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FRIDAY, November 30.

Among the events of the times that most merit attention, may be reckoned the issue of the recent elections in Massachusetts. This colossus of federalism, which has so long and so vigorously resisted the tide of popular opinion, has at length, with a decision that supersedes all suspicion, asserted her claim to republican character, and exhibited a magnanimity worthy of the virtue and wisdom of freemen. It is not by the casting votes of a few citizens, but by the suffrages of thousands, that she has proclaimed to the union the origin of a new political era in the East. This illustrious atchievement of principle is replete with the materials of instruction; and it would be losing one of the best occasions that can ever occur for serious and profitable reflection, to omit extracting improvement from the interesting circumstances connected with it.

It proves the people of the United States to be one people. However various in name, in pursuits, or in habits, it demonstrates them in one respect, in political principle, to be the same. The contest in Massachusetts was emphatically that of principle. It was not a struggle for the preponderance of this or that faction; but it was a struggle of the great interests of the people against the factious interests of a few men aspiring to larger measures of power than their fellow-freemen.

The measures of the administration of the general government were made the criterion; measures emphatically those of peace, economy and moderation.—These were loudly and vehemently denounced. No nice discrimination of judgment, or candor of temper, while they condemned some of them, approved the remainder. On the contrary the whole fountain head was declared polluted, and every stream that flowed from it equally impure. Hence there was not a measure of the government left unreprobated, nor an individual concerned in its administration undenounced. Argument and sophistry, declamation and ridicule, misrepresentation and calumny poured their united and ceaseless streams against the President, the heads of departments, the republican members of Congress, and all their measures—The storm grew high. A persecuting spirit stalked through the land, and menaced with inquisitorial terrors freedom of opinion. The republicans, the sleeping Sampsons of New-England, awoke from their slumbers, and fighting *pro aris et focis*, convinced their adversaries of the irresistible energies of freedom in a cause worthy of her efforts. They fought and triumphed. The ground they have taken is the same with that previously assumed by their brethren in the middle, the southern and the western states; and the means, that led to victory in the one case, have insured it in the other.

Never was there, perhaps, a more consolidated opposition to any administration; and never were there more powerful engines engaged to give it success. All these mighty efforts have yielded to enquiry and discussion. Misrepresentation stands appalled, or flies before the radiance of truth. The people, yes the people, represented as unqualified to govern themselves, with reason for their guide, and justice for their object, have seized the throne, and before their majesty the pageants of a distempered hope have vanished. The visions of monarchy, and the dreams of aristocracy are all dispelled by the light of truth.

Memorable is the instruction which this lesson teaches. It demonstrates the unity of the American people on the cardinal points of their political concerns. It proves, that, however, from the influence of momentary prejudice or ignorance, they may differ for a day, they become, when well informed, one homogeneous and solid mass. Let us not hereafter be told that the several states are composed of such discordant materials as to be incapable of harmonious action. Let us not be told that the feelings, the principles and the views of one section are hostile to those of another. The example of Massachusetts shews that, however they may differ in opinion on subordinate points, they are the same on whatever involves the essential interests of the union.

This early triumph of principle is eminently owing to two leading causes; the attempts recently made to dismember the empire, and those made to enlist the passions and prejudices of the East against those of the South.

Federalism exclaimed, let us, by embodying our strength, by holding a strong arm over the minority of our citizens, convince Virginia that we will no longer endure the rule of her principles.—What though those principles are founded in eternal truth, what though they are the germs of liberty, still Virginia maintains them, the chief magistrate, a citizen of Virginia, adopts them as his, and shall New England submit to the degradation of crouching to this arrogant dictator? Had reason been consulted, she would have told these high toned federalists that the despotism of which they complained was not that of Virginia, but that of truth and justice; she would have told them that in the maintenance of these Virginia, however distinguished, stood not alone; that, on the contrary they were upheld with equal zeal by New York, Vermont, Rhode Island, New Jersey, Pennsylvania, Maryland, North and South Carolina, Georgia, Kentucky, Tennessee and Ohio, by thirteen out of seventeen states; and by five sixths of the people; she would have told them that great political principles, despising the tramels of locality, or limited association, acknowledge no other boundaries than those of the world; and that a Pennsylvanian or a Kentuckian does not embrace them because they prevail in Virginia, but because they are the elements of human happiness.

