



**THE WORKS OF
THOMAS
JEFFERSON
VOLUME 5**

The Works of Thomas Jefferson

Volume 5

THOMAS JEFFERSON

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ITINERARY AND CHRONOLOGY OF THOMAS JEFFERSON

1786-1789

1786.— Jan. 24.	At Paris. Prepares notes for Meusnier.
Feb.	Aids John Ledyard.
Mch. 5.	Leaves Paris. At Calais.
11.	At London.
22.	Presented to King, Windsor. Has interview with Tripolitan Ambassador. Negotiates treaty with Portugal.
26.	Prepares with Adams <i>projet</i> of treaty with Great Britain.
Apl. 1-9.	At Chiswick, Richmond, Twickenham, Woburn, Hampton Court, Paynes Hill, Cobham, Weybridge, Woburn, Cavorsham, Reading, Wotton, Buckingham, Banbury, Stowe, Buckingham, Stratford, Hockley, Birmingham, Stourbridge, Bromsgrove, Worcester, Winchcomb, Moreton, Eynston, Woodstock, Oxford, High Wycombe.

10. At London.
Signs treaty with Portugal.
Portrait painted by Mather Brown.
26. Leaves London.
At Dartford, Rochester,
Canterbury, Dover.
29. At Calais, St. Omer, Royes,
Bourgel.
- May 1. At Paris.
23. Suggests treaty against
Barbary states.
- June 22. Corrects article of Meusnier.
Rents hotel corner Champs
Sept. Élysées and rue Neuve de
Berry.
4. Fractures wrist.
13. Answers queries of Soulé's.
- 1786.—
Oct. 22. Prepares map of Virginia.
Made an LL.D. (Yale).
- Dec. 16. Act for Religious Freedom
passed by Virginia Assembly.
- Dec. 26. *Notes on Virginia* translated
into French by Morellet.
- 1787.—
Jan. 4. Makes proposition to British
creditors.
- Feb. 27. Attends audience of
Montmorin.
- Mch. 3. At Sens and Vermanton.
4. At Lucy le Bois, Cussy les
Forges, Rouvray, Maisonneuve,

- Vitteaux, La Chalieure, Pont de Paris, and Dijon.
- 7-8. At La Boraque and Chagny.
9. At Chalons, Sennecy, Tournus, St. Albin, and Macon.
- At Maison blanche, St. George, Château de Laye-Epinaye, and Lyons.
- 15-18. At St. Fond and Mornas.
- At Pont St. Esprit, Bagnols, Connault, Valignières,
- 19-23. Remoulins, St. Gervasy, and Nismes.
24. At Nismes, Arles, Terrasson, and St. Remis.
25. At Orgon, Portroyal, and St. Cannat.
- 25-28. At Aix.
29. At Marseilles.
- At Marseilles, Aubagne, Cuges, Beausset, Toulon,
- Apl. 6. Hieres, Cuers, Pignans, and Luc.
9. At Vidauban, Muy, Frejus, Antibes, and Nice.
13. At Scarena and Sospello.
14. At Ciandola and Tende.
15. At Limone and Coni.
16. At Centale, Savigliano, Racconigi, Poerino, and Turin.
19. At Setimo, Chivasco, Ciliano, St. Germans, and Vercelli.
20. At Novara, Buffalora,

- Sedriano, and Milan.
23. At Casino, Rozzano, Binasco, and Pavia.
 24. At Voghera, Tortona, and Nevi.
 25. At Voltaggio, Campo-Marone, and Genoa.
 28. At Noli.
 29. At Albenga.
 30. At Oneglia.
 - May 1. At Ventimiglia, Menton, Monaco, and Nice.
 3. At Luc, Brignolles, Tourves, Poucieux, and La Galinière.
 - 1787.—
May 8. At Orgon, Avignon, and Vaucluse.
 10. At Nismes and Lunel.
 11. At Montpellier.
 12. At Frontignan and Cette.
 13. At Agde.
 14. At Bézieres.
 15. At Argilies and Saumal.
 16. At Marseillette and Carcassone.
 18. At Castelnaudari.
 19. At St. Feriol, Escauraze, and Lampy.
 20. At Narouze, Villefranche, and Baziege.
 21. At Toulouse.
 23. At Agen.
 24. At Castres and Bourdeaux.

