
4 mates.

Eight companies, each of which to consist of four sergeants, four corporals, two musicians, and sixty privates, - - - - - 560

One battalion of artillery, consisting of 1 major,
4 captains,
8 lieutenants,
1 surgeon's mate.

Four companies, each of which to consist of four sergeants, four corporals, two musicians, and sixty privates - - - - - 280

Non-commissioned and privates - - - - - 840

That the pay of the troops was fixed by the act of Congress of the 12th of April, 1785, and confirmed by the acts of the 20th of October, 1786, and the 3d of October, 1787, to wit:

Lieutenant Colonel commandant, at 50 dollars per month.

Major,	-	-	-	45	do
Captain,	-	-	-	35	do
Lieutenant,	-	-	-	26	do
Ensign,	-	-	-	20	do
Surgeon	-	-	-	45	do
Mate,	-	-	-	30	do
Serjeants,	-	-	-	6	do
Corporals,	-	-	-	5	do
Musicians,	-	-	-	5	do
Privates,	-	-	-	4	do

That the subsistence to the officers, in lieu of rations, are the same as during the late war, to wit:

Lieutenant Colonel commandant, at — dollars per month.

Major,	-	-	-	20	do
Captain,	-	-	-	12	do
Lieutenant,	-	-	-	8	do
Ensign,	-	-	-	8	do
Surgeon,	-	-	-	16	do
Mate,	-	-	-	8	do

That lieutenants, acting as adjutant, quartermaster, and paymaster, are allowed, by the act of Congress of the 12th of April, 1785, for their extra duty, ten dollars per month.

That the allowance of forage is as follows:

3 Majors, each	12 dollars per month.
1 Surgeon,	6 do.
3 Regimental Staff, each	6 do.

That, by the Act of Congress of the 31st of July, 1787, lieutenant-colonel commandant Harmar was promoted to the rank of brigadier-general, by brevet, with an allowance of the emoluments, but not the pay of said rank.

That the emoluments are as follows, to wit:

Subsistence,	64 dollars per month,
Forage,	18 do.

That each non-commissioned officer and soldier are allowed, annually, one suit of uniform clothes, as follows:

- 1 coat,
- 1 vest,
- 2 pairs woollen overalls,
- 2 pairs linen overalls,
- 1 hat,
- 4 shirts,
- 4 pairs shoes,
- 4 pairs socks,
- 1 stock,
- 1 stock clasp,
- 1 pair shoe buckles,
- 1 blanket.

That each non-commissioned officer and soldier are also allowed one ration per day, to consist of the following articles:

- 1 pound of bread, or flour,
 - 1 pound of beef, or $\frac{3}{4}$ pound of pork,
 - 1 gill of common rum,
 - 1 quart of salt,
 - 2 quarts of vinegar,
 - 2 pounds of soap,
 - 1 pound of candles,
- } to every hundred rations.

That the troops in actual service, are as follow:

Two companies of artillery, raised by virtue of the acts of Congress of the 20th of October, 1786, and continued by the act of Congress of the 9th of April, 1787, one of which is stationed at the arsenal at West Point, on Hudson's river, and the other at the arsenal at Springfield, on Connecticut river, - - - - - 76

Troops stationed on the frontiers, as follow:

At the various posts north-west of the river Ohio, - - - - - 596

672

Wanting to complete the establishment, - - - - - 168

840

Non-commissioned officers and privates, - - - - -

That all the troops are enlisted for three years;

That the engagements of the two companies of artillery at West Point and Springfield, will expire the beginning of the year 1790;

That, of the troops on the frontiers, enlisted by virtue of the acts of Congress of the 3d of October, 1787, five hundred and twenty-eight non-commissioned officers and soldiers will have to serve, generally, to the middle of the year 1791, and two companies, consisting of sixty-eight non-commissioned officers and privates, until towards the month of May, 1792;

That the change in the government of the United States, will require that the articles of war be revised and adapted to the Constitution;

That the oaths necessary to be taken by the troops be prescribed, and also the form of the commissions which are to be issued to the officers.

All which is humbly submitted to the President of the United States.

H. KNOX.

War Office, August 8th, 1789.

The Senate proceeded to the second reading of a bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes."

Ordered, That it be committed to Messrs. Morris, Dalton, Langdon, Butler, and King.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate that the House had desired a conference on so much of the eighth amendment proposed by the Senate, on the bill, entitled "An act to establish the Treasury Department;" as was disagreed to by the House of Representatives, and had appointed Messrs. Madison, Fitzsimons, and Boudinot, managers on the part of the House. And he withdrew.

Whereupon,

Resolved, That the Senate do agree to the conference; and that Messrs. Johnson, Lee, and Strong, be the managers on the part of the Senate.

And the House was notified thereof accordingly.

Adjourned to 11 o'clock to-morrow.

TUESDAY, AUGUST 11, 1789.

The Senate assembled: present as yesterday.

Proceeded to the first reading of the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses;" and assigned to-morrow for the second reading.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up a resolve of the House, of the 10th of August, providing, "that the survey, directed by Congress in their act of June the 6th, 1788, be made, and returned into the Treasury without delay. And he withdrew.

The above resolve was read in Senate, and the consideration thereof postponed to Friday next.

Proceeded in the second reading of the bill, entitled "An act for the punishment of certain crimes against the United States;" and, after progress,

Adjourned to 11 o'clock to-morrow.

WEDNESDAY, AUGUST 12, 1789.

The Senate assembled: present as yesterday.

Proceeded in the second reading of the bill, entitled "An act for the punishment of certain crimes against the United States;" and postponed the farther consideration thereof until to-morrow.

Proceeded to a second reading of the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses;" the further consideration of which was postponed."

Adjourned to 11 o'clock to-morrow.

THURSDAY, AUGUST 13, 1789.

The Senate assembled: present as yesterday.

Proceeded in the second reading of the bill, entitled "An act for the punishment of certain crimes against the United States."

Ordered, That Monday next be assigned for a third reading.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up a bill, entitled "An act providing for the expenses which may attend negotiations or treaties with the Indian tribes, and the appointment of commissioners for managing the same;" together with the papers referred to in the President's message of the 7th of August. And he withdrew.

The bill, entitled "An act providing for the expenses which may attend negotiations or treaties with the Indian tribes, and the appointment of commissioners for managing the same," was read a first time.

Ordered, That to-morrow be assigned for a second reading.

Adjourned to 11 o'clock to-morrow.

FRIDAY, AUGUST 14, 1789.

The Senate assembled: present as yesterday.

The petition of Nathaniel Gorham, praying that a resolution of the House of Representatives of the United States, providing "that the survey directed by an act of Congress of the 6th of June, 1788, be made," might not pass the Senate in its present form, for reasons set forth in the petition;

The resolve of the House of Representatives of the United States, of the 11th August, referred to in the said petition; and

The petition of Andrew Ellicot, on the same subject, were severally read; and the consideration of the business was postponed until Wednesday next.

Proceeded to a second reading of the bill, entitled "An act providing for the expenses which may attend negotiations or treaties with the Indian tribes, and the appointment of commissioners for managing the same."

Ordered, That the bill be committed to Messrs. Few, Ellsworth, King, Lee, and Butler.

Mr. Johnson, in behalf of the managers of the conference on the part of the Senate, upon the bill, entitled "An act to establish the Treasury Department," informed the Senate that they had conferred on the subject with the committee on the part of the House of Representatives, but could not agree upon a report.

Adjourned until 11 o'clock on Monday morning.

MONDAY, AUGUST 17, 1789.

The Senate assembled: present as on Friday.

Mr. Morris, on behalf of the committee to whom it was referred, reported sundry amendments to the bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes."

Ordered, That the further consideration thereof be postponed.

The committee, appointed to take into consideration the bill, entitled "An act providing for the expenses which may attend negotiations or treaties with the Indian tribes, and the appointment of commissioners for managing the same," reported, that it be

"*Resolved*, That there be allowed and paid to a superintendent of Indian Affairs in the southern department, that may be nominated by the President, and appointed by and with the advice and consent of the Senate, the sum of ——— per day, including his expenses for the time he may be employed in attending a treaty, proposed to be held by the commissioners of the United States and the Creek Indians, at the Rock-Landing, in the state of Georgia, on the 15th day of September next.

"That, in case the proposed treaty should fail in the desired object, of establishing peace between the citizens of the United States and the Creek Indians, Congress will

make such grants of money, and pursue such other measures, as will be necessary for the protection and safety of the inhabitants of the southern frontiers, and best secure the peace of the United States." And,

On motion to accept the report,

It passed in the negative.

On motion that it be

Resolved, That the President of the United States be requested to nominate a fit person for Superintendent of Indian Affairs in the southern department, in order that he may be sent forward as soon as may be, to act with the commissioners of Indian Affairs in the southern department, appointed pursuant to a resolution of Congress, passed on the —, day of —, and aid them in carrying into effect a treaty that is proposed to be held with the Creek nation, on the 15th day of September next, in the state of Georgia, at the Rock-Landing;

That the sum of — dollars be delivered to the said superintendent, to be appropriated for the immediate purpose of the said treaty, for which sum he shall be accountable;

That the President of the United States be requested to instruct the said superintendent and commissioners, to hear, and fully investigate, all the complaints and grievances of the said Creek Indians, and to use all the means in their power to quiet their minds, and to do them ample justice, agreeably to the aforesaid resolution of Congress, and instructions heretofore given for that purpose: That, if the said Indians should prove refractory, or refuse to treat and establish peace on just and reasonable terms, then, and in that case, the said superintendent and commissioners be directed to make immediate report thereof to the President of the United States, and Congress will make such grants of money, and pursue such other measures, as will be necessary for the safety and protection of the inhabitants of the southern frontiers, and best secure the peace of the United States:"

It passed in the negative.

On motion that it be

Resolved, That the President of the United States be authorised and empowered, and he is hereby authorised and empowered, should the Creek Indians decline to make peace with the state of Georgia, to take effectual measures for covering the state of Georgia from the incursions of the Indians, either by ordering some of the troops now at Fort Harmar to march to the frontiers of Georgia, or by embodying such a number of the militia as he shall think sufficient to insure to the citizens of Georgia protection, and the cultivation of their lands in peace and security; and that he be empowered to draw on the Treasury for defraying the expenses of the same:"

And on motion for the previous question: to wit.

"Shall the main question be now put?"

It passed in the negative.

The Senate adjourned to 11 o'clock to-morrow.

TUESDAY, AUGUST 18, 1789.

The Senate assembled: present as yesterday;

And proceeded in a second reading of the bill, entitled "An act providing for the expenses which may attend negotiations or treaties with the Indian tribes, and the appointment of commissioners for managing the same."

On motion to strike out 'eight dollars,' from the clause providing for the compensation to the commissioners, and insert 'five dollars,' in line 8th:

It passed in the negative.

On motion to insert after 'eight dollars per day,' 'at the discretion of the President:'

It passed in the negative.

On motion, upon the compensation to the commissioners, to strike out 'eight dollars,' and insert 'six dollars:'

It passed in the negative.

Ordered, That the rules of the House be so far dispensed with, as that the said bill shall have a third reading at this time.

On motion to strike out, in line 3d, 'forty,' and insert 'twenty,' in order thereby to limit the sum to be expended in negotiating a treaty with the Indian tribes, to twenty thousand dollars instead of forty thousand:

The yeas and nays being required by one-fifth of the Senators present; the determination was as follows:

YEAS.—Messrs. Carroll, Dalton, Ellsworth, Elmer, Henry, Johnson, King, Langdon, Read, Schuyler, Strong, and Wingate.—12.

NAYS.—Messrs. Butler, Few, Gunn, Izard, Lee, Maclay, and Morris.—7.

So it passed in the affirmative.

On motion that it be

Resolved, That Congress will make provision for the discharging of any expenses that may be incurred by such military arrangements, as the President of the United States may think proper to make, for the purpose of protecting the citizens of Georgia from the depredations of the Creek Indians, should peace not take place with them, or should they, having agreed to a peace, violate the same:

And, on motion for the previous question, to wit:

“Shall the main question be now put?”

It passed in the negative.

And, on the question upon the bill, it was

Resolved, To concur therein with the amendment.

Ordered, That the Secretary carry the said bill to the House of Representatives for their concurrence in the amendment.

Ordered, That the further consideration of the bill, entitled “An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes,” be postponed until to-morrow.

The Senate proceeded in a third reading of the bill, entitled “An act for the punishment of certain crimes against the United States;” and, after progress,

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, AUGUST 19, 1789.

The Senate assembled: present as yesterday, and Mr. Bassett attended.

Agreeably to the order of the day, the Senate proceeded to the consideration of a resolve of the House of Representatives, of the 10th of August, providing, “That the survey directed by Congress, in their act of June the 6th, 1788, be made, and returned to the Secretary of the Treasury without delay; and that the President of the United States be requested to appoint a fit person to complete the same, who shall be allowed five dollars per day, whilst actually employed in the said service, with the expenses necessarily attending the execution thereof.”

And, on motion “that the consideration of the resolution be postponed to such time in the next session of Congress, as that the legislature of the State of New York may be afforded an opportunity of interposing their objections:”

It passed in the negative.

On motion to insert or ‘persons,’ after the word ‘person:’

It passed in the negative.

On motion to insert ‘by and with the advice and consent of the Senate,’ after ‘President;’

It passed in the negative.

And, on the main question,

Resolved, That the Senate do concur in the said resolution.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House had concurred in their amendments proposed to the bill, entitled “An act providing for the expenses which may attend negotiations or treaties with the Indian tribes, and the appointment of commissioners for managing the same.” And he withdrew.