In violation of all these convictions of sober judgment, the cry of dissolution was raised in the East. It has met its reward in the downfall of those who raised it. Before its avowal, the enemies of the administration had sheltered themselves from the heavy charges preferred against them, under the declaration, that they were the best friends of the union, and those on whom its ultimate security would devolve. Thousands believed the profession. But the motion of Mr. Ely, and the alarming crisis of which it presented the prospect, dispelled the illusion, roused the supine, and electrified with new energy, the patriotism of revolutionary times. Mark, fellow citizens, of the North and the South, of the East and of the West, young as well as old, mark the burst of indignation with which this proposition has been received. Instil into your hearts the lesson it teaches, and continue hereafter to crush with equal vigor every attempt made to destroy the unity of the empire. Toleration is a great, perhaps the greatest virtue; but it has its limits: and no opinions ought to be countenanced, or men supported, that aim this fatal blow at your happiness and glory.

Next in influence towards the production of this great event was the attempt so industriously made to inlist the passions and prejudices of the East against those of the South. To effect this end, whole communities have been pourtrayed in the hideous colours of vice. They have been represented as composed of individuals destitute of moral principle, and as actuated by an ambition only to be satiated by the prostration of the rights and liberties of the other states. Virginia, in particular, the great state culprit, has been dragged before the bar of public opinion. Her conduct has been fully investigated; and she has come out of the crucible with new lustre. Hereafter, we may indulge the hope, that policy, should principle be too feeble, will save our national character from similar disgraces. Faction has found that there is in the American heart too much magnanimity to allow it to become the victim of illiberal invective.

Such is the aspect of this event upon our interior concerns. Great as are its effects in this view, they will be still greater in relation to the European world—There, the predictions of the politician and the philosopher have represented our distinct confederacies as destined to become at an early day, the theatres of division and blood-shed. They have pronounced republican institutions incapable of keeping together so large an empire, and have predicted on their downfal the rise of monarchy, with its concomitants, an established nobility and priesthood, together with an efficient standing military force. Struck with the commanding logic of this event, their prejudices will be shaken; their minds will be led to dispassionate enquiry; and reason will be heard. With truth for her advocate, she will sow the seeds of a mighty harvest. The eye of the European will pass the Atlantic, and less prejudiced than heretofore, will contemplate, under the influence of an understanding open to conviction, the great and distinctive blessings of republican institutions. With such sentiments, it will be impossible to behold without approving the wise and honest policy of our rulers. And should the contemplation of our happiness, of our resources growing with a rapidity even greater than our numbers, of our harmony, and of the firm support given by the people to their government, not produce imitation, it will most assuredly inspire respect. And this sentiment will teach foreign nations that in their intercourse with us honesty is the best policy.

Congressional Register.

HOUSE OF REPRESENTATIVES.

TUESDAY, *November* 27.

Debate on the Bill for the more effectual preservation of peace in the ports and harbors of the United States and in the waters under their jurisdiction.

(Concluded.)

Mr. Dana thought the embarrassment might be attributed to an attempt to combine in one section two different species of crimes, but it was exposed to objections which had not yet been made. The clause gives the marshal or sheriff the power to arrest the offender by force of arms, and then if the persons resisting kill your officer it is murder, and shall be punished accordingly. If, however, your officer and his armed force kill any of the offenders resisting, your process for it stands; if death ensues on either side, those who are concerned in support of the civil authority shall be justified—but those engaged in resisting shall be shot, or if not shot, and they are taken alive, then they shall be fined and imprisoned for manslaughter committed upon their party. He did not think the amendments proposed, take which you will of them, likely to remove the difficulty.