- 29. At Blaye.
- 30. At Rochefort and Le Rochex.
- 31. At St. Hermines and Nantes.
- June 2. At L'Orient.
- 3-5. At L'Orient, Rennes, and
Nantes.
- 6-8. At Ancenis, Angers, and
Tours.
- 9-11. At Blois and Orleans.
- 11. At Paris.
- Sends Piedmont rice and olive
tree to America.
- Mary Jefferson arrives from
America.
- July Conducts commercial
negotiations with new ministry.
- Aug. 29. Writes letter to *Journal de
Paris*.
- Sept. Map of Virginia finished.
- Oct. 1. Sends natural-history
specimens to Buffon.
- Dec. Advises transfer of French
debts.
- English edition of *Notes on
Virginia* printed.
- 1788.—
- Jan. 13. Sends Egyptian rice to
America.
- Feb. 4. Leaves Paris.
- 11. Declines membership in
society for abolition of slave
trade.
- 13. At Amsterdam.

- Negotiations over U. S. debt.
- Mar. 31. Leaves Amsterdam.
- At Utrecht and Nimeguen.
- Apr. 1. At Cranenburg, Cleve,
- Santen, Reynberg, Hoogstrakt.
- 2. At Essenberg, Duysberg, and
- Dusseldorf.
- 3. At Cologne.
- 4. At Bonne, Andernach, and
- Coblentz.
- 5. At Nassau.
- 1788.— At Schwelbach, Wisbaden,
- Apr. 6. Hochheim.
- 7. At Frankfort.
- 8. At Hanau.
- 10. At Hochheim and Mayence.
- 11. At Rudesheim, Johannesberg,
- Markebrom.
- 12. At Mayence, Oppenheim, and
- Dorms.
- 13. At Mannheim.
- 14. At Dossenheim, Heidelberg,
- and Schwetzingen Mannheim.
- 15. At Spire and Carlsruhe.
- 16. At Rastadt, Scholhoven,
- Bischofheim, Kehl, and
- Strasburg.
- 17-18. At Strasburg, Saverne, and
- Phalsbourg.
- 19. At Fenestrange, Moyenvic,
- and Nancy.
- 20. At Toule, Void, Ligney en

- Barrois, Bar le Duc, and St. Dizier.
21. At Vitry le Français, Chalons sur Marne, and Epernay.
22. At Aij, Auvillaij, Cumieres, and Pierrij.
23. At Château-Thierry, St. Jean, Meaux, Vergalant, Paris.
- June 20. Opens negotiation for new Consular Convention.
Made an LL.D. by Harvard.
- July Buys Deane's letter books.
- Aug. 10. At Versailles attending audience to East Indians.
- Sept. 16. Submits draft of Consular Convention.
- Oct. 23. Protests against French arrêt respecting whale oil.
- Nov. 14. Signs Consular Convention.
Writes and prints Observations on whale fisheries.
16. Secures special privileges for American whale oil.
19. Applies to Congress for leave of absence.
- Dec. Sickness of daughter.
- 1789.—
Feb. 4. Secures recall of Moustier.
- May 8. At Versailles attending opening of the States General.
- June 3. Prepares Charter for France.
12. Visits Versailles.

- 18. President grants leave of absence.
- 24. Visits Versailles.
- July 17. Visits ruins of Bastille.
- 18. At Versailles.

CORRESPONDENCE

1786

ANSWERS TO QUESTIONS PROPOUNDED BY M. DE MEUSNIER^{Ref. 002}

j. mss.

(Jan. 24, 1786.)