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, AUGUST 20, 1789.

The Senate assembled: present as yesterday, except Mr. Strong, absent with leave.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the enrolled bill, entitled “An act providing for the expenses which may attend negotiations or treaties with the Indian tribes, and the appointment of commissioners for managing the same,” examined by the Committee of Enrollment, and signed by the Speaker. And he withdrew.

Whereupon, the bill was signed by the Vice President, and by the Committee of Enrollment laid before the President of the United States for his approbation.

The Senate proceeded in the second reading of a bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes;" and, after progress,

Ordered, That the further consideration thereof be postponed.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the President of the United States had affixed his signature to a bill, entitled "An act providing for the expenses which may attend negotiations or treaties with the Indian tribes, and the appointment of commissioners for managing the same;" and had returned it to the House of Representatives.

Adjourned to 11 o'clock to-morrow.

FRIDAY, AUGUST 21, 1789.

The Senate assembled: present as yesterday;

And proceeded in the second reading of the bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes."

Ordered, That the bill be read the third time to-morrow.

Adjourned to 11 o'clock to-morrow.

SATURDAY, AUGUST 22, 1789.

The Senate assembled: present as yesterday.

The memorial of John Cox, and others, citizens of the state of New Jersey and of the state of Pennsylvania, praying that the future seat of government might be established on the banks of the Delaware, and proposing a cession of a tract of land of ten miles square, was read, and, together with a draft of the said tract, was laid on the table for consideration.

Proceeded in the third reading of the bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes;" and, after progress,

Adjourned to 10 o'clock on Monday morning.

MONDAY, AUGUST 24, 1789.

The Senate assembled: present as on Saturday.

Proceeded in the Executive business before the Senate.

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, AUGUST 25, 1789.

The Senate assembled: present as yesterday.

Mr. Maclay presented a draft of ten miles square, including the borough of Lancaster, with a letter, containing a description of the same, from Edward Hand, directed to the honorable Robert Morris and the honorable William Maclay. Mr. Maclay likewise nominated Wright's Ferry, on the Susquehannah; York-Town, west of the Susquehannah; Carlisle, west of the Susquehannah; Harrisburgh, on the Susquehannah; Reading, on the Schuylkill; and Germantown, in the neighbourhood of Philadelphia, as different places in Pennsylvania, which had been proposed for the permanent seat of government of the United States.

The letter being read, was, together with the draft, ordered to lie for consideration.

Proceeded to the third reading of the bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes;" and

Resolved, That the Senate do concur therein, with sixty-nine amendments.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up an enrolled resolve, providing, "That the survey directed by Congress, in their act of June 6th, 1788, be made," signed by the Speaker of the House of Representatives.

Also, the bill, entitled "An act to establish the Treasury Department," with an adherence of the House of Representatives to a part of the eighth amendment, to wit: 'whenever the Secretary of the Treasury shall be removed from office by the President of the United States, or in any other case of vacancy in the office of Secretary, the assistant shall, during the vacancy, have the charge and custody of the records, books, and papers, appertaining to the said office.'

He also brought up the resolve of the House of Representatives of the 24th of August, "that the Vice President and Speaker of the House of Representatives, do adjourn their respective Houses on the twenty-second day of September next, to meet again on the first Monday in December next."

Also, the resolve of the House of Representatives, that certain "articles be proposed to the legislatures of the several states, as amendments to the constitution, of the United States; and requested the concurrence of the Senate therein. And he withdrew.

The Senate proceeded to consider the resolve of the House of Representatives, of the 24th of August, "to adhere to the part of their eighth amendment," before recited, and,

On motion, that the Senate do recede therefrom, the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Bassett, Carroll, Ellsworth, Elmer, Henry, King, Morris, Paterson, Read, and Schuyler.—10.

NAYS.—Messrs. Butler, Dalton, Few, Gunn, Johnson, Izard, Langdon, Lee, Maclay, and Wingate.—10.

The Senate being equally divided, the Vice President determined the question in the affirmative. So it was

Resolved, That the Senate do *recede* from so much of the eighth amendment as was disagreed to by the House of Representatives.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

The Senate proceeded to consider the resolve of the House of Representatives of the 24th of August, proposing, "that the Vice President and Speaker be empowered to adjourn the Senate and House of Representatives, respectively, on the 22d of September," &c.; and,

On motion that it should lie for consideration:

It passed in the negative.

And, upon the main question,

Resolved, That the Senate do concur therein.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

The resolve of the House of Representatives of the 24th of August, was read, as followeth:

" CONGRESS OF THE UNITED STATES.

" *In the House of Representatives,*

" *Monday, the 24th of August, 1789.*

" *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, two thirds of both Houses deeming it necessary, That the following articles be proposed to the legislatures of the several states, as amendments to the constitution of the United States; all or any of which articles, when ratified by three-fourths of the said legislatures, to be valid, to all intents and purposes, as part of the said constitution: to wit.

" *Articles in addition to, and amendment of, the constitution of the United States of America*, proposed by Congress, and ratified by the legislatures of the several states, pursuant to the fifth article of the original constitution.

" *ART. I.* After the first enumeration, required by the first article of the constitution, there shall be one representative for every thirty-thousand, until the number shall amount to one hundred; after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred representatives, nor less than one representative for every forty thousand persons, until the number of representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred representatives, nor less than one representative for every fifty thousand persons.

" *ART. II.* No law, varying the compensation to the members of Congress, shall take effect, until an election of representatives shall have intervened.

" *ART. III.* Congress shall make no law establishing religion, or prohibiting the free exercise thereof; nor shall the rights of conscience be infringed.

" *ART. IV.* The freedom of speech, and of the press, and the right of the people peaceably to assemble and consult for their common good, and to apply to the government for redress of grievances, shall not be infringed.

" *ART. V.* A well regulated militia, composed of the body of the people, being the best security of a free state, the right of the people to keep and bear arms, shall

not be infringed, but no one religiously scrupulous of bearing arms shall be compelled to render military service in person.

"ART. VI. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, but in a manner to be prescribed by law

"ART. VII. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

"ART. VIII. No person shall be subject, except in case of impeachment, to more than one trial, or one punishment, for the same offence, nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

"ART. IX. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

"ART. X. The trial of all crimes (except in cases of impeachment, and in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger) shall be by an impartial jury of the vicinage, with the requisite of unanimity for conviction, the right of challenge, and other accustomed requisites; and no person shall be held to answer for a capital, or otherways infamous, crime, unless on a presentment or indictment by a grand jury; but, if a crime be committed in a place in the possession of an enemy, or in which an insurrection may prevail, the indictment and trial may, by law, be authorised in some other place within the same state.

"ART. XI. No appeal to the Supreme Court of the United States, shall be allowed, where the value in controversy shall not amount to one thousand dollars; nor shall any fact, triable by a jury according to the course of the common law, be otherwise re-examinable, than according to the rules of common law.

"ART. XII. In suits at common law, the right of trial by jury shall be preserved.

"ART. XIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

"ART. XIV. No state shall infringe the right of trial by jury in criminal cases, nor the rights of conscience, nor the freedom of speech, or of the press.

"ART. XV. The enumeration in the constitution of certain rights, shall not be construed to deny or disparage others, retained by the people.

"ART. XVI. The powers delegated by the constitution to the government of the United States, shall be exercised as therein appropriated, so that the legislative shall never exercise the powers vested in the executive or judicial; nor the executive the powers vested in the legislative or judicial; nor the judicial the powers vested in the legislative or executive.

"ART. XVII. The powers not delegated by the constitution, nor prohibited by it to the states, are reserved to the states respectively."

On motion to postpone the consideration of the articles to the next session of Congress:

It passed in the negative.

Ordered, That Monday next be assigned to take them under consideration.

The Vice President affixed his signature to the resolve directing "The survey ordered to be made by the act of Congress of June the 6th, 1788;"

And the Committee laid it before the President of the United States for his approbation.

Resumed the second reading of the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses."

Ordered, That it be committed to Messrs. King, Morris, Carroll, Izard, and Lee.

The Senate adjourned to 11 o'clock to-morrow.

WEDNESDAY, AUGUST 26, 1789.

The Senate assembled: present as yesterday.

Ordered, That the Secretary carry the bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes," to the House of Representatives, with the amendments, and request their concurrence therein.

The Senate proceeded in the third reading of the bill, entitled "An act for the punishment of certain crimes against the United States;" and, after progress, Adjourned to 11 o'clock to-morrow morning.

THURSDAY, AUGUST 27, 1789.

The Senate assembled: present as yesterday, except Mr. Langdon, absent with leave.

Mr. Wingate, on behalf of the committee appointed to examine an enrolled bill, entitled "An act to establish the Treasury Department," reported that they had performed that service.

The Senate proceeded in the third reading of the bill, entitled "An act for the punishment of certain crimes against the United States."

Ordered, That the bill be engrossed.

Mr. King, on behalf of the committee to whom was referred the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses," reported amendments.

Ordered, That to-morrow be assigned for taking the same into consideration
Adjourned to 11 o'clock to-morrow.

FRIDAY, AUGUST 28, 1789.

The Senate assembled: present as yesterday.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the President of the United States had signed an enrolled resolve, for carrying into effect "A survey directed by an act of the late Congress, of the 6th of June, 1788;" he brought up an enrolled bill, entitled "An act to establish the Treasury Department," signed by the Speaker of the House of Representatives; and an engrossed bill, entitled "An act to provide for the safe keeping of the acts, records and seal of the United States, and for other purposes;" and requested the concurrence of the Senate in the engrossed bill. He also informed the Senate, that the House of Representatives had concurred in the amendments proposed to the bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes," with amendments to the third and fifty-seventh amendments proposed by the Senate. And he withdrew.

The Senate proceeded in the second reading of the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses."

The report of the committee thereon was also read; in which it was proposed to strike out the first enacting clause of the bill: to wit.

'Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, at every session of the Congress of the United States, or whenever the Senate shall assemble for the purpose of exercising any of the powers and duties in them vested by the constitution, every member of each branch shall be entitled to receive at the rate of six dollars, and the Speaker of the House of Representatives twelve dollars, for every day he shall attend; and shall, also, be allowed, at the commencement of every session, six dollars for every twenty-five miles of the estimated distance, by the most usual route by land, from his place of residence to the seat of Congress, and the same allowance at the end of every session. And in every case in which the Senate may be convened in the recess of Congress, each member thereof attending shall be entitled to the same allowance: *Provided*, That no Senator shall be entitled to more than one such allowance for any one session of the Senate, nor more than at the rate of six dollars per day from the end of any one session to the commencement of a succeeding session: and in case any member shall, on his journey to or from the session of that branch of which he is a member, be detained by sickness, or be unable to attend after his arrival, he shall be entitled to the like daily compensation.'

And to substitute the following:

'Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, at every session of Congress, and at every meeting of the Senate in the recess of Congress, prior to the fourth day of March, in the year one thousand seven hundred and ninety-five, each Senator shall be entitled to receive six dollars for every day he shall attend the Senate; and shall, also, be allowed, at the commencement and end of every such session and meeting, six dollars for every

twenty miles of the estimated distance, by the most usual road, from his place of residence to the seat of Congress; and in case any member of the Senate shall be detained by sickness, on his journey to or from any such session or meeting, or, after his arrival, shall be unable to attend the Senate, he shall be entitled to the same daily allowance: *Provided always*, That no Senator shall be allowed for travelling expenses a sum exceeding the rate of six dollars a day, from the end of one such session or meeting, to the commencement of another.

And be it further enacted, That, at every session of Congress, and at every meeting of the Senate in the recess of Congress, after the aforesaid fourth day of March, in the year one thousand seven hundred and ninety-five, each Senator shall be entitled to receive eight dollars for every day he shall attend the Senate; and shall, also, be allowed, at the commencement and end of every such session and meeting, eight dollars for every twenty miles of the estimated distance, by the most usual road, from his place of residence to the seat of Congress; and in case any member of the Senate shall be detained by sickness, on his journey to or from any such session or meeting, or, after his arrival, shall be unable to attend the Senate, he shall be entitled to the same allowance of eight dollars a day: *Provided always*, That no Senator shall be allowed, for travelling expenses, a sum exceeding the rate of eight dollars a day, from the end of one such session, or meeting, to the commencement of another.

And be it further enacted, That, at every session of Congress, each Representative shall be entitled to receive six dollars for every day he shall attend the House of Representatives; and shall also be allowed, at the commencement and end of every session, six dollars for every twenty miles of the estimated distance, by the most usual road, from his place of residence to the seat of Congress; and in case any Representative shall be detained by sickness, on his journey to or from the session of Congress, or, after his arrival, shall be unable to attend the House of Representatives, he shall be entitled to the daily allowance aforesaid. And the Speaker of the House of Representatives, to defray the incidental expenses of his office, shall be entitled to receive, in addition to his compensation as a Representative, six dollars for every day he shall attend the House.

On motion to postpone the report for the purpose of taking up the following resolve, to wit:

Resolved, That there ought to be a discrimination between the compensation to be allowed to the Senators and to the members of the House of Representatives:

It passed in the affirmative.

And, on the question upon the resolve, the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Bassett, Butler, Dalton, Ellsworth, Few, Gunn, Henry, Johnson, Izard, King, Lee, Morris, and Read.—13.

NAYS.—Messrs. Carroll, Elmer, Maclay, Paterson, Schuyler, and Wingate.—6.

So it passed in the affirmative.

The Senate resumed the consideration of the report of the committee; and,

On motion to strike out therefrom the clause providing for the compensation to the Representatives, 'six dollars,' and insert 'five dollars,' the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Ellsworth, Elmer, Johnson, Maclay, Schuyler, and Wingate.—6.