Mr. Nicholson said the case they were about to provide for was different from any other that could arise in civil society. It was devising a punishment for persons who were armed with a species of power to resist a legalised force under their command, and though they are bound to submit to our laws yet they have others under their command who are bound to submit to them—An offender seeks protection from the effects of our offended laws on board an armed ship; he is fought by our officer, and the commanding officer regardless of his proper duty orders his sailors to defend themselves by resisting the process; in the struggle death ensues; now let it be asked are those seamen guilty of murder or manslaughter—The servant of a person invested with authority equal to that of a British officer and directed to do an illegal act, to kill a man for example, though it would be murder in the officer, yet it could be no more than manslaughter in the servant—The case is the same as it relates to the officer and crew; though the latter are not justified to do the act, yet they do not feel themselves justified to disobey their commander. When he was up before he had not clearly expressed himself for want of attending to the bearing of the whole bill. In England every man's house was his castle; no officer was authorised to break a house open except in cases of treason or felony, an officer attempting it might be killed, and it would amount only to manslaughter. The attempt here to take a man from on board an armed ship might be considered as attempting to break open a castle, and if death ensued it would be manslaughter—The bill however authorised the force, and cases might exist, in which the killing would be murder—other cases where the killing would be manslaughter only.

Mr. Nelson objected to Mr. Early's amendment; because it left the denomination of the crime to the judge or jury, and how could they determine whether it was murder or manslaughter, but by the common law, as the United States had never yet defined either—If the case was defined and left to go to a jury upon the matter of fact, the objection would be in some degree obviated.

Mr. Nicholson was sorry to see such a discussion had taken place.—He would, in order to remove the difficulty, strike out all that relates to the punishment, and leave them to be dealt with according to law, when delivered over to the civil authority.

Mr. R. Griswold had two objections. First, that mentioned by his colleague. Where you authorise your sheriff or marshal to take an armed force, and as you justify these in case death ensues, and punish the others as murderers—The sheriff has only to order his men to fire and shoot some;—then, for these deaths, you hang the rest—This is making short work, and giving no quarter. The other objection was on the ground of the constitution—He did not see that Congress had power to punish crimes committed against a state, or in its ports or harbours. The constitution expressly gave Congress power to define and punish crimes and piracies committed on the high seas; but not within a state's limits.

Mr. Smilie observed a great deal of embarrassment had taken place on wording the section; that however was not to be wondered at, as the bill had only just been distributed; but the last objection, that it was unconstitutional, deserved very serious reflection; he should therefore move the committee to rise, with a view of giving time for consideration.

Mr. Nicholson had no objection to the committee rising; but he would not have it understood that he had any constitutional difficulties to struggle with. Congress had powers sufficient to enforce their revenue laws, and this very bill contemplates that, as one circumstance that may occur, and ought to be corrected—But whence did the gentleman (Mr. R. Griswold) acquire this timidity, this care for state rights? It is believed they have not stood in his way on former occasions, any more than they did in the way of those with whom he acted. In the case of the sedition bill, which trenched upon the state courts' jurisdiction, there was no squeamishness, the end justifying the means.

The committee rose, reported progress, and obtained leave to sit again.

Mr. J. Randolph called for the order of the day on the report of the committee of ways and means, respecting the remission of duties on books imported for the use of colleges and seminaries of learning—the resolution declaring it to be inexpedient to allow the same.

The House taking the subject into consideration,

Mr. J. Randolph observed that the constitution of the United States was a grant of limited powers for general objects, which Congress had no right to exceed, although they might think the powers too limited. This position he considered as of primary importance. Its leading feature was an abhorrence of exclusive privileges; it might be called the key to that instrument; every thing which rose up in the shape of privilege was repressed in a peculiar manner, whether it related to orders or classes of men. Whenever they have touched the doctrine of privilege the framers of that instrument, and the people of the United States adopting it, have been careful that nothing should be got by inference or construction.—the privileges of this House even, have been precisely defined, and nothing is left for its extension, whatever may be the wishes or disposition of its members. The principle that this constitution is but a limited grant of power occurs, if not directly, yet frequently and effectually, so that it cannot be mistaken. On the privilege asked for, to permit colleges and universities to import their books free of impost, we refer to the 8th section of the 1st article, where it is declared that Congress shall have power to levy and collect taxes, duties, imposts and excises; but all duties, imposts and excises, shall be uniform throughout the United States. The impost shall be uniform. It is a lamentable fact, but nevertheless it is a fact, and cannot be too much dwelt and insisted upon, nor too well known, that the ambiguity of language gives our constitution that character which leaves it in the power of civilians to say it means any thing or nothing. Whatever may have been said on other points; I think in this instance the language is so definite that it cannot possibly be mistaken. They shall be uniform, that is to say, there shall be but one quantum, one mode of collecting, and one manner; there shall not be two measures to mete with. If Congress undertake to exempt one class of people from the payment of the impost they may exempt others also. If they begin with colleges and universities for the advancement of learning, surely they may go on to exempt the clergy and congregation for the advancement of religion; they may exempt their own members: indeed it cannot be seen where they are to stop, having once overleaped the constitutional barrier and entered on the wide field of privilege. The duties must be uniform! nobody can be exempted, the President, if he chuses to import books, must pay the duty as well as any private citizen. In this country we have no privileged class, all must fare alike, every man must bend to the law, and the tax must be uniform whether on land or books.