1. On the original establishment of the several states, The civil code of England, from whence they had emigrated, was adopted. This, of course, could extend only to general laws, and not to those which were particular to certain places in England only. The circumstances of the new states oblige them to add some new laws which their special situation required, and even to change some of the general laws of England in cases which did not suit their circumstances or ways of thinking. The law of descents for instance, was changed in several states. On the late revolution, the changes which their new form of government rendered necessary were easily made. It was only necessary to say that the powers of legislation, the judiciary & the executive powers, heretofore exercised by persons of such and such descriptions shall henceforth be exercised by persons to be appointed in such and such manners. This was what their constitutions did. Virginia thought it might be necessary to examine the whole code of law, to reform such parts of it as had been calculated to produce a devotion to monarchy, and to reduce into smaller volumes such useful parts as had become too diffuse. A Committee was appointed to execute this work; they did it;

and the assembly began in Octob. 1785, the examination of it, in order to change such parts of the report as might not meet with their approbation and to establish what they should approve. We may expect to hear the result of their deliberations about the last of February next.

I have heard that Connecticut undertook a like work: but I am not sure of this, nor do I know whether any other of the states have or have not done the same.

2. The Constitution of New Hampshire established in 1776, having been expressly made to continue only during the contest with Great Britain, they proceeded, after the close of that, to form and establish a permanent one, which they did. The Convention of Virginia which organized their new government had been chosen before a separation from Gr Britain had been thought of in their state. They had therefore none but the ordinary powers of legislation. This leaves their act for organizing the government subject to be altered by every legislative assembly, and tho no general change in it has been made, yet it's effect has been controulled in several special cases. It is therefore thought that that state will appoint a Convention for the special purpose of forming a stable constitution. I think no change has been made in any other of the states.

3. The following is a rough estimate of the particular debts of some of the states as they existed in the year 1784:

	Dollars.
New Hampshire	500,000
Rhode island	430,000
Massachusetts	5,000,000
Connecticut	3,439,086 $\frac{2}{3}$
Virginia	2,500,000

United States' principal of \$ 7,000,000.
Foreign debt nearly

The principal of the domestic
debt is somewhere between 27½ 31,500,000.
millions & 35½ millions, call it
therefore

—————
\$38,500,000.

The other states not named here are probably indebted in the same proportion to their abilities. If so, & we estimate their abilities by the rule of quotaing them those 8 states will owe about 14 millions, & consequently the particular debts of all the states will amount to 25 or 26 millions of dollars.

5. A particular answer to this question would lead to very minute details. One general idea however may be applied to all the states. Each having their separate debt, and a determinate proportion of the federal debt, they endeavour to lay taxes sufficient to pay the interest of both of these, and to support their own & the federal government. These taxes are generally about one or one & a half per cent. on the value of property, & from 2½ to 5 per cent. on foreign merchandise imported. But the payment of this interest regularly is not accomplished in many of the states. The people are as yet not recovered from the depredations of the war. When that ended, their houses were in ruin, their farms waste, themselves distressed for clothing and necessaries for their household. They cannot as yet therefore bear heavy taxes. For the payment of the principal no final measures are yet taken. Some states will have land for sale, the produce of which may pay the principal debt. Some will endeavor to have an exceeding of their taxes to be applied as a sinking fund, and all of them look forward to the increase of population, & of course an increase of

productiveness in their present taxes to enable them to be sinking their debt. This is a general view. Some of the states have not yet made even just efforts for satisfying either the principal or interest of their public debt.

6. By the close of the year 1785 there had probably passed over about 50,000 emigrants. Most of these were Irish. The greatest number of the residue were Germans. Philadelphia receives most of them, and next to that, Baltimore & New York.

7. Nothing is decided as to Vermont. The four northernmost states wish it to be received into the Union. The middle & Southern states are rather opposed to it. But the great difficulty arises with New York which claims that territory. In the beginning every individual of that state revolted at the idea of giving them up. Congress therefore only interfered from time to time to prevent the two parties from coming to an open rupture. In the meanwhile the minds of the New Yorkers have been familiarizing to the idea of a separation & I think it will not be long before they will consent to it. In that case the Southern & Middle states will doubtless acquiesce, and Vermont will be received into the Union.