NAYS.—Messrs. Bassett, Butler, Carroll, Dalton, Few, Gunn, Henry, Izard, King, Lee, Morris, Paterson, and Read.—13.

So it passed in the negative.

On motion to concur in the clause providing for the compensation to the Representatives, as reported by the committee:

It passed in the affirmative.

On motion to allow twenty miles for a day's travel, in the clause providing for the compensation to the Senators, 'prior to the 4th day of March, one thousand seven hundred and ninety-five:'

It passed in the affirmative.

On motion to strike out of the report, the words, 'prior to the 4th day of March, in the year one thousand seven hundred and ninety-five,' in the same clause of the report:

It passed in the negative.

On motion to amend the bill, as it regards the compensation to the Senators, by striking out 'six dollars,' and inserting 'five dollars:'

The yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Elmer, Maclay, Schuyler, and Wingate.—4.

NAYS.—Messrs. Bassett, Butler, Carroll, Dalton, Ellsworth, Few, Gunn, Henry, Johnson, Izard, King, Lee, Morris, and Read.—14.

So it passed in the negative.

On motion to amend the second section of the report of the committee, in which provision is made for the compensation to the Senate, after the year one thousand seven hundred and ninety-five, so as that 'seven' should be inserted instead of 'eight,' in the four places in which 'eight' is mentioned:

It passed in the affirmative.

And, on the question upon the report, it was accepted as amended.

The Senate resumed the consideration of the bill.

On motion upon the following clause, line 12th: to wit, 'that there shall be allowed to each chaplain of Congress at the rate of five hundred dollars per annum, during the sessions of Congress,' to strike out the words, 'at the rate of five,' and 'insert four,' and to strike out from line 13th 'during the sessions of Congress.'

It passed in the affirmative.

In the clause of the bill, beginning at line 13: to wit, 'to the Secretary of the Senate, and Clerk of the House of Representatives, at the rate of fifteen hundred dollars per annum, each, to commence from their respective appointments, and, also, a further allowance of two dollars per day to each, during the session of the branch for which he officiates:'

It was agreed to insert 'sixteen hundred' to the Secretary of the Senate, in lieu of 'fifteen hundred.'

Also, to strike out 'at the rate of;' to strike out 'each;' and these words 'and, also, a further allowance of two dollars per day to each, during the session of that branch for which he officiates.'

Line 17, from this clause, 'to employ one principal clerk, who shall be paid at the rate of three dollars,' it was agreed to strike out the words 'at the rate of.'

Also, from this clause, 'and an engrossing clerk, who shall be paid at the rate of two dollars per day,' it was agreed to strike out 'at the rate of.'

Ordered, That the bill have the third reading on Monday next.

The Senate proceeded to consider the message from the House of Representatives, of the twenty-eighth of August, proposing amendments to the third and fifty-seventh amendments of the Senate to a bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes."

Resolved, That the Senate do concur in the amendments to the amendments.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

The Vice President signed the bill, entitled "An act to establish the Treasury Department;" and it was delivered to the Committee of Enrollment, to lay before the President of the United States for his approbation.

Adjourned to 11 o'clock on Monday morning.

MONDAY, AUGUST 31, 1789.

The Senate assembled: present as on Friday.

The petition of Matthew Clarkson and others, public creditors, praying that measures may be taken to fund the debt of the United States, was read.

Ordered, That this petition lie for consideration.

The Senate proceeded to the third reading of the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses."

On motion to alter the clause, in which provision is made 'for the incidental expenses of the Speaker's office,' and insert 'three dollars, for every day he shall attend the House,' in the place of 'six dollars:'

It passed in the negative.

On motion to alter the proviso, in the first enacting clause, reported by the committee, to read as follows: '*Provided, always*, That no Senator shall be allowed a sum exceeding the rate of six dollars a day, from the end of one such session, or meeting, to the time of his taking a seat in another:'

It passed in the affirmative.

On motion to alter the proviso, in the second enacting clause, reported by the committee, to read as follows: '*Provided, always*, That no Senator shall be allowed a sum exceeding the rate of seven dollars a day, from the end of one such session, or meeting, to the time of his taking a seat in another:'

It passed in the affirmative.

On motion to add the following proviso to the third enacting clause, reported by the committee: to wit, "*Provided, always, That no Representative shall be allowed a sum exceeding the rate of six dollars a day, from the end of one such session or meeting, to the time of his taking a seat in another:*"

It passed in the affirmative.

On motion to reconsider the additional compensation agreed to for the Secretary of the Senate, and to concur with the House of Representatives in the compensation proposed in the bill, as it came from that House, for the Secretary of the Senate, and for the Clerk of the House of Representatives, excepting the words, 'at the rate of:'

It passed in the affirmative.

On motion to reconsider the compensation agreed to for the chaplains of Congress, and to concur in the bill as it came from the House of Representatives:

It passed in the negative.

On motion to reduce the compensation to the sergeant at arms, from four to three dollars per day:

It passed in the negative.

On motion to reduce the compensation to the doorkeepers of the Senate and House of Representatives, from three to two dollars per day:

It passed in the negative.

On motion to strike out all those clauses that relate 'to doorkeepers and assistant doorkeepers:'

It passed in the negative.

On the question upon the bill, it was

Resolved, That the Senate do concur therein, with the amendments.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

The bill, entitled "An act to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes," was read the first time.

Ordered, That this bill have a second reading on Tuesday next.

Resolved, That the engrossed bill, entitled "An act for the punishment of certain crimes against the United States," do pass.

Ordered, That the Secretary do carry the said bill to the House of Representatives, and request their concurrence therein.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought to the Senate an enrolled bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes," signed by the Speaker of the House of Representatives. And he withdrew.

The enrolled bill was signed by the Vice President, and delivered to the committee for presentation.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought to the Senate a bill, entitled "An act for establishing the salaries of the executive officers of government, with their assistants and clerks;" to which the concurrence of the Senate was requested. And he withdrew.

Ordered, That the last mentioned bill be now read.

Ordered, That this bill be read a second time on Tuesday.

Adjourned to 11 o'clock to-morrow.

TUESDAY, SEPTEMBER 1, 1789.

The Senate assembled: present as yesterday, except Mr. Few, absent with leave.

The Senate proceeded to the second reading of the bill, entitled "An act for establishing the salaries of the executive officers of government, with their assistants and clerks."

Ordered, That this bill have the third reading to-morrow.

Ordered, That the Secretary carry the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses," to the House of Representatives, and request their concurrence in the amendments.

The bill, entitled "An act to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes," was read the second time.

Ordered, That this bill have the third reading to-morrow.

Mr. Wingate, on behalf of the Committee of Enrollment, reported, that they did yesterday lay before the President of the United States, the bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other pur-

poses;" and the bill, entitled "An act to establish the Treasury Department," for his approbation.

Adjourned to 11 o'clock to-morrow.

WEDNESDAY, SEPTEMBER 2, 1789.

The Senate assembled: present as yesterday.

The bill, entitled "An act to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes," was read the third time, and

Ordered, That it be committed to Mr. King, Mr. Paterson, and Mr. Read.

The third reading of the bill, entitled "An act for establishing the salaries of the executive officers of government, with their assistants and clerks," was further postponed.

The petition of Harman Stout and others, in behalf of themselves and other clerks in the public offices, was read.

Ordered, That the said petition lie for consideration.

The resolve of the House of Representatives of the 24th of August, one thousand seven hundred and eighty nine, "that certain articles be proposed to the legislatures of the several states, as amendments to the constitution of the United States;" was taken into consideration; and, on motion to amend this clause in the first article, proposed by the House of Representatives, to wit: "After the first enumeration required by the first article of the constitution, there shall be one representative for every thirty thousand, until the number shall amount to one hundred, by striking out 'one,' and inserting 'two,' between the words 'amount' and 'hundred:'"

The yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Dalton, Gunn, Grayson, King, Lee, and Schuyler.—6.

NAYS. — Messrs. Bassett, Butler, Carroll, Ellsworth, Elmer, Henry, Johnson, Izard, Morris, Paterson, Read, and Wingate.—12.

So it passed in the negative.

On motion to adopt the first article proposed by the resolve of the House of Representatives, amended as follows: to strike out these words "after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred representatives, nor less than one representative for every forty thousand persons, until the number of representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred representatives, nor less than one representative to every fifty thousand persons;" and to substitute the following clause after the words "one hundred:" to wit, "to which number one representative shall be added for every subsequent increase of forty thousand, until the representatives shall amount to two hundred, to which one representative shall be added for every subsequent increase of sixty thousand persons:"

It passed in the affirmative.

Adjourned to 11 o'clock to-morrow.

THURSDAY, SEPTEMBER 3, 1789.

The Senate assembled: present as yesterday,

And resumed the consideration of the resolve of the House of Representatives, of the 24th of August, upon the proposed amendments to the constitution of the United States.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the President of the United States had affixed his signature to the bill, entitled "An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes;" and to the bill, entitled "An act to establish the Treasury Department;" and had returned them to the House of Representatives;

He also brought up the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses;" and informed the Senate, that the House of Representatives had disagreed to the first, second, and third amendments, and had agreed to all the others;

He also brought up the bill, entitled "An act to suspend part of the act, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of

ships or vessels, and on goods, wares, and merchandises, imported into the United States." And he withdrew.

The two last mentioned bills were ordered to lie for consideration.

The Senate resumed the consideration of the resolve of the House of Representatives on the amendments to the constitution of the United States.

On motion to adopt the second article proposed in the resolve of the House of Representatives, amended as follows: to strike out these words, 'to the members of Congress,' and insert 'for the service of the Senate and House of Representatives of the United States:'

It passed in the affirmative.

On motion to amend article third, and to strike out these words: 'religion, or prohibiting the free exercise thereof,' and insert 'one religious sect or society in preference to others:'

It passed in the negative.

On motion for reconsideration:

It passed in the affirmative.

On motion that article the third be stricken out:

It passed in the negative.

On motion to adopt the following, in lieu of the third article: 'Congress shall not make any law infringing the rights of conscience, or establishing any religious sect or society:'

It passed in the negative.

On motion to amend the third article, to read thus: 'Congress shall make no law establishing any particular denomination of religion in preference to another, or prohibiting the free exercise thereof, nor shall the rights of conscience be infringed:'

It passed in the negative.

On the question upon the third article as it came from the House of Representatives:

It passed in the negative.

On motion to adopt the third article proposed in the resolve of the House of Representatives, amended by striking out these words, 'nor shall the rights of conscience be infringed:'

It passed in the affirmative.

On the fourth article it was moved to insert these words, 'to instruct their representatives,' after the words 'common good.'

And the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Grayson, and Lee.—2.

NAYS.—Messrs. Bassett, Carroll, Dalton, Ellsworth, Elmer, Gunn, Henry, Johnson, Izard, King, Morris, Paterson, Read, and Wingate.—14.

So it passed in the negative.

On motion to insert these words after 'press,' 'in as ample a manner as hath at any time been secured by the common law:'

It passed in the negative.

On motion to strike out the words, 'and consult for their common good and:'

It passed in the negative.

And it was agreed, that the further consideration of this article be postponed.

Mr. King, in behalf of the committee appointed on the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses," reported amendments: the consideration of which was postponed until to-morrow.

Adjourned to 11 o'clock to-morrow.

FRIDAY, SEPTEMBER 4, 1789.

The Senate assembled: present as yesterday.

The petition of Thomas O'Hara and others, in behalf of themselves and other clerks in the office of the paymaster-general, praying that their compensation may be augmented, was read.

Ordered, That this petition do lie on the table.

The Senate proceeded in the consideration of the resolve of the House of Representatives of the 24th of August, on "Articles to be proposed to the legislatures of the several states, as amendments to the constitution of the United States."

On motion to adopt the fourth article proposed by the resolve of the House of Representatives, to read as followeth: 'That Congress shall make no law, abridging

the freedom of speech, or of the press, or the right of the people peaceably to assemble and consult for their common good, and to petition the government for a redress of grievances.'

It passed in the affirmative.

On motion, upon the fifth article, to subjoin the following proposition, to wit: 'That standing armies, in time of peace, being dangerous to liberty, should be avoided, as far as the circumstances and protection of the community will admit; and that in all cases the military should be under strict subordination to, and governed by, the civil power; that no standing army or regular troops shall be raised in time of peace, without the consent of two-thirds of the members present in both Houses; and that no soldier shall be enlisted for any longer term than the continuance of the war.'

And the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Butler, Gunn, Grayson, Henry, Lee, and Wingate.—6.

NAYS.—Messrs. Carroll, Dalton, Ellsworth, Elmer, Johnson, King, Paterson, Read, and Schuyler.—9.

So it passed in the negative.

On motion to adopt the fifth article of the amendments proposed by the House of Representatives, amended to read as followeth: 'a well regulated militia, being the best security of a free state, the right of the people to keep and bear arms, shall not be infringed.'

It passed in the affirmative.

On motion to adopt the sixth article of amendments proposed by the House of Representatives:

It passed in the affirmative.

On motion to adopt the seventh article of amendments proposed by the House of Representatives:

It passed in the affirmative.

On motion to adopt the eighth article of amendments proposed by the House of Representatives, striking out these words, 'except in case of impeachment, to more than one trial, or one punishment,' and substitute the following words, 'be twice put in jeopardy of life or limb by any public prosecution.'

It passed in the affirmative.

On motion to adopt the ninth article of amendments proposed by the House of Representatives:

It passed in the affirmative.