Perhaps it may be said that the practice under the constitution has decided against my construction; for philosophical apparatus is exempted from duty when imported for the benefit of seminaries of learning. I agree that philosophical apparatus is exempted by law; but I believe that law to be an unconstitutional law, as well as some others passed by former Congresses. But I do not wish to cast an odium upon its framers, more than they deserve; it might have passed through inadvertence or want of reflection, nay, it might have been the result of pure motives, the advancement of science and literature. Yet to shew how intent the constitution is to guard against powers drawn by construction even on this very subject, which it must have been solicitous to have extended, it has limited the efforts of Congress to promote literature and the useful arts by any other means than that of granting to authors and discoverers the exclusive use of their inventions, and publishing their works—And Congress have no power to promote the advancement of science or literature in any other than this particular way. If these observations are not received as reasons for the report of the committee, they will be considered as the justification of one of its members.

Mr. Findley observed, that in addition to the constitutional objections urged, he had others on the ground of expediency. The country colleges and seminaries, whose funds were small, had seldom or never an opportunity of importing books; they were happy to receive them in the country as donations, or by cheap editions; they would therefore receive no corresponding accommodation, and yet they were more useful and their use more universally felt, than those called higher institutions, which claim to be exempted from paying impost. There are only a few of the well endowed academies that can afford to procure foreign books, and when they have them, their circulation is extremely confined; to say nothing more, these reasons would engage me to support the resolution.

Mr. R. Griswold. The gentleman from Virginia (Mr. Randolph) must have misunderstood me when he supposed I objected to the report, because the committee had assigned no reason for the resolution—I mentioned the circumstance merely to shew that we ought not then to decide. With respect to the constitutional objection he has set up, I acknowledge it is new to me—Such an enquiry may be of great weight, but it does not appear so to me. The paragraph quoted from the 8th section of 1st article, that Congress shall have power to levy and collect taxes, has never struck me in the way it has that gentleman. The words are, *levy and collect taxes, duties, imposts and excises*; but it drops the words taxes, it being settled in another part of the constitution, and declares that duties, imposts and excises shall be uniform—The one speaks of direct taxes, the other of indirect—meaning that if an indirect tax is laid it shall be uniform. No one state is to have an excise laid upon its inhabitants unless it extends to the citizens of every other. One part is not to be excised, and another excused. This has always been the construction of that section of the constitution 'till the present moment, and I think it the true one. It is now said that Congress can only promote science and literature in one way. Why! have not Congress made grants of lands to promote those objects in the western country? They have. I believe the power of Congress adequate to promote literature in the way applied for, and it has been frequently the case that even after duties have been paid into the treasury upon the uniform system, yet individuals have had those duties returned. I do not want to detain the house; but I am well persuaded that the constitution forms no impediment, and the expediency must be apparent.

Mr. J. Randolph believed the gentleman last up had misunderstood him. But it was not very material whether he was misunderstood or not, as Mr. G. had not thought proper to answer him on the principal ground, namely the constitutional objection. He however said something. Duties, imposts and excises shall be uniform. Can they be uniform when a particular class or corporation are exempt from their payment? This is a new kind of uniformity. It is a species of uniformity I do not understand. He asks, if you have not granted land and returned duties received into the treasury. Indubitably you have. And we have the power, and in some instances the right