LeMaine, a part of the government of Massachusetts, but detached from it (the state of N Hampshire lying between) begins to desire to be separated. They are very weak in numbers as yet; but whenever they shall obtain a certain degree of population, there are circumstances which render it highly probable they will be allowed to become a separate member of the Union.

8. It is believed that the state of Virginia has by this time made a second cession of lands to Congress, comprehending all those between the meridian of the mouth of the great Kanhaway, the Ohio, Mississippi & Carolina boundary. Within this lies Kentucky. I believe that their numbers are sufficient already to entitle them to come into Congress, and that their reception there will only incur

the delay necessary for taking the consent of the several assemblies. There is no other new state as yet approaching the time of it's reception.

10. The number of Royalists which left New York, South Carolina & Georgia when they were evacuated by the British army was considerable, but I am absolutely unable to conjecture their numbers. From all the other states I suppose perhaps two thousand may have gone.

11. The Confederation is a wonderfully perfect instrument, considering the circumstances under which it was formed. There are however some alterations which experience proves to be wanting. These are principally three. 1. To establish a general rule for the admission of new states into the Union. By the Confederation no new state, except Canada, can be permitted to have a vote in Congress without first obtaining the consent of all the thirteen legislatures. It becomes necessary to agree what districts may be established into separate states, and at what period of their population they may come into Congress. The act of Congress of April 23, 1784, has pointed out what ought to be agreed on, to say also what number of votes must concur when the number of voters shall be thus enlarged. 2. The Confederation in it's eighth article decides that the quota of money to be contributed by the several states shall be proportioned to the value of landed property in the state. Experience has shown it impracticable to come at this value. Congress have therefore recommended to the states to agree that their quotas shall be in proportion to the number of their inhabitants, counting 5 slaves however but as equal to 3 free inhabitants. I believe all the states have agreed to this alteration except Rhode island. 3. The Confederation forbids the states individually to enter into treaties of commerce, or of any other nature, with foreign nations: and it authorizes Congress to establish such treaties, with two reservations however, viz., that they shall agree to no

treaty which would 1. restrain the legislatures from imposing such duties on foreigners, as natives are subjected to; or 2. from prohibiting the exportation or importation of any species of commodities. Congress may therefore be said to have a power to regulate commerce, so far as it can be effected by conventions with other nations, & by conventions which do not infringe the two fundamental reservations before mentioned. But this is too imperfect. Because till a convention be made with any particular nation, the commerce of any one of our states with that nation may be regulated by the State itself, and even when a convention is made, the regulation of the commerce is taken out of the hands of the several states only so far as it is covered or provided for by that convention or treaty. But treaties are made in such general terms, that the greater part of the regulations would still result to the legislatures. Let us illustrate these observations by observing how far the commerce of France & of England can be affected by the state legislatures. As to England, any one of the legislatures may impose on her goods double the duties which are paid other nations; may prohibit their goods altogether; may refuse them the usual facilities for recovering their debts or withdrawing their property, may refuse to receive their Consuls or to give those Consuls any jurisdiction. But with France, whose commerce is protected by a treaty, no state can give any molestation to that commerce which is defended by the treaty. Thus, tho' a state may exclude the importation of all wines (because one of the reservations aforesaid is that they may prohibit the importation of any species of commodities) yet they cannot prohibit the importation of *French* wines particularly while they allow wines to be brought in from other countries. They cannot impose heavier duties on French commodities than on those of other nations. They cannot throw peculiar obstacles in the way of their recovery of debts due them &c. &c. because