On motion to adopt the tenth article, amended by striking out all the clauses in the article, except the following, 'no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment by a grand jury.'

It passed in the affirmative.

On motion to insert, in lieu of the eleventh article, 'the supreme judicial federal court shall have no jurisdiction of causes between citizens of different states, unless the matter in dispute, whether it concerns the realty or personalty, be of the value of three thousand dollars at the least; nor shall the federal judicial powers extend to any actions between citizens of different states, where the matter in dispute, whether it concerns the realty or personalty, is not of the value of fifteen hundred dollars at the least; and no part, triable by a jury according to the course of the common law, shall be otherwise re-examinable than according to the rules of common law.'

It passed in the negative.

On motion to adopt the eleventh article, amended to read as follows, 'no fact, triable by a jury according to the course of common law, shall be otherwise re-examinable in any court of the United States, than according to the rules of common law:'

It passed in the affirmative.

Adjourned until 11 o'clock on Monday morning.

MONDAY, SEPTEMBER 7, 1789.

The Senate assembled: present as on Friday.

Agreeably to the order of the day, the Senate proceeded in the third reading of the bill, entitled "An act to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes;" and, on the report of the committee,

Resolved, To concur therein, with fourteen amendments:

Ordered, That the Secretary do carry the bill to the House of Representatives, and request their concurrence in the amendments.

The Senate proceeded in the third reading of the bill, entitled "An act for esta-

publishing the salaries of the executive officers of government, with their assistants and clerks;" and,

Resolved, To concur therein, with nine amendments.

Ordered, That the Secretary do carry the bill to the House of Representatives, and request their concurrence in the amendments.

The bill, entitled "An act to suspend part of an act, entitled 'An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States,'" was read the first time.

Ordered, That this bill be read the second time to-morrow.

The Senate proceeded to the consideration of the resolve of the House of Representatives, of the 2d of September, on their disagreement to the first, second, and third amendments of the Senate to a bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses."

On motion, that the Senate do adhere to their first amendment on the said bill:

And the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Bassett, Butler, Dalton, Ellsworth, Gunn, Henry, Johnson, Izard, King, Lee, Morris, and Read.—12.

NAYS.—Messrs. Carroll, Elmer, Paterson, Schuyler, and Wingate.—5.

So it was

Resolved, That the Senate do *adhere* to their first amendment to the said bill.

Resolved, That the Senate do *recede* from their second and third amendments to the said bill.

Ordered, That the Secretary carry a message to the House of Representatives accordingly.

Proceeded in the third reading of the bill, entitled "An act for allowing a compensation to the President and Vice President of the United States;" and,

On the report of the committee,

Resolved, That the Senate do concur in the said bill, with the following amendment, to wit:

In the compensation to the Vice President, to strike out 'five thousand,' and insert 'six thousand.'

Ordered, That the Secretary do carry the bill to the House of Representatives, and request their concurrence in the amendment.

The Senate resumed the consideration of the resolve of the House of Representatives of the 24th of August, on "Articles to be proposed to the legislatures of the several states, as amendments to the constitution of the United States."

On motion to adopt the twelfth article of the amendments proposed by the House of Representatives, amended by the addition of these words to the article, to wit: 'where the consideration exceeds twenty dollars:'

It passed in the affirmative.

On motion to adopt the thirteenth article of the amendments proposed by the House of Representatives:

It passed in the affirmative.

On motion to adopt the fourteenth article of the amendments proposed by the House of Representatives:

It passed in the negative.

In the consideration of the fifteenth article proposed by the House of Representatives, on motion to add the following to the proposed amendments, to wit: 'That the general government of the United States ought never to impose direct taxes but where the moneys arising from the duties, impost, and excise, are insufficient for the public exigencies, nor then, until Congress shall have made a requisition upon the states to assess, levy, and pay, their respective proportions of such requisitions; and in case any state shall neglect or refuse to pay its proportion, pursuant to such requisition, then Congress may assess and levy such state's proportion, together with interest thereon, at the rate of six per cent. per annum, from the time of payment prescribed by such requisition:'

It passed in the negative.

On motion to add the following to the proposed amendments, to wit: 'That the third section of the sixth article of the constitution of the United States, ought to be amended, by inserting the word 'other' between the words 'no' and 'religious:'

It passed in the negative.

On motion to add the following amendment to the constitution of the United States, to wit: 'That Congress shall not exercise the powers vested in them by the fourth section of the first article of the constitution of the United States, but in cases where a state shall neglect or refuse to make regulations therein mentioned, or shall make regulations subversive of the rights of the people, to a free and equal representation in Congress, agreeably to the constitution.'

It passed in the negative.

On motion to subjoin the following to the amendments proposed by the House of Representatives, to wit: 'That Congress shall not erect any company of merchants with exclusive advantages of commerce.'

It passed in the negative.

On motion to subjoin the following to the amendments proposed by the House of Representatives, to wit: 'That Congress shall at no time consent that any person holding an office of trust or profit under the United States, shall accept of a title of nobility, or any other title or office, from any king, prince, or foreign state.'

It passed in the negative.

On motion to subjoin the following to the amendments proposed by the House of Representatives, to wit: 'That no person indebted to the United States shall be entitled to a seat in either branch of the legislature.'

It passed in the negative.

On motion to adopt the fifteenth article of amendments to the constitution of the United States, proposed by the House of Representatives:

It passed in the affirmative.

On motion to adopt the sixteenth article of amendments to the constitution of the United States, proposed by the House of Representatives:

It passed in the negative.

On motion to amend the seventeenth article, by inserting the word 'expressly,' before the word 'delegated:'

It passed in the negative.

On motion to adopt the seventeenth article of amendments to the constitution of the United States, proposed by the House of Representatives, to read as follows: 'The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.'

It passed in the affirmative.

On motion to amend the preamble of the resolve,

A motion was made to postpone the further consideration thereof until to-morrow; and,

It passed in the affirmative.

Adjourned to 11 o'clock to-morrow.

TUESDAY, SEPTEMBER 8, 1789.

The Senate assembled: present as yesterday,

And proceeded in the consideration of the resolve of the House of Representatives of the 24th of August, "On articles to be proposed to the legislatures of the several states, as amendments to the constitution of the United States."

On motion to amend the preamble to the amendments, proposed by the House of Representatives, by preceding the same as follows, to wit: 'The conventions of a number of the states having, at the time of their adopting the constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added; and, as extending the grounds of public confidence in the government will best insure the beneficent ends of its institution:'

It passed in the affirmative.

On motion to amend the preamble by striking out these words, lines 6th and 7th, 'deeming it necessary,' and inserting instead thereof 'concurring:'

It passed in the affirmative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That there are certain natural rights, of which men, when they form a social compact, cannot deprive or divest their posterity, among which are the enjoyment of life and liberty, with the means of acquiring, possessing, and protecting, property, and pursuing and obtaining happiness and safety:'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution-

tion of the United States, proposed by the House of Representatives, to wit: 'That all power is naturally vested in, and consequently derived from, the people; that magistrates, therefore, are their trustees and agents, and at all times amenable to them.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That government ought to be instituted for the common benefit, protection, and security, of the people; and that the doctrine of non-resistance, against arbitrary power and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That no man, or set of men, are entitled to exclusive or separate public emoluments or privileges from the community, but in consideration of public services, which, not being descendible, neither ought the offices of magistrate, legislator, or judge, or any other public officer, to be hereditary.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That the legislative, executive, and judiciary, powers of governments should be separate and distinct, and that the members of the two first may be restrained from oppression, by feeling and participating the public burthens, they should, at fixed periods, be reduced to a private station, return into the mass of the people, and the vacancies be supplied by certain and regular elections; in which all or any part of the former members to be eligible or ineligible, as the rules of the constitution of government, and the laws, shall direct.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That every freeman restrained of his liberty, is entitled to a remedy, to inquire into the lawfulness thereof, and to remove the same, if unlawful, and that such remedy ought not to be denied nor delayed.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That every freeman ought to find a certain remedy, by recourse to the laws, for all injuries and wrongs he may receive in his person, property, or character; he ought to obtain right and justice, freely, without sale; completely, and without denial; promptly, and without delay; and that all establishments or regulations contravening these rights, are oppressive and unjust.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That the members of the Senate and House of Representatives shall be ineligible to, and incapable of, holding any civil office under the authority of the United States, during the time for which they shall respectively be elected.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That the journals of the proceedings of the Senate and House of Representatives shall be published at least once in every year, except such parts thereof relating to treaties, alliances, or military operations, as, in their judgment, require secrecy.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That a regular statement and account of the receipts and expenditures of all public money shall be published at least once in every year.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That no commercial treaty shall be ratified without the concurrence of two thirds of the whole number of the members of the Senate; and no treaty, ceding, contracting, restraining, or suspending, the territorial rights or claims of the United States, or any of them, or their, or any of their, rights or claims to fishing in the American seas, or na-

vigating the American rivers, shall be but in cases of the most urgent and extreme necessity; nor shall any such treaty be ratified without the concurrence of three-fourths of the whole number of the members of both Houses, respectively.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That no navigation law, or law regulating commerce, shall be passed without the consent of two-thirds of the members present in both Houses.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That no standing army or regular troops shall be raised or kept up in time of peace, without the consent of two thirds of the members present in both Houses.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That no soldier shall be enlisted for any longer term than four years, except in time of war, and then for no longer term than the continuance of the war.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That each state, respectively, shall have the power to provide for organizing, arming, and disciplining, its own militia, whensoever Congress shall omit or neglect to provide for the same; that the militia shall not be subject to martial law, except when in actual service, in time of war, invasion, or rebellion; and when not in the actual service of the United States, shall be subject only to such fines, penalties, and punishments, as shall be directed or inflicted by the laws of its own state.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That the exclusive power of legislation given to Congress over the Federal town and its adjacent district, and other places purchased or to be purchased by Congress of any of the states, shall extend only to such regulations as respect the police and good government thereof.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That no person shall be capable of being President of the United States for more than eight years in any term of sixteen years.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That the judicial power of the United States shall be vested in one supreme court, and in such courts of admiralty as Congress may, from time to time, ordain and establish in any of the different states; the judicial powers shall extend to all cases in law and equity, arising under treaties made, or which shall be made, under the authority of the United States; to all cases affecting ambassadors, other foreign ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; and between parties claiming lands under the grants of different states. In all cases affecting ambassadors, other foreign ministers, and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction; in all other cases before-mentioned the supreme court shall have appellate jurisdiction as to matters of law only, except in cases of equity, and of admiralty and maritime jurisdiction, in which the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make. But the judicial power of the United States shall extend to no case where the cause of action shall have originated before the ratification of this constitution; except in disputes between states about their territory, disputes between persons claiming lands under the grants of different states, and suits for debts due to the United States.'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That Congress shall not alter, modify, or interfere, in the times, places, or manner, of holding

elections for Senators and Representatives, or either of them, except when the legislature of any state shall neglect, refuse, or be disabled, by invasion or rebellion, to prescribe the same:'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That some tribunal, other than the Senate, be provided for trying impeachments of Senators:'

It passed in the negative.

On motion to add the following clause to the articles of amendment to the constitution of the United States, proposed by the House of Representatives, to wit: 'That the salary of a judge shall not be increased or diminished during his continuance in office, otherwise than by general regulations of salary, which may take place on a revision of the subject, at stated periods of not less than seven years, to commence from the time such salaries shall be first ascertained by Congress:'

It passed in the negative.

Ordered, That the further consideration of the resolve of the House of Representatives, on the articles of amendment, be postponed until to-morrow.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the bill, entitled "An act for allowing a compensation to the President and Vice President of the United States;" and informed the Senate, that the House of Representatives had disagreed to the amendment thereon;

He also brought up the bill, entitled "An act for establishing the salaries of the executive officers of government, with their assistants and clerks;" and informed the Senate, that the House of Representatives had agreed to their first, fourth, seventh, eighth, and ninth amendments, and had disagreed to all the rest;

Also, the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses;" and he informed the Senate, that the House of Representatives requested a conference on the subject matter of the disagreement of the two Houses on the said bill, and had appointed Messrs. Sherman, Tucker, and Benson, managers on the part of the House of Representatives;

He likewise informed the Senate, that the House of Representatives had concurred in their amendments to the bill, entitled "An act to provide for the safe keeping of the acts, records, and seal of the United States." And he withdrew.

The Senate proceeded to consider the resolve of the House of Representatives, and their disagreement to the amendment of the Senate on the bill, entitled "An act for allowing a compensation to the President and Vice President of the United States;" and,

Resolved, That the Senate do *insist* on their amendment to the said bill, and do request a conference on the subject matter of the disagreement, and that Messrs. King, Izard, and Morris, be managers of the conference on the part of the Senate.

The Senate proceeded to consider the resolve of the House of Representatives, of the eighth of September, and their disagreement to the amendments of the Senate on the bill, entitled "An act for establishing the salaries of the executive officers of government, with their assistants and clerks."

Resolved, That the Senate do *recede* from their second and sixth amendments, and do *insist* on their third and fifth amendments to the said bill.

Ordered, That the Secretary carry a message to the House of Representatives accordingly.

The Senate proceeded to the consideration of the resolve of the House of Representatives, of the eighth of September, desiring a conference on the subject matter of the first amendment proposed by the Senate to the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses;" and,

Resolved, That the Senate do agree to the proposed conference, and that Messrs. King, Izard, and Morris, be managers thereof on the part of the Senate.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

Adjourned to 11 o'clock to-morrow.

WEDNESDAY, SEPTEMBER 9, 1789.