those things are provided for by treaty. Treaties however are very imperfect machines for regulating commerce in the detail. The principal objects in the regulation of our commerce would be: 1. to lay such duties, restrictions, or prohibitions on the goods of any particular nation as might oblige that nation to concur in just & equal arrangements of commerce. 2. To lay such uniform duties on the articles of commerce throughout all the states, as may avail them of that fund for assisting to bear the burthen of public expenses. Now this cannot be done by the states separately; because they will not separately pursue the same plan. New Hampshire cannot lay a given duty on a particular article, unless Massachusetts will do the same; because it will turn the importation of that article from her ports into those of Massachusetts, from whence they will be smuggled into New Hampshire by land. But tho Massachusetts were willing to concur with N Hampshire in laying the same duty, yet she cannot do it, for the same reason, unless Rhode island will also, nor can Rhode island without Connecticut, nor Connecticut without N York, nor N York without N Jersey, & so on quite to Georgia. It is visible therefore that the commerce of the states cannot be regulated to the best advantage but by a single body, and no body so proper as Congress. Many of the states have agreed to add an article to the Confederation for allowing to Congress the regulation of their commerce, only providing that the revenues to be raised on it, shall belong to the state in which they are levied. Yet it is believed that Rhode island will prevent this also. An everlasting recurrence to this same obstacle will occasion a question to be asked. How happens it that Rhode island is opposed to every useful proposition? Her geography accounts for it, with the aid of one or two observations. The cultivators of the earth are the most virtuous citizens, and possess most of the *amor patriæ*. Merchants are the least virtuous, and possess the least of the *amor patriæ*. The latter reside

principally in the seaport towns, the former in the interior country. Now it happened that of the territory constituting Rhode island & Connecticut, the part containing the seaports was erected into a state by itself & called Rhode island, & that containing the interior country was erected into another state called Connecticut. For tho it has a little seacoast, there are no good ports in it. Hence it happens that there is scarcely one merchant in the whole state of Connecticut, while there is not a single man in Rhode island who is not a merchant of some sort. Their whole territory is but a thousand square miles, and what of that is in use is laid out in grass farms almost entirely. Hence they have scarcely any body employed in agriculture. All exercise some species of commerce. This circumstance has decided the characters of these two states. The remedies to this evil are hazardous. One would be to consolidate the two states into one. Another would be to banish Rhode island from the union. A third to compel her submission to the will of the other twelve. A fourth for the other twelve to govern themselves according to the new propositions and to let Rhode island go on by herself according to the antient articles. But the dangers & difficulties attending all these remedies are obvious.

These are the only alterations proposed to the confederation, and the last of them is the only additional power which Congress is thought to need.

12. Congress have not yet ultimately decided at what rates they will redeem the paper money in the hands of the holders, but a resolution of 1784, has established the principal, so that there can be little doubt but that the holders of paper money shall receive as much real money as the paper was actually worth at the time they received it, and an interest of 6 per cent from the time they received it. It's worth will be found in the depreciation table of the state wherein it was received; these depreciation tables

having been formed according to the market prices of the paper money at different epochs.

13. Those who talk of the bankruptcy of the U. S. are of two descriptions. 1. Strangers who do not understand the nature & history of our paper money. 2. Holders of that paper-money who do not wish that the world should understand it. Thus when, in March 1780. the paper money being so far depreciated that 40 dollars of it would purchase only 1. silver dollar, Congress endeavored to arrest the progress of that depreciation by declaring they would emit no more, and would redeem what was in circulation at the rate of one dollar of silver for 40 of paper; this was called by the brokers in paper money, a bankruptcy. Yet these very people had only given one dollar's worth of provisions, of manufactures, or perhaps of silver for their forty dollars, & were displeased that they could not in a moment multiply their silver into 40. If it were decided that the U. S. should pay a silver dollar for every paper dollar they emitted, I am of opinion (conjecturing from loose data of my memory only as to the amount & true worth of the sums emitted by Congress and by the several states) that a debt, which in it's just amount is not more perhaps than 6 millions of dollars, would amount up to 400 millions; and instead of assessing every inhabitant with a debt of about 2 dollars, would fix on him thirty guineas which is considerably more than the national debt of England affixes on each of its inhabitants, and would make a bankruptcy where there is none. The real just debts of the U. S., which were stated under the 3d query, will be easily paid by the sale of their lands, which were ceded on the fundamental condition of being applied as a sinking fund for this purpose.

14. La canne à sucre est un erreur du traducteur de M. Filson. Le mot Anglois 'cane' vent dire 'arundo' en latin, et 'roseau' ou 'canne' en François le traducteur en a fait la

'canne du sucre,' probablement que le 'caffier' est une erreur semblable.

15. The whole army of the United States was disbanded at the close of the war. A few guards only were engaged for their magazines. Lately they have enlisted some two or three regiments to garrison the posts along the Northern boundary of the U. S.

16. 17. The U. S. do not own at present a single vessel of war; nor has Congress entered into any resolution on that subject.

18. I conjecture there are 650,000 negroes in the five Southernmost states, and not 50,000 in the rest. In most of these latter effectual measures have been taken for their future emancipation. In the former, nothing is done towards that. The disposition to emancipate them is strongest in Virginia. Those who desire it, form, as yet, the minority of the whole state, but it bears a respectable proportion to the whole in numbers & weight of character & it is continually recruiting by the addition of nearly the whole of the young men as fast as they come into public life. I flatter myself it will take place there at some period of time not very distant. In Maryland & N. Carolina a very few are disposed to emancipate. In S. Carolina & Georgia not the smallest symptoms of it, but, on the contrary these two states & N. Carolina continue importations of negroes. These have been long prohibited in all the other states.

19. In Virginia, where a great proportion of the legislature consider the constitution but as other acts of legislation, laws have been frequently passed which controulled it's effects. I have not heard that in the other states they have ever infringed their constitution; & I suppose they have not done it; as the judges would consider any law as void which was contrary to the constitution. Pennsylvania is divided into two parties, very nearly equal, the one desiring to change the constitution, the other opposing a change. In Virginia there is a part of

the state which considers the act for organizing their government as a constitution, & are content to let it remain; there is another part which considers it only as an ordinary act of the legislature, who therefore wish to form a real constitution, amending some defects which have been observed in the acts now in force. Most of the young people as they come into office arrange themselves on this side, and I think they will prevail ere long. But there are no heats on this account. I do not know that any of the other states propose to change their constitution.

20. I have heard of no malversations in office which have been of any consequence; unless we consider as such some factious transactions in the Pennsylvania assembly; or some acts of the Virginia assembly which have been contrary to their constitution. The causes of these were explained in the preceding article.

21. Broils among the states may happen in the following way: 1. A state may be embroiled with the other twelve by not complying with the lawful requisitions of Congress. 2. Two states may differ about their boundaries. But the method of settling these is fixed by the Confederation, and most of the states which have any differences of this kind are submitting them to this mode of determination; and there is no danger of opposition to the decree by any state. The individuals interested may complain, but this can produce no difficulty. 3. Other contestations may arise between two states, such as pecuniary demands, affrays among their citizens, & whatever else may arise between any two nations. With respect to these, there are two opinions. One that they are to be decided according to the 9th article of the Confederation, which says that "Congress shall be the last resort in all differences between two or more states, concerning boundary jurisdiction, *or any other cause whatever*"; and prescribes the mode of decision, and the weight of reason is undoubtedly in favor of this opinion, yet there are some who question it.

It has been often said that the decisions of Congress are impotent because the Confederation provides no compulsory power. But when two or more nations enter into compact, it is not usual for them to say what shall be done to the party who infringes it. Decency forbids this, and it is unnecessary as indecent, because the right of compulsion naturally results to the party injured by the breach. When any one state in the American Union refuses obedience to the Confederation by which they have bound themselves, the rest have a natural right to compel them to obedience. Congress would probably exercise long patience before they would recur to force; but if the case ultimately required it, they would use that recurrence. Should this case ever arise, they will probably coerce by a naval force, as being more easy, less dangerous to liberty, & less likely to produce much bloodshed.

It has been said too that our governments both federal and particular want energy; that it is difficult to restrain both individuals & states from committing wrong. This is true, & it is an inconvenience. On the other hand that energy which absolute governments derive from an armed force, which is the effect of the bayonet constantly held at the breast of every citizen, and which resembles very much the stillness of the grave, must be admitted also to have it's inconveniences. We weigh the two together, and like best to submit to the former. Compare the number of wrongs committed with impunity by citizens among us, with those committed by the sovereign in other countries, and the last will be found most numerous, most oppressive on the mind, and most degrading of the dignity of man.