The Senate assembled: present as yesterday.

Proceeded in the consideration of the resolve of the House of Representatives of

the 24th of August, on "Articles to be proposed to the legislatures of the several states as amendments to the constitution of the United States;" and,

On motion to amend article the third, to read as follows: "Congress shall make no law establishing articles of faith or a mode of worship, or prohibiting the free exercise of religion, or abridging the freedom of speech, or the press, or the right of the people peaceably to assemble, and petition to the government for the redress of grievances:"

It passed in the affirmative.

On motion to strike out the fourth article:

It passed in the affirmative.

On motion to amend article the fifth, by inserting these words, 'for the common defence,' next to the words 'bear arms:'

It passed in the negative.

On motion to strike out of this article, line the second, these words, 'the best,' and insert in lieu thereof 'necessary to the:'

It passed in the affirmative.

On motion, on article the fifth, to strike out the word 'fifth,' after 'article the,' and insert 'fourth,' and to amend the article to read as follows: 'A well regulated militia being the security of a free state, the right of the people to keep and bear arms shall not be infringed.'

It passed in the affirmative.

On motion to alter article the sixth so as to stand article the fifth, and article the seventh so as to stand article the sixth, and article the eighth so as to stand article the seventh:

It passed in the affirmative.

On motion that this last mentioned article be amended, to read as follows: 'No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger; nor shall any person be subject to be put in jeopardy of life or limb, for the same offence; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation:'

It passed in the affirmative.

On motion to strike out, from the ninth article, the word 'ninth,' and insert 'eighth:'

It passed in the affirmative.

On motion to strike out the tenth and the eleventh articles:

It passed in the affirmative.

On motion to strike out of the twelfth article the word 'twelfth,' and insert 'ninth:'

It passed in the affirmative.

And, on motion to amend this article, to read as follows: 'In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury, shall be otherwise re-examined in any court of the United States than according to the rules of the common law:'

It passed in the affirmative.

On motion to reconsider article the tenth, and to restore these words, to wit: 'The trial of all crimes (except in cases of impeachment, and in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger) shall be by an impartial jury of the vicinage, with the requisite of unanimity for conviction, the right of challenge, and other accustomed requisites:'

And the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Bassett, Dalton, Grayson, Gunn, Henry, Lee, Paterson, and Schuyler.—8.

NAYS.—Messrs. Carroll, Ellsworth, Johnson, Izard, King, Morris, Read, and Wingate.—8.

So the question was lost.

On motion to number the remaining articles, agreed to by the Senate, tenth, eleventh, and twelfth, instead of the numbers affixed by the resolve of the House of Representatives:

It passed in the affirmative.

Resolved, That the Senate do concur in the resolve of the House of Representatives, on "Articles to be proposed to the legislatures of the states, as amendments to the constitution of the United States," with the amendments; two-thirds of the Senators present concurring therein.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

Adjourned to 11 o'clock to-morrow.

THURSDAY, SEPTEMBER 10, 1789.

The Senate assembled: present as yesterday.

Mr. Wingate, in behalf of the committee, reported, that they had examined the enrolled bill, entitled "An act to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes;" also, the bill, entitled "An act for establishing the salaries of the executive officers of government, with their assistants and clerks;" and that they were correct.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives had agreed to *recede* from their disagreement to the third and fifth amendments, proposed by the Senate, to the bill, entitled "An act for establishing the salaries of the executive officers of government, with their assistants and clerks;"

That the House of Representatives had agreed to the proposed conference on the subject matter of the amendment to the bill, entitled "An act for allowing compensation to the President and Vice President of the United States;" and had appointed Messrs. Baldwin, Livermore, and Goodhue, managers of the conference on the part of the House of Representatives;

He also brought up a resolve of the House of Representatives, "that, until further provision be made by law, the General Post Office of the United States shall be conducted according to the rules and regulations prescribed by the ordinances and resolutions of the late Congress, and that contracts be made for the conveyance of the mail in conformity thereto;" and requested the concurrence of the Senate in the said resolve;

He also brought up the enrolled bill, entitled "An act to provide for the safe keeping of the acts, records, and seal, of the United States, and for other purposes;" together with the enrolled bill, entitled "An act for establishing the salaries of the executive officers of government, with their assistants and clerks;" severally signed by the Speaker of the House of Representatives." And he withdrew.

The Vice President affixed his signature to the above mentioned enrolled bills, and they were, by the Committee of Enrollment, laid before the President of the United States for his approbation.

The resolve of the House of Representatives, for the regulation of the post office, was read.

Ordered, That it be committed to Messrs. Butler, Morris, and Ellsworth, with an instruction to report a bill upon the subject.

The Senate proceeded in the second reading of the bill, entitled "An act to suspend part of an act, entitled 'An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States;'"

And, on motion that the bill be postponed:

It passed in the affirmative.

Adjourned to 11 o'clock to-morrow.

FRIDAY, SEPTEMBER 11, 1789.

The Senate assembled: present as yesterday.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the bill, entitled "An act for suspending the operation of part of an act, entitled 'An act imposing duties on tonnage,'" to which he requested the concurrence of the Senate;

He also informed the Senate, that the President of the United States had affixed his signature to the bill, entitled "An act for establishing the salaries of the executive officers of government, with their assistants and clerks;" and had returned it to the House of Representatives. And he withdrew.

Ordered, That the bill, entitled "An act for suspending the operation of part of an act, entitled 'An act imposing duties on tonnage,'" have the first reading at this time.

Ordered, That the rules of the Senate be so far dispensed with, as that the bill have a second reading at this time.

Ordered, That this bill, together with the bill, entitled "An act to suspend part of an act, entitled 'An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States,'" be committed to Messrs. Morris, Dalton, and Ellsworth.

Mr. Butler, in behalf of the committee appointed on the tenth of September, on the resolve of the House of Representatives, providing for the regulation of the post office, reported, not to concur in the resolve, and a bill upon the subject matter thereof;

And, on the question of concurrence in the resolve of the House of Representatives: It passed in the negative.

Ordered, That the bill, entitled "An act for the temporary establishment of the post office," have the first reading at this time.

Ordered, That this bill have the second reading to-morrow.

Adjourned to 11 o'clock to-morrow.

SATURDAY, SEPTEMBER 12, 1789.

The Senate assembled: present as yesterday.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives had receded from their disagreement to the first amendment made by the Senate to the bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses;" proposing the following amendment to the amendment of the Senate, to wit: *'And be it further enacted*, That this act shall continue in force until the fourth day of March, in the year one thousand seven hundred and ninety-six, and no longer." To which amendment to the amendment he requested the concurrence of the Senate. And he withdrew.

The Senate proceeded to consider the amendment proposed by the House of Representatives to the first amendment of the Senate to the bill last mentioned; and,

Resolved, That the Senate do concur with the House of Representatives therein.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

Mr. Morris, on behalf of the committee appointed the eleventh of September, to consider the two bills sent up from the House of Representatives for concurrence, reported an amendment to the bill, entitled "An act to suspend part of an act, entitled 'An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States,'" which report is as follows:

'Be it further enacted, That all the privileges and advantages to which ships and vessels, owned by citizens of the United States, are by law entitled, shall be, until the fifteenth day of January next, extended to ships and vessels wholly owned by citizens of the states of North Carolina, and Rhode Island and Providence Plantations: *Provided*, That the master of every such ship or vessel, last mentioned, shall produce a register for the same, conformable to the laws of the state in which it shall have been obtained, shewing that the said ship or vessel is, and before the first day of September instant was, owned as aforesaid; and make oath or affirmation, before the collector of the port in which the benefit of this act is claimed, that the ship or vessel, for which such register is produced, is the same therein mentioned, and that he believes it is still wholly owned by the person or persons named in said register, and that he or they are citizens of one of the states aforesaid.

'And be it further enacted, That all rum, loaf sugar, and chocolate, manufactured or made in the states of North Carolina, or Rhode Island and Providence Plantations, and imported or brought into the United States, shall be deemed and taken to be subject to the like duties, as goods of the like kinds, imported from any foreign state, kingdom, or country are made subject to.

'And be it further enacted, That Rehoboth, in the state of Massachusetts, shall be a port of entry and delivery, until the fifteenth day of January next, and that a collector be appointed for the same.'

The Senate agreed to postpone the report of the committee, and proceed to the third reading of the said bill.

Ordered, That sundry petitions of the citizens of the state of Rhode Island and North Carolina, praying for the relief proposed by this bill, be read.

On motion that 'August' be stricken out of line the eighth of the bill, and 'May' inserted:

It passed in the affirmative.

On motion that the report of the committee be accepted, as an amendment to the bill:

It passed in the affirmative.

On motion to amend the title of the bill, by subjoining these words, 'and for other purposes:'

It passed in the affirmative.

And, upon the question on the bill,

Resolved, That the Senate do concur therein with the amendments.

On the other bill referred to the committee, entitled "An act for suspending the operation of part of an act, entitled 'An act imposing duties on tonnage,'" they reported verbally; whereupon,

Resolved, That the Senate do not concur with the House of Representatives therein.

Ordered, That the Secretary carry a message to the House of Representatives accordingly.

Adjourned to 11 o'clock on Monday morning.

MONDAY, SEPTEMBER 14, 1789.

The Senate assembled: present as on Saturday.

Agreeably to the order of the day, the Senate proceeded in the second reading of the bill, entitled "An act for the temporary establishment of the post office;" and,

Ordered, That this bill have the third reading to-morrow.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives had concurred in the amendments proposed by the Senate to a bill, entitled "An act to suspend part of an act, entitled 'An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States;'"

He also brought up an enrolled bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses," signed by the Speaker of the House of Representatives. And he withdrew.

The Vice President affixed his signature to the last mentioned enrolled bill, and it was delivered to the Committee of Enrollment, to be laid before the President of the United States for his approbation.

Mr. Wingate, on behalf of the Committee of Enrollment, reported, that they did lay before the President of the United States, the enrolled bills, entitled "An act for establishing the salaries of the executive officers of government, with their assistants and clerks;" and a bill, entitled "An act to provide for the safe keeping of the acts, records, and seal, of the United States, and for other purposes."

Adjourned to 11 o'clock to-morrow.

TUESDAY, SEPTEMBER 15, 1789.

The Senate assembled: present as yesterday;

And proceeded in the third reading of the bill, entitled "An act for the temporary establishment of the post office."

Ordered, That this bill be engrossed.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the enrolled bill, entitled "An act to suspend part of an act, entitled 'An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States, and for other purposes,'" signed by the Speaker of the House of Representatives. And he withdrew.

Whereupon, the Vice President affixed his signature to the bill, and it was delivered to the Committee of Enrollment, to be laid before the President of the United States for his approbation.

Resolved, That the engrossed bill, entitled "An act for the temporary establishment of the post office," do pass.

Ordered, That the Secretary carry the last mentioned bill to the House of Representatives, and request their concurrence therein.

Adjourned to 11 o'clock to-morrow.

WEDNESDAY, SEPTEMBER 16, 1789.

The Senate assembled: present as yesterday.

Mr. Wingate, on behalf of the Committee of Enrollment, reported, that they yesterday laid before the President of the United States a bill, entitled "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses;" also, a bill, entitled "An act to suspend part of an act, entitled 'An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States, and for other purposes.'"

A message from the President of the United States, by the Secretary at War; which he delivered to the Vice President, and withdrew:

Gentlemen of the Senate:

The Governor of the Western Territory has made a statement to me of the reciprocal hostilities of the Wabash Indians, and the people inhabiting the frontiers bordering on the river Ohio, which I herewith lay before Congress.

The United States, in Congress assembled, by their acts of the 21st day of July, 1787, and of the 12th August, 1788, made a provisional arrangement for calling forth the militia of Virginia and Pennsylvania, in the proportions therein specified.

As the circumstances which occasioned the said arrangement continue nearly the same, I think proper to suggest to your consideration, the expediency of making some temporary provision for calling forth the militia of the United States for the purposes stated in the constitution, which would embrace the cases apprehended by the Governor of the Western Territory.

GEO. WASHINGTON.

September 16, 1789.

Ordered, That the message from the President do lie for consideration.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the President of the United States had affixed his signature to a bill, entitled "An act to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes;" also, to an act to suspend part of an act, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the the United States, and for other purposes;" and had returned them to the House of Representatives.

Adjourned to 11 o'clock to-morrow.

THURSDAY, SEPTEMBER 17, 1789.

The Senate assembled: present as yesterday.

Mr. Lee, in behalf of the committee appointed to prepare a bill for organizing the judiciary of the United States, reported also a bill, entitled "An act to regulate processes in the courts of the United States."

Ordered, That this bill have the first reading at this time.

Ordered, That this bill be read the second time to-morrow.

Ordered, That the message from the President of the United States, of the 16th of September, be further postponed.

A Message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives adhered to their disagreement to the amendment proposed by the Senate to a bill, entitled "An act for allowing a compensation to the President and Vice President of the United States;" and that the House of Representatives had concurred in the bill, entitled "An act for the temporary establishment of the post office;"

He also informed the Senate, that the House of Representatives had concurred in the bill, entitled "An act to establish the judicial courts of the United States," with amendments; to which amendments the concurrence of the Senate was requested. And he withdrew.

Ordered, That the last mentioned bill, together with the amendments, be committed to Messrs. Ellsworth, Butler, and Paterson.

Adjourned to 11 o'clock to-morrow.

FRIDAY, SEPTEMBER 18, 1789.

The Senate assembled: present as yesterday.

Mr. Wingate, on behalf of the Committee of Enrollment, reported, that they had examined an enrolled bill, entitled "An act for the temporary establishment of the post office," and had found it correct.

A Message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives had agreed to postpone the consideration of the bill, entitled "An act for the punishment of certain crimes against the United States," which had passed the Senate, and was sent to the House of Representatives for concurrence, until the next session of Congress;

He also brought up a resolve of the House of Representatives, making it "the duty of the Secretary of State to procure, from time to time, such of the statutes of the several states as may not be in his office;" to which the concurrence of the Senate was requested;

He also brought up an enrolled bill, entitled "An act for the temporary establishment of the post office," signed by the Speaker of the House of Representatives. And he withdrew.

The Vice President affixed his signature to the last recited bill, and it was delivered to the Committee of Enrollment for presentation.

The Senate proceeded to the second reading of the bill, entitled "An act to regulate processes in the courts of the United States."

Ordered, That the further consideration thereof be postponed until to-morrow.

The resolve of the House of Representatives, of the 18th September, empowering the Secretary of State to procure, from time to time, such of the statutes of the several states as may not be in his office, was read; whereupon,

Resolved, That the Senate do concur in the above resolution, sent up for concurrence by the House of Representatives.

Adjourned to 11 o'clock to-morrow.

SATURDAY, SEPTEMBER 19, 1789.

The Senate assembled: present as yesterday.

Mr. Wingate, on behalf of the Committee of Enrollment, reported, that they had laid before the President of the United States, for his approbation, an enrolled bill, entitled "An act for the temporary establishment of the post office."

Agreeably to the order of the day, the Senate proceeded in the second reading of the bill, entitled "An act to regulate processes in the courts of the United States."

Ordered, That the rules be so far dispensed with, as that the last recited bill have the third reading at this time.

Ordered, That the bill be engrossed.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up a bill, entitled "An act for amending part of an act, entitled 'An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States,'" to which the concurrence of the Senate was requested. And he withdrew.

Ordered, That the last recited bill now have the first reading.

Ordered, That the rules be so far dispensed with, as that this bill have a second reading at this time.

Ordered, That this bill have the third reading on Monday next.

Mr. Ellsworth, on behalf of the committee appointed to consider the amendments proposed by the House of Representatives to the bill, entitled "An act to establish the judicial courts of the United States," reported; whereupon,

Resolved, That the 9th, 16th, 41st, and 52d, amendments be disagreed to, and that the rest be agreed to, with an amendment to the 48th amendment, so that the clause there proposed to be inserted shall read as follows: "That, in cases punishable with death, the trial shall be had in the county where the offence was committed; or, where that cannot be done without great inconvenience, twelve petit jurors, at least, shall be summoned from thence; and jurors, in all cases, to serve in the courts of the United States, shall be designated by lot or otherwise, in each state respectively, according to the mode of forming juries therein, now practised, so far as the laws of the same shall render such designation practicable by the courts or marshals of the United States, and the jurors."

Ordered, That the Secretary do carry a message to the House of Representatives accordingly;

Also, That he carry the engrossed bill, entitled "An act to regulate processes in the courts of the United States," to the House of Representatives, and request concurrence therein.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the bill, entitled "An act for allowing certain compensation to the judges of the supreme and other courts, and to the attorney general of the United States;" to which concurrence was requested. And he withdrew.

Ordered, That the last recited bill have the first reading at this time.

Ordered, That the rules be so far dispensed with, as that this bill be now read the second time.

Adjourned until 11 o'clock on Monday morning.

MONDAY, SEPTEMBER 21, 1789.

The Senate assembled: present as on Saturday.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the bill, entitled "An act to establish the judicial courts of the United States," and informed the Senate that the House of Representatives had receded from the 9th, 16th, 41st, and 52d, amendments, and had concurred in the amendment of the Senate to the 48th amendment proposed by the House of Representatives. And he withdrew.

The Senate proceeded in the second reading of the bill, entitled "An act for allowing certain compensation to the judges of the supreme and other courts, and to the attorney general of the United States;" and, on motion to amend the clause, providing for the salary of the chief justice, by striking out 'thirty-five hundred,' and inserting 'four thousand:'

It passed in the affirmative.

On the question to amend the bill, by inserting five hundred at the end of three thousand, in the salaries of the associate justices of the supreme court:

The yeas and nays being requested by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Butler, Carroll, Gunn, Izard, King, Morris, Paterson, Read, and Schuyler.—9.

NAYS.—Messrs. Bassett, Dalton, Ellsworth, Grayson, Henry, Johnson, Lee, Maclay, and Wingate.—9.

The numbers being equal, the Vice President determined the question in the affirmative.

Ordered, That the rules be so far dispensed with, as that the bill have a third reading at this time.

On motion that the clause providing for the salary of the chief justice be amended, so as to stand 'three thousand eight hundred,' instead of 'four thousand dollars:'

It passed in the negative.

On motion that the clause providing for the salary of the attorney general, be amended, by striking out 'fifteen hundred dollars,' and inserting 'two thousand:'

It passed in the affirmative.

Resolved, That the Senate do concur with the House of Representatives in the above recited bill, with the amendments.

Ordered, That the Secretary do carry this bill to the House of Representatives, and request concurrence in the amendments.

Mr. Morris, in behalf of the Senators from the state of Pennsylvania, introduced a resolve of the General Assembly of that state, of March the 5th, 1789, making "a respectful offer to Congress of the use of any or all the public buildings in Philadelphia, the property of the state, &c. in case Congress should, at any time, incline to make choice of that city for the temporary residence of the federal government;" which was read.

Ordered, That it lie for consideration.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up a resolve of the House of this date, to agree to the 2d, 4th, 8th, 12th, 13th, 16th, 18th, 19th, 25th, and 26th amendments, proposed by the Senate, to "Articles of amendment to be proposed to the legislatures of the several states, as amendments to the constitution of the United States;" and to disagree to the 1st, 3d, 5th, 6th, 7th, 9th, 10th, 11th, 14th, 15th, 17th, 20th, 21st, 22d, 23d, and 24th, amendments: two thirds of the members present concurring on each vote:

and, "that a conference be desired with the Senate on the subject matter of the amendments disagreed to," and that Messrs. Madison, Sherman, and Vining, be appointed managers of the same, on the part of the House of Representatives. And he withdrew.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it be recommended to the legislatures of the several states, to pass laws, making it expressly the duty of the keepers of their gaols to receive, and safe keep therein, all prisoners committed under the authority of the United States, until they shall be discharged by due course of the laws thereof, under the like penalties as in the case of prisoners committed under the authority of such states respectively; the United States to pay for the use and keeping of such gaols, at the rate of fifty cents per month for each prisoner that shall, under their authority, be committed thereto, during the time such prisoners shall be therein confined; and, also, to support such of said prisoners as shall be committed for offences.

Ordered, That the Secretary do carry this resolve to the House of Representatives, and request concurrence therein.

The Senate proceeded to consider the disagreement of the House of Representatives to their amendment to the bill, entitled "An act for allowing a compensation to the President and Vice President of the United States; and,

Resolved, That the Senate do recede from their amendment to the said bill.

The Senate proceeded to consider the message of the House of Representatives, disagreeing to the amendments made by the Senate, to "Articles to be proposed to the legislatures of the several states, as amendments to the constitution of the United States;" and,

Resolved, That the Senate do recede from their third amendment, and do insist on all the others.

Resolved, That the Senate do concur with the House of Representatives in a conference on the subject matter of disagreement on the said articles of amendment, and that Messrs. Ellsworth, Carroll, and Paterson, be managers of the conference on the part of the Senate.

Ordered, That the Secretary do carry the bill, entitled "An act for allowing a compensation to the President and Vice President of the United States," together with the "Articles to be proposed as amendments to the constitution of the United States," to the House of Representatives, and acquaint them with the proceedings of the Senate thereon.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the resolve of the Senate of this day, making provision "for the safe keeping of the prisoners committed under the authority of the United States," concurred in by the House of Representatives;

Also, the bill, entitled "An act for allowing certain compensation to the judges of the supreme and other courts, and to the attorney general of the United States," and informed the Senate, that the House of Representatives had agreed to all the amendments proposed to the said bill, except the fourth, to which they had disagreed. And he withdrew.

The Senate proceeded to consider the disagreement of the House of Representatives to their fourth amendment to the bill last recited; and,

Resolved, That the Senate do *recede* therefrom.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

Adjourned to 11 o'clock to-morrow.

TUESDAY, SEPTEMBER 22, 1789.

The Senate assembled: present as yesterday.

Mr. Wingate, on behalf of the Committee of Enrollment, reported, that they had examined the enrolled bill, entitled "An act to establish the judicial courts of the United States;" and

The enrolled resolve, "for the safe keeping of prisoners committed under the authority of the United States;" which they had found correct.

Also, that they had examined the enrolled resolve, "that the Secretary of State procure the statutes of the several states;"

The enrolled bill, entitled "An act for allowing a compensation to the President and Vice President of the United States;"

And the bill, entitled "An act for allowing certain compensation to the judges of the supreme and other courts, and to the attorney general of the United States;" and had found them correct.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the following enrolled bills and resolves, signed by the Speaker of the House of Representatives, to wit:

The bill, entitled "An act to establish the judicial courts of the United States;"

The bill, entitled "An act for allowing certain compensation to the judges of the supreme and other courts, and to the attorney general of the United States;"

The bill, entitled "An act for allowing a compensation to the President and Vice President of the United States;"

The resolve "That the Secretary of State do procure the statutes of the several states;"

And, the resolve "for the safe keeping of the prisoners committed under the authority of the United States;"

Also, an order of the House of Representatives, for postponing the adjournment of Congress until the 26th of September, for concurrence. And he withdrew.

The Vice President affixed his signature to the enrolled bills and resolves, mentioned to be signed by the Speaker, and they were delivered to the committee, and by them laid before the President of the United States for his approbation.

A message from the President of the United States:

Mr. Lear, his Secretary, brought in the "Act for the temporary establishment of the post office;" and informed the Senate, that the President of the United States had approved of, and had affixed his signature thereto. And he withdrew.

The Senate proceeded to consider the order of the House of Representatives of this day, "rescinding the order to the Vice President and Speaker, of the 25th of August, to adjourn the respective Houses of Congress on the 22d, and empowering them to adjourn the same on the 26th instant; and,

Resolved, That the Senate do concur in the said order.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly;

And, that he do inform the House, that the President of the United States had approved of, and had affixed his signature to, the "Act for the temporary establishment of the post office."

Ordered, That the bill, entitled "An act to establish the seat of government of the United States," have the first reading at this time.

Ordered, That it be read a second time to-morrow.

Adjourned to 11 o'clock to-morrow.

WEDNESDAY, SEPTEMBER 23, 1789.

The Senate assembled: present as yesterday.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the bill, entitled "An act to recognize and adapt to the constitution of the United States, the establishment of the troops raised under the resolves of the United States, in Congress assembled, and for other purposes therein mentioned;" to which concurrence was requested;

He also informed the Senate, that the President of the United States had approved of, and affixed his signature to, "An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses;"

To "An act for allowing certain compensation to the judges of the supreme and other courts, and to the attorney general of the United States;"

To a resolve "that the Secretary of State do procure the statutes of the several states;" and that he had returned them to the House of Representatives. And he withdrew.

Ordered, That the bill, brought up from the House of Representatives this morning, be now read the first time.

Ordered, That this bill be read the second time to-morrow.

A message from the President of the United States:

Mr. Lear, his Secretary, delivered to the Vice President an enrolled resolve, "For the safe keeping of prisoners committed under the authority of the United States;" and informed the Senate, that the President of the United States had approved of, and affixed his signature thereto. And he withdrew.

Agreeably to the order of the day, the Senate proceeded to the second reading of the bill, entitled "An act to establish the seat of government of the United States;" and, after progress,

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, SEPTEMBER 24, 1789.

The Senate assembled: present as yesterday.

Mr. Ellsworth, on behalf of the managers of the conference, on "Articles to be proposed to the several states as amendments to the constitution of the United States," reported as follows:

That it will be proper for the House of Representatives to agree to the said amendments, proposed by the Senate, with an amendment to their fifth amendment, so that the third article shall read as follows: 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and petition the government for a redress of grievances;' and, with an amendment to the fourteenth amendment, proposed by the Senate, so that the eighth article, as numbered in the amendments proposed by the Senate, shall read as follows: 'In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the district wherein the crime shall have been committed, as the district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; and to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.'

The managers were also of opinion, that it would be proper for both Houses to agree to amend the first article, by striking out the word 'less,' in the last line but one, and inserting in its place the word 'more,' and, accordingly, recommend that the said article be reconsidered for that purpose.

Ordered, That the report lie for consideration.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the bill, entitled "An act to alter the time for the next meeting of Congress;" the bill, entitled "An act to explain and amend an act, entitled 'An act for registering and clearing vessels, regulating the coasting trade, and for other purposes;'" and, "A resolve on the petition of Baron de Glaubeck;" to which he requested the concurrence of the Senate. And he withdrew.

Ordered, That the bill, entitled "An act to explain and amend an act, entitled 'An act for registering and clearing vessels, regulating the coasting trade, and for other purposes,'" be now read the first time.

Ordered, That this bill be read the second time to-morrow.

The Senate proceeded to consider the resolve of the House of Representatives, upon the petition of Baron de Glaubeck.

Ordered, That this petition, together with the papers accompanying the same, be read.

On motion that the opinion of the Senate be taken, whether the Baron de Glaubeck is entitled to the pay of a captain in the late army of the United States, from the 9th day of March, 1781, to the 24th day of August, 1782, as expressed in the resolve of the House:

It passed in the affirmative.