22. The states differed very much in their proceedings as to British property; and I am unable to give the details. In Virginia, the sums sequestered in the treasury remain precisely as they did at the conclusion of the peace. The British having refused to make satisfaction for the slaves they carried away, contrary to the treaty of peace, and to

deliver up the posts within our limits, the execution of that treaty is in some degree suspended. Individuals however are paying off their debts to British subjects, and the laws even permit the latter to recover them judicially. But as the amount of these debts are 20 or 30 times the amount of all the money in circulation in that state, the same laws permit the debtor to pay his debts in seven equal & annual payments.

ADDITIONAL QUESTIONS OF M. DE MEUSNIER, AND ANSWERS

j. mss.

1. What has led Congress to determine that the concurrence of seven votes is requisite in questions which by the Confederation are submitted to the decision of a Majority of the U. S. in Congress assembled?

The IXth article of Confederation § 6. evidently establishes three orders of questions in Congress. 1. The greater ones, which relate to making peace or war, alliances, coinage, requisitions for money, raising military force, or appointing it's commander-in-chief. 2. The lesser ones, which comprehend all other matters submitted by the Confederation to the federal head. 3. The single question of adjourning from day to day. This graduation of questions is distinctly characterized by the article.

In proportion to the magnitude of these questions, a greater concurrence of the voices composing the Union was thought necessary. Three degrees of concurrence, well distinguished by substantial circumstances, offered themselves to notice. 1. A concurrence of a *majority of the people* of the Union. It was thought that this would be ensured by requiring the voices of nine states; because according to the loose estimates which had been made of the inhabitants, & the proportion of them which were free,

it was believed that even the nine smallest would include a majority of the free citizens of the Union. The voices therefore of nine states were required in the greater questions. 2. A concurrence of the *majority of the states*. Seven constitute that majority. This number therefore was required in the lesser questions. 3. A concurrence of the *majority of Congress*, that is to say, of the states actually present in it. As there is no Congress when there are not seven states present, this concurrence could never be of less than four states. But these might happen to be the four smallest, which would not include one ninth part of the free citizens of the Union. This kind of majority therefore was intrusted with nothing but the power of adjourning themselves from day to day.

Here then are three kind of majorities. 1. Of the people. 2. Of the states. 3. Of the Congress: each of which is entrusted to a certain length.

Tho the paragraph in question be clumsily expressed, yet it strictly enounces it's own intentions. It defines with precision the *greater* questions for which nine votes shall be requisite. To the *lesser* questions it then requires a *majority of the U. S. in Congress assembled*: a term indeed which will apply either to the number seven, as being a *majority of the states*; or to the number four, as being a *majority of Congress*. Which of the two kinds of majority was meant? Clearly that which would leave a still smaller kind for the decision of the question of adjournment. The contrary would be absurd.

This paragraph therefore should be understood as if it had been expressed in the following terms: "The United States in Congress assembled shall never engage in war &c. but with the consent of nine states: nor determine any other question but with the consent of a majority of the whole states; except the question of adjournment from day to day, which may be determined by a majority of the states actually present in Congress."

2. How far is it permitted to bring on the reconsideration of a question which Congress has once determined?

The first Congress which met being composed mostly of persons who had been members of the legislatures of their respective states, it was natural for them to adopt those rules in their proceedings to which they had been accustomed in their legislative houses; and the more so as these happened to be nearly the same, as having been copied from the same original, the British parliament. One of those rules of proceeding was, that "a question once determined cannot be proposed a second time in the same session." Congress, during their first session, in the autumn of 1774, observed this rule strictly. But before their meeting in the spring of the following year, the war had broke out. They found themselves at the head of that war in an Executive as well as Legislative capacity. They found that a rule, wise and necessary for a Legislative body, did not suit an Executive one, which, being governed by events, must change their purposes, as those change. Besides their session was likely then to become of equal duration with the war; and a rule which should render their legislation immutable during all that period could not be submitted to. They therefore renounced it in practice, and have ever since continued to reconsider their questions freely. The only restraint as yet provided against the abuse of this permission to reconsider, is that when a question has been decided, it cannot be proposed for reconsideration but by some one who voted in favor of the former decision, & declares that he has since changed his opinion. I do not recollect accurately enough whether it be necessary that his vote should have decided that of his state, and the vote of his state have decided that of Congress.