Ordered, That the resolve of the House of Representatives, and the papers accompanying the same, be committed to Messrs. Izard, Grayson, and Carroll, with an instruction to bring in a bill for the purposes expressed in the resolve.

The Senate proceeded in a second reading of the bill, entitled "An act to establish the seat of government of the United States."

On motion to strike out these words, 'in the state of Pennsylvania,' after the word Susquehannah, line 4th; and the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Basset, Butler, Carroll, Grayson, Gunn, Henry, Izard, and Lee.—8.

NAYS.—Messrs. Dalton, Ellsworth, Johnson, King, Maclay, Morris, Paterson, Read, Schuyler, and Wingate.—10.

So it passed in the negative.

On motion that these words, 'at some convenient place on the banks of the river Susquehannah, in the state of Pennsylvania,' line 3d and 4th, be stricken out:

It passed in the negative.

On motion for reconsideration, on a suggestion that the question was not understood:

It passed in the affirmative.

And, on the main question,

The yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Bassett, Butler, Dalton, Ellsworth, Grayson, Gunn, Lee, Morris, Paterson, Read, and Wingate.—11.

NAYS.—Messrs. Carroll, Henry, Johnson, Izard, King, Maclay, and Schuyler.—7.

So it passed in the affirmative.

On motion to insert, in the room of the word stricken out, 'at some convenient place on the northern banks of the river Potomac :'

It passed in the negative.

On motion to restore these words, 'at some convenient place on the banks of the river Susquehannah :'

A motion was made to postpone this, to insert the following motion, to wit: to fill the blank with these words, 'in the counties of Philadelphia, Chester, and Bucks, and state of Pennsylvania, including within it the town of Germantown, and such part of the Northern Liberties of the city of Philadelphia, as are not excepted by the act of cession, passed by the legislature of the said state.'

And the question of postponement passed in the affirmative.

And, on the main question,

The yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Bassett, Dalton, Ellsworth, King, Morris, Paterson, Read, Schuyler, and Wingate.—9.

NAYS.—Messrs. Butler, Carroll, Grayson, Gunn, Henry, Johnson, Izard, Lee, and Maclay.—9.

The numbers being equal, the Vice President determined the question in the affirmative.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the amendments to the "Articles to be proposed to the legislatures of the several states, as amendments to the constitution of the United States;" and informed the Senate, that the House of Representatives had *receded* from their disagreement to the 1st, 3d, 5th, 6th, 7th, 9th, 10th, 11th, 14th, 15th, 17th, 20th, 21st, 22d, 23d, and 24th, amendments, insisted on by the Senate: provided that the "two articles, which, by the amendments of the Senate, are now proposed to be inserted as the third and eighth articles," shall be amended to read as followeth:

ART. 3. 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and petition the government for a redress of grievances.'

ART. 8. 'In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.'

And, provided also, That the first article be amended by striking out the word 'less,' in the last place of the said first article, and inserting in lieu thereof the word 'more.'

He also informed the Senate, that the President of the United States had approved of, and had affixed his signature to, "An act for allowing a compensation to the President and Vice President of the United States;" and had returned it to the House of Representatives. And he withdrew.

A message from the President of the United States:

Mr. Lear, his Secretary, delivered to the Vice President the act, entitled "An act to establish the judicial courts of the United States;" and informed him that the President of the United States had approved of, and affixed his signature thereto. And he withdrew.

Ordered, That the Secretary do inform the House of Representatives that the President of the United States had approved of, and affixed his signature to, the "Act to establish the judicial courts of the United States;" also, to an enrolled resolve, "For the safe keeping of the prisoners committed under the authority of the United States;" and had returned them to the Senate.

The committee appointed to consider the resolve of the House of Representatives, upon the petition of Baron de Glaubeck, reported a bill.

Ordered, That this bill have the first reading at this time.

Ordered, That this bill be read the second time to-morrow

Adjourned to 11 o'clock to-morrow.

FRIDAY, SEPTEMBER 25, 1789.

The Senate assembled: present as yesterday.

Agreeably to the order of the day, the Senate proceeded in the second reading of the bill, entitled "An act to establish the seat of government of the United States."

On motion to strike out these words, 'And that, until the necessary buildings shall be erected therein, the seat of government shall continue at the city of New York;'

And the yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Butler, Carroll, Grayson, Gunn, Henry, Lee, and Maclay.—7.

NAYS.—Messrs. Bassett, Dalton, Ellsworth, Johnson, Izard, King, Morris, Paterson, Read, Schuyler, and Wingate.—11.

So it passed in the negative.

On motion to amend the second section, to read as follows: 'And be it further enacted, That the President of the United States be authorised to appoint three commissioners, who are, under his direction, to locate a district, not exceeding ten mile square, in the said counties, and including therein the said Northern Liberties, and town of Germantown, and to purchase such quantity of land within the same as may be necessary, and to accept grants of lands for the use of the United States, and to erect thereon, within four years, suitable buildings for the accommodation of the Congress, and of the officers of the United States:'

It passed in the affirmative.

On motion to strike out the two last sections, and to substitute the following: 'Provided, That no powers herein vested in the President of the United States, shall be carried into effect until the state of Pennsylvania, or individual citizens of the same, shall give satisfactory security to the Secretary of the Treasury, to furnish and pay, as the same may be necessary, one hundred thousand dollars, to be employed in erecting the said buildings.'

It passed in the affirmative.

Ordered, That this bill be read the third time to-morrow.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives had passed a resolve, requesting "The President of the United States to transmit to the executives of the several states, which have ratified the constitution, copies of the amendments proposed by Congress to be added thereto; and like copies to the executives of the states of Rhode Island and North Carolina;" and that the House requested the concurrence of the Senate therein;

Also, that the House of Representatives had concurred in the bill which had passed the Senate, entitled "An act to regulate processes in the courts of the United States," with amendments; in which amendments the House requested a concurrence of the Senate;

He also informed the Senate, that the House of Representatives had passed a bill, entitled "An act making appropriations for the service of the present year;" to which concurrence was also requested. And he withdrew.

Ordered, That the last mentioned bill be now read the first time.

Ordered, That this bill be read the second time to-morrow.

The Senate proceeded to consider the message from the House of Representatives of the 24th, with amendments to the amendments of the Senate to "Articles to be proposed to the legislatures of the several states, as amendments to the constitution of the United States;" and,

Resolved, That the Senate do concur in the amendments proposed by the House of Representatives to the amendments of the Senate.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

A message from the House of Representatives: Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives had passed a resolve, appointing a joint committee "to wait on the President of the United States, to request that he would recommend to the people of the United States a day of public thanksgiving and prayer to be observed;"

Also, a resolve, ascertaining "the time that John White, late commissioner, and others," therein named, continued in office;

And, "An act, providing for the payment of the invalid pensioners of the United States;" to all which the concurrence of the Senate was requested. And he withdrew.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act to regulate processes in the courts of the United States, and

Resolved, That the Senate do concur in all the amendments except the first, in which they do not concur.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

The Senate proceeded in the second reading of the bill, entitled "An act to alter the time for the next meeting of Congress."

Ordered, That this bill have the third reading at this time.

Resolved, That the Senate do concur in the above mentioned bill.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

Adjourned to 10 o'clock to-morrow.

SATURDAY, SEPTEMBER 26, 1789.

The Senate assembled: present as yesterday.

A message from the President of the United States:

The honorable Mr. Jay acquainted the Senate, that he was directed to lay before them the following communication, which he delivered to the Vice President. And he withdrew.

Gentlemen of the Senate:

Having yesterday received a letter written in this month, by the Governor of Rhode Island, at the request, and in behalf, of the general assembly of that state, addressed to the President, the Senate, and the House of Representatives of the eleven United States of America, in Congress assembled, I take the earliest opportunity of laying a copy of it before you.

GEORGE WASHINGTON.

United States, September 26, 1789.

Ordered, That the message, together with the letter therein referred to, lie for consideration.

Resolved, That the order of the 22d instant, directing the President of the Senate, and Speaker of the House of Representatives, to adjourn their respective Houses on this day, be rescinded; and, instead thereof, that they be directed to close the present session by adjourning their respective Houses on the 29th instant.

Ordered, That the Secretary do carry this resolve to the House of Representatives, and request their concurrence.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives had concurred in the above resolve. And he withdrew.

The Senate proceeded to the second reading of the bill, entitled "An act making appropriations for the service of the present year."

Ordered, That it be committed to Messrs. Read, Butler, King, Ellsworth, and Morris.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives do *insist* on their amendment to the bill, entitled "An act to regulate processes in the courts of the United States." And he withdrew.

The Senate proceeded to the third reading of the bill, entitled "An act to establish the seat of government of the United States."

On motion to postpone the further consideration hereof:

It passed in the negative.

On the question, "Shall this bill pass?"

The yeas and nays being required by one-fifth of the Senators present, the determination was as follows:

YEAS.—Messrs. Bassett, Dalton, Ellsworth, Johnson, King, Morris, Paterson, Read, Schuyler, and Wingate.—10.

NAYS.—Messrs. Butler, Carroll, Grayson, Gunn, Henry, Izard, and Lee.—7.

So it passed it the affirmative.

Ordered, That the Secretary do carry this bill to the House of Representatives, and request their concurrence in the amendments.

The Senate proceeded to consider the amendment insisted on by the House of Representatives, to the bill, entitled "An act to regulate processes in the courts of the United States."

Ordered, That a conference be proposed on the subject matter of disagreement; that Messrs. Ellsworth, King, and Read, be managers thereof on the part of the Senate, and that the Secretary do carry a message to the House of Representatives accordingly, and request the appointment of managers of the conference on their part.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House had agreed to the proposed conference, and had appointed Messrs. White, Burke, and Jackson, managers on their part. And he withdrew.

The Senate proceeded to the first reading of the bill, entitled "An act providing for the payment of the invalid pensioners of the United States."

Ordered, That this bill be committed to Messrs. Read, Butler, King, Ellsworth, and Morris.

Ordered, That Messrs. Wingate, Dalton, and Henry, be the committee to ascertain the attendance and travelling expenses of the members of the Senate.

The Senate proceeded to the second reading of the bill, entitled "An act to recognize and adapt to the constitution of the United States, the establishment of the troops raised under the resolves of the United States in Congress assembled, and for other purposes therein mentioned."

Ordered, That this bill be committed to Messrs. Read, Butler, King, Ellsworth, and Morris.

The Senate proceeded to the third reading of the bill, entitled "An act for amending part of an act, entitled 'An act to regulate the collection of the duties imposed by law on the tonnage of ships and vessels, and on goods, wares, and merchandises, imported into the United States.'"

Ordered, That this bill be committed to Messrs. Read, Morris, and Dalton.

The Senate proceeded to the second reading of the bill, entitled "An act to explain and amend an act, entitled 'An act for registering and clearing vessels, regulating the coasting trade, and for other purposes.'"

Ordered, That this bill be committed to Messrs. Read, Morris, and Dalton.

The Senate proceeded to consider the resolve of the House of Representatives of the 25th instant, to wit:

"In the House of Representatives of the United States,

"September 25th, 1789.

"Resolved, That a joint committee of both Houses be appointed to wait on the President of the United States, to request that he would recommend to the people of the United States, a day of public thanksgiving and prayer to be observed, by acknowledging, with grateful hearts, the many and signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a constitution of government for their safety and happiness.

"Ordered, That Messrs. Boudinot, Sherman, and Sylvester, be appointed of the said committee on the part of this House."

Resolved, That the Senate do concur in the above recited resolution, and that Messrs. Johnson and Izard, be the Committee on the part of the Senate.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly;

Resolved, That Messrs. Johnson, and Izard, be a committee on the part of the Senate, together with such committee as may be appointed on the part of the House of Representatives, to wait on the President of the United States, and acquaint him that Congress have agreed upon a recess on the 29th instant.

Ordered, That the Secretary do carry a message to the House of Representatives, and request concurrence.

The Senate proceeded to consider the resolve of the House of Representatives of the 24th instant, to wit:

"In the House of Representatives,

"Thursday, the 24th September, 1789.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be requested to transmit to the executives of the United States, which have ratified the constitution, copies of the amendments proposed by Congress, to be added thereto; and like copies to the executives of the states of Rhode Island and North Carolina."

Resolved, That the Senate do concur in this resolution.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

The Senate proceeded to consider the resolve of the House of Representatives of the 25th instant, to wit:

"In the House of Representatives of the United States,

"Friday, the 25th of September, 1789.

"Upon the report of a committee, to whom was referred the memorial of John White, in behalf of himself, John Wright, and Joshua Dawson:

"Resolved, That John White, late a commissioner to settle the accounts between the United States, and the states of Pennsylvania, Delaware, and Maryland, and his clerks, John Wright and Joshua Dawson, be considered as in office until the thirteenth of September, 1788, and be paid accordingly."

Ordered, That the consideration hereof be postponed.

Adjourned to 11 o'clock on Monday morning.

MONDAY, SEPTEMBER 28, 1789.

The Senate assembled: present as on Saturday,

And proceeded to the second reading of the bill, entitled "An act to allow the Baron de Glaubeck the pay of a captain in the army of the United States."

Ordered, That this bill have the third reading to-morrow.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House had concurred in the appointment of a committee on their part, "to wait on the President of the United States, and to acquaint him of the intended recess of Congress on the 29th instant," and that Messrs. Vining, Lee, and Gilman, were joined. And he withdrew.

Mr. Read, on behalf of the committee appointed on the bill, entitled "An act to explain and amend an act, entitled 'An act for registering and clearing of vessels, regulating the coasting trade, and for other purposes,'" reported the following amendment, to wit:

"And be it further enacted, That so much of an act, entitled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States," as hath rated the rouble of Russia at one hundred cents, be, and the same is hereby, repealed, and made null and void."

Ordered, That the report of the committee be postponed to take up the bill.

The Senate proceeded in the third reading of the last recited bill.

Resolved, That this bill do pass, with the amendment reported by the committee.

Ordered, That the Secretary do carry the bill to the House of Representatives, and request concurrence in the amendment.

Mr. Read, on behalf of the committee appointed on the bill, entitled "An act for amending part of an act, entitled 'An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises, imported into the United States,'" reported non-concurrence; whereupon,

Resolved, That this bill do not pass.

Mr. Read, on behalf of the committee on the bill, entitled "An act to recognize and adapt to the constitution of the United States, the establishment of the troops raised under the resolves of the United States in Congress assembled, and for other purposes therein mentioned," reported amendments.

Ordered, That the report be postponed to take up the bill.

Proceeded in the third reading of the bill.

Resolved, That this bill do pass, with the amendments reported by the committee.

Ordered, That the Secretary do carry a message to the House of Representatives, and request concurrence in the amendments.

Mr. Read, in behalf of the committee appointed on the bill, entitled "An act providing for the payment of the invalid pensioners of the United States," reported concurrence.

Ordered, That this bill be now read the second time.

Ordered, That the rules be so far dispensed with as that this bill have a third reading at this time.

Resolved, That this bill do pass.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

The managers appointed on the part of the Senate, to confer on the subject of the disagreement of the two Houses on the first amendment proposed by the House of Representatives to the bill, entitled "An act to regulate processes in the courts of the United States," reported, that they could not agree on a report;

And, on motion to adopt the following resolution, to wit: "That the Senate do agree to the first amendment proposed by the House of Representatives, with an amendment, by striking out, after the word 'issuing,' in the third and fourth lines of the first section, the following words: 'out of any of the courts of the United States of America, shall be in the name of the President of the United States of America, and if they issue;' and, by inserting after the word 'executions,' in the second line of the second section, the words, 'except their style:'"

It passed in the negative.

On motion that the Senate do recede from the first amendment:

It passed in the negative.

On motion that the Senate do adhere to the first amendment,

A motion was made to postpone this in order to reconsider the first proposition; and,

It passed in the affirmative.

And on motion to adopt the proposed amendment to the first amendment made by the House of Representatives on the bill:

It passed in the affirmative.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the bill, entitled "An act for establishing a permanent seat of government;" and informed the Senate, that the House had concurred in the amendments thereto, with the following amendment: "And provided, that nothing herein contained shall be construed to affect the operation of the laws of Pennsylvania, within the district ceded and accepted, until Congress shall otherwise provide by law." And he withdrew.

Mr. Read, on behalf of the committee appointed to consider the bill, entitled "An act making appropriations for the service of the present year," reported amendments.

Ordered, That the report of the committee be postponed, and that this bill have the third reading at this time.

Resolved, That this bill do pass, with the amendments reported by the committee.

Ordered, That the Secretary do carry the said bill to the House of Representatives, and request concurrence in the amendments.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives had agreed to the amendment on the amendment to a bill, entitled "An act to regulate processes in the courts of the United States;"

Also, to the amendments on the bill, entitled "An act to explain and amend an act, entitled 'An act for registering and clearing vessels, regulating the coasting trade, and for other purposes;'"

Also, in the amendments proposed to the bill, entitled "An act making appropriations for the service of the present year." And he withdrew.

Mr. Wingate, on behalf of the Committee of Enrollment, reported, that they had examined the following enrolled bills, and had found them correct, to wit:

The bill, entitled "An act making appropriations for the service of the present year;"

The bill, entitled "An act providing for the payment of the invalid pensioners of the United States;"

The bill, entitled "An act to explain and amend an act, entitled 'An act for registering and clearing vessels, regulating the coasting trade, and for other purposes;'"

The bill, entitled "An act to alter the time for the next meeting of Congress;"

And, the bill, entitled "An act to regulate processes in the courts of the United States."

A message from the House of Representatives:

Mr. Beckley, their Clerk, brought up the above recited enrolled bills, and acquainted the Senate, that they were signed by the Speaker of the House of Representatives. And he withdrew.

Whereupon, the Vice President affixed his signature to the aforesaid enrolled bills, and they were, by the committee, laid before the President of the United States for his approbation.

Mr. Johnson, on behalf of the committee appointed on the 26th instant, reported, that they had waited on the President of the United States, and informed him of the intended recess of Congress on the 29th instant;

Also, that the committee appointed for the purpose, had laid before the President of the United States, the resolve of the two Houses, "requesting him to recommend a day of thanksgiving and prayer to the people of the United States."

The Senate proceeded to the consideration of the amendment proposed by the House of Representatives to the amendment of the Senate, on the bill, entitled "An act to establish the seat of government of the United States."

On motion that the farther consideration of this bill be postponed to the next session of Congress:

It passed in the affirmative.

Adjourned to 11 o'clock to-morrow.

TUESDAY, SEPTEMBER 29, 1789.

The Senate assembled: present as yesterday.

The Committee of Enrollment reported, that they had laid before the President of the United States

The bill, entitled "An act making appropriations for the service of the present year;"

The bill, entitled "An act providing for the payment of the invalid pensioners of the United States;"

The bill, entitled "An act to explain and amend an act, entitled an act for registering and clearing vessels, regulating the coasting trade, and for other purposes;"

The bill, entitled "An act to alter the time for the next meeting of Congress;" and,

The bill, entitled "An act to regulate processes in the courts of the United States."

A message from the President of the United States:

The honorable Mr. Jay delivered the following communications to the Vice President. And he withdrew.

Gentlemen of the Senate:

His most Christian Majesty, by a letter dated the 7th of June last, addressed to the President and members of the General Congress of the United States of North America, announces the much lamented death of his son, the Dauphin. The generous conduct of the French monarch and nation towards this country, renders every event that may affect his or their prosperity interesting to us; and I shall take care to assure him of the sensibility with which the United States participate in the affliction which a loss so much to be regretted must have occasioned, both to him and to them.

GEO. WASHINGTON.

United States, September 29, 1789.

Gentlemen of the Senate:

Having been yesterday informed, by a joint committee of both Houses of Congress, that they had agreed to a recess, to commence this day, and to continue until the first Monday of January next, I take the earliest opportunity of acquainting you, that, considering how long and laborious this session has been, and the reasons which, I presume, have produced this resolution, it does not appear to me expedient to recommend any measures to their consideration at present, or now to call your attention, gentlemen, to any of those matters in my department which require your advice and consent, and yet remain to be dispatched.

GEO. WASHINGTON.

United States, September 29, 1789.

A message from the House of Representatives:

Mr. Beckley, their Clerk, informed the Senate, that the House had concurred in all the amendments to the bill, entitled "An act to recognize and adapt to the constitution of the United States, the establishment of the troops raised under the resolves of the United States in Congress assembled, and for other purposes therein mentioned," except the seventh, to which they had disagreed. And he withdrew.

A message from the President of the United States:

Mr. Lear, his Secretary, informed the Senate, that the President of the United States had approved of, and affixed his signature to, the bill, entitled "An act to regulate processes in the courts of the United States," and returned it to the Senate. And he withdrew.

The Senate proceeded to consider their seventh amendment, disagreed to by the House of Representatives, on the bill, entitled "An act to recognize and adapt to the constitution of the United States, the establishment of the troops raised under the resolves of the United States in Congress assembled, and for other purposes therein mentioned;" and,

Resolved, To insist on the said seventh amendment.

Ordered, That the Secretary do acquaint the House of Representatives herewith.

A message from the House of Representatives :

Mr. Beckley, their Clerk, informed the Senate, that the President of the United States had approved of, and affixed his signature to, "An act making appropriations for the service of the present year;"

To "An act providing for the payment of the invalid pensioners of the United States;"

To "An act to explain and amend an act, entitled 'An act for registering and clearing vessels, regulating the coasting trade, and for other purposes;'"

To "An act to alter the time of the next meeting of Congress;" and had returned them to the House of Representatives. And he withdrew.

The Senate proceeded to consider the resolve of the House of Representatives, of the 25th instant, on the petition of John White, John Wright, and Joshua Dawson, postponed on the 26th.

Resolved, That the Senate do concur herein, with the following amendments in the two last lines, to wit: to strike out 'thirteenth,' and insert 'fourth;' to strike out 'September, 1788,' and insert 'February, 1789;' and strike out the words 'and be paid accordingly.'

The Senate proceeded to the third reading of the bill, entitled "An act to allow the Baron de Glaubeck the pay of a captain in the army of the United States."

Resolved, That this bill do pass.

Ordered, That the Secretary do carry the said bill to the House of Representatives, and request their concurrence.

A message from the House of Representatives :

Mr. Beckley, their Clerk, informed the Senate, that the House of Representatives had passed the following resolve, to which the concurrence of the Senate was requested :

"In the House of Representatives of the United States,

"Tuesday, the 29th September, 1789.

"Ordered, That it shall be the duty of the Secretary of the Senate and Clerk of the House, at the end of each session, to send a printed copy of the journals thereof, respectively, to the supreme executives, and to each branch of the legislature, of every state;"

He also informed the Senate, that the House of Representatives had *receded* from their disagreement to the seventh amendment of the Senate, to a bill, entitled "An act to recognize and adapt to the constitution of the United States, the establishment of the troops raised under the resolves of the United States in Congress assembled, and for other purposes therein mentioned;" and that the House had passed the bill, entitled "An act to allow the Baron de Glaubeck the pay of a captain in the army of the United States." And he withdrew.

The Senate proceeded to consider the last recited order of the House of Representatives;

Resolved, That the Senate do concur therein.

Ordered, That the Secretary do carry a message to the House of Representatives accordingly.

The Committee of Enrollment reported, that they had examined, and had found correct, the following enrolled bills and resolve :

A bill, entitled "An act to recognize and adapt to the constitution of the United States, the establishment of the troops raised under the resolves of the United States in Congress assembled, and for other purposes therein mentioned;"

A resolve for continuing "John White, John Wright, and Joshua Dawson, in office, until the 4th of February, 1789;"

And a bill, entitled "An act to allow the Baron de Glaubeck the pay of a captain in the army of the United States."

A message from the House of Representatives :

Mr. Beckley, their Clerk, brought up the last recited enrolled bills and resolve, and informed the Senate that the Speaker had affixed his signature thereto;

He also informed the Senate, that the House of Representatives had finished the business of the session, and were ready to adjourn, agreeably to the order of the two Houses of Congress. And he withdrew.

Whereupon, the Vice President affixed his signature to the last mentioned enrolled bills and resolve, and they were delivered to the committee to be laid before the President of the United States.

The chairman of the Committee of Enrollment reported, that they had laid the said bills and resolve before the President of the United States for his approbation.

A message from the President of the United States:

Mr Lear, his Secretary, informed the Senate, that the President of the United States had approved of, and had affixed his signature to, the act, entitled "An act to allow the Baron de Glaubeck the pay of a captain in the army of the United States," and had returned it to the Senate. And he withdrew.

The act to recognize and adapt to the constitution of the United States, the establishment of the troops raised under the resolves of the United States in Congress assembled, and for other purposes therein mentioned;" and,

The resolve, for continuing "John White, John Wright, and Joshua Dawson, in office until the 4th of February, 1789," were, by the President of the United States, approved of, signed, and returned to the House of Representatives.

Agreeably to the resolve of the two Houses of Congress, of the 26th instant, the Vice President did adjourn the Senate to the first Monday in January next, "then to meet at the City Hall in New York."

Attest,

SAMUEL A. OTIS, *Secretary.*

APPENDIX.

PROPOSED AMENDMENTS TO THE CONSTITUTION.

The conventions of a number of the states having, at the time of their adopting the constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added; and as extending the ground of public confidence in the government will best insure the beneficent ends of its institution:

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring, That the following articles be proposed to the legislatures of the several states, as amendments to the constitution of the United States, all or any of which articles, when ratified by three-fourths of the said legislatures, to be valid, to all intents and purposes, as part of the said constitution, viz:

Articles in addition to, and amendment of, the constitution of the United States of America, proposed by Congress, and ratified by the legislatures of the several states, pursuant to the fifth article of the original constitution.

ARTICLE I. After the first enumeration, required by the first article of the constitution, there shall be one representative for every thirty thousand, until the number shall amount to one hundred; after which, the proportion shall be so regulated by Congress, that there shall be not less than one hundred representatives, nor less than one representative for every forty thousand persons, until the number of representatives shall amount to two hundred; after which, the proportion shall be so regulated by Congress that there shall not be less than two hundred representatives, nor more than one representative for every fifty thousand persons.

ART. II. No law, varying the compensation for the services of the Senators and Representatives, shall take effect until an election of representatives shall have intervened.

ART. III. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ART. IV. A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ART. V. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor, in time of war, but in a manner to be prescribed by law.

ART. VI. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ART. VII. No person shall be held to answer for a capital, or otherwise infamous, crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ART. VIII. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

ART. IX. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact, tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ART. X. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ART. XI. The enumeration in the constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

ART. XII. The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

FREDERICK AUGUSTUS MUHLENBERG,

Speaker of the House of Representatives.

JOHN ADAMS,

Vice President of the United States, and President of the Senate.

Attest,

JOHN BECKLEY, *Clerk of the House of Representatives.*

SAMUEL A. OTIS, *Secretary of the Senate.*