Perhaps it might have been better when they were forming the federal constitution, to have assimilated it as much as possible to the particular constitutions of the states. All of these have distributed the Legislative,

executive & judiciary powers into different departments. In the federal constitution the judiciary powers are separated from the others: but the legislative and executive are both exercised by Congress. A means of amending this defect has been thought of. Congress having a power to establish what committees of their own body they please, and to arrange among them the distribution of their business, they might on the first day of their annual meeting appoint an executive committee, consisting of a member from each state, and refer to them all executive business which should occur during their session; confining themselves to what is of a legislative nature, that is to say to the heads described in the 9th article as of the competence of 9 states only, and to such other questions as should lead to the establishment of general rules. The journal of this committee of the preceding day might be read the next morning in Congress, & considered as approved, unless a vote was demanded on a particular article, & that article changed. The sessions of Congress would then be short, & when they separated, the Confederation authorizes the appointment of a committee of the states, which would naturally succeed to the business of the Executive committee. The legislative business would be better done, because the attention of the members would not be interrupted by the details of execution; and the executive business would be better done, because business of this nature is better adapted to small than great bodies. A monarchical head should confide the execution of it's will to departments consisting each of a plurality of hands, who would warp that will as much as possible towards wisdom & moderation, the two qualities it generally wants. But a republican head founding it's decrees originally in these two qualities should commit them to a single hand for execution, giving them thereby a promptitude which republican proceedings generally want. Congress could not indeed confide their executive business to a smaller number than a committee consisting of a

member from each state. This is necessary to ensure the confidence of the Union. But it would be gaining a great deal to reduce the executive head to thirteen, and to debarrass themselves of those details. This however has as yet been the subject of private conversations only.

3. Calculating the federal debts by the interest they pay, their principal would be much more than is stated under the 3d. of the former queries. The reason for this is that there is a part of the money put into the loan office which was borrowed under a special contract that whatever depreciation might take place on the principal, the interest should be paid in hard money on the nominal amount, Congress only reserving to itself the right, whenever they should pay off the principal, to pay it according to it's true value, without regard to it's nominal one. The amount of this part of the debt is 3,459.200 dollars. From the best documents in my possession I estimate the capital of the federal debt as follows.

Dollars			
Spanish loan			
#			
Farmers			
general	of	5	846,710-
France			156.798
Individuals	in		
France			250.000
#			
Crown	of		
France, in	it's	24.000.000	4.444.444
own right			
To	Holland,		
guarantied	by	10.000.000	1.851.851
France			

	Dollars
Dutch loan of 5 million of florins	2.020.207
Dutch loan of 2 million of florins	808.080
	<hr/>
	9.705.375

Domestic debt as stated in Apr. 1783, since which there is no better state.

Loan office debt	11.463.802
Credits in the treasury books	638.042
Army debt	5.635.618
Unliquidated debt estimated at	8.000.000
Commutation to the Army	5.000.000
Bounty due to Privates	500.000
Deficiencies of this estimate supposed	2.000.000
	<hr/>
	33.237.462
Whole debt foreign and domestic	42.942.837

The result as to the foreign debt is considerably more than in the estimate I made before. That was taken on the state of the Dutch loans as known to Congress in 1784. The new estimate of 1785 however (lately come to hand) shews those loans to be completed up to 7 millions of florins, which is much more than their amount in the preceding statements. The domestic debt too is made somewhat higher than in the preceding answer to the 3d. query. I had