

Unmodified Emolument - All 11 cases

# TO THOMAS JEFFERSON FROM SHARP DELANY, 30 APRIL 1793

## From Sharp Delany

SIR

30th April. 1793

I have distributed the Passports which I received Yesterday by Your directions, and there are now applications for a considerable number.

In Your Letter of Instruction there is no mention of any Charge, which led me to tell the Merchants I had no authority to receive any fee or emolument, but that I should make the proper inquiry and inform them accordingly. I would therefore beg leave to observe that almost every Vessel bound to a Foreign Port will require a Sea Letter—the Expence and trouble of which will be considerable, and I make no doubt on demand would be paid willingly. On this head I beg to have your opinion, and if any more are in readiness I request they may be delivered to the bearer. I am Sir with great Respect your Obedient Servant

SHARP DELANY

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RC (DLC); endorsed by TJ as received 30 Apr. 1793 and so recorded in SJL.

TJ's **LETTER OF INSTRUCTION** to Sharp Delany, the federal customs collector in Philadelphia, has not been found and is not recorded in SJL. According to a later statement by TJ, this letter instructed Delany to fill out and deliver on TJ's behalf to the ships in question passports certifying American ownership of seven merchant vessels about to leave Philadelphia (TJ to Alexander Hamilton, 8 May 1793). On the need for passports for American ships, whether built abroad or in the United States, in the wake of the outbreak of war between France and Great Britain, see Opinion on Ship Passports, 3 May 1793.

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JULY, 1797.]

*Impeachment of William Blount.*

[H. OF R.]

mind were, that a Senator was not impeachable, but, upon further inquiry, he had found reason to doubt his opinion.

He asked whether a power could be impeached for any offence which was not a violation of official duty. He thought this was clear by the Constitution. A judge was certainly a civil officer, yet, if he were guilty of treason against the United States "by levying war against them, or adhering to their enemies, giving them aid and comfort," though this would be no breach of official duty, he might certainly be impeached for the offence.

Another inquiry was, whether members of the Legislature were officers in the sense of the Constitution. This was an inquiry of great importance.

The right of impeachment seemed to be a right clearly political; it was a right in Government to protect itself by displacing from its councils men who were faithless and unworthy. Taken in this view, the reason of the thing seemed strongly to apply to the members of the Legislature.

With respect to a legislator being a civil officer, he would ask whether, if a man was displaced from a civil office, he would be eligible to be elected as a member of the Legislature? This would be an absurd conclusion, unless it should be said that to be elected to such a situation was to be in a place of neither honor, trust, or profit.

Another clause of the Constitution said, "that no title of nobility shall be granted, and no person holding any office of profit or trust shall accept of any present, emolument, office, or title of any kind whatever from any King, Prince, or foreign State." And it was not meant to be said that, though our officers were not to be allowed to receive emoluments, &c., the members of the Legislature were not forbidden to do it. This would be strange doctrine.

He would submit to the committee what he conceived to be their duty. He thought the House should be fully satisfied of the fact; but if there was any doubt as to the flagrancy of the offence, or the liability of the person to be thus tried, these doubts should be left to the decision of the Senate, as the proper constituted authority. As to the inquiry relative to facts, the committee did not conceive that that inquiry ought to extend to a foreign Minister. They had nothing to do with him. He did not come within their cognizance.

Mr. D. thought there could be no doubt as to the fact of the letter being really Mr. BLOUNT'S, as several persons in the House could prove his handwriting. It was necessary first to enter into this general resolution. Afterwards specific articles of impeachment could be prepared.

Mr. SITGREAVES said, it was observable that no gentleman had ventured to do any more than express his doubts, both as to the fact and the law on this occasion. With respect to the fact he did not expect any doubt. He believed that any gentleman at all conversant with that branch of law learning which relates to impeachment, must

know that impeachments have always been founded on official documents, or upon circumstances of notoriety, and not upon facts found as before a grand jury. In this instance they had received the letter of Mr. BLOUNT sufficiently authenticated in the communication of the President.

He was sorry that the measures which the Executive had taken in this business should have been censured, even by insinuation. Mr. S. said he had read the opinion of high law authority which had been obtained by the Executive. When he did this he thought he was giving proof of the honorable motives of the Executive. Information had been given to the Executive which, on the first blush, showed designs against the peace of the United States. It was the duty of the President to preserve the peace of the United States. It was natural and right for him, therefore, to take the opinion of those persons who were best qualified to direct him what course would be best to be pursued. These gentlemen had given it as their opinion that the proper way of proceeding would be by impeachment, and, in effect, that the President had no more to do with it, but that it should be turned over to the proper branch of the Government. In consequence, the President communicated more to the House than he had done to the Senate, as the original letter of WILLIAM BLOUNT was sent to them as evidence upon which they were to found their charge. The President did not direct them to impeach, but he had laid before them the facts, with the opinion of the law officers.

Mr. S. conceived that the conduct of the President had been strictly proper. He would pass on to the Constitutional doubts which had been expressed. It was acknowledged that there was no restriction upon the right of impeachment; but his colleague thought that something like a restriction might be gathered from the fourth clause of the second article of the Constitution, which he had quoted. It was to be observed that this article was found in that part of the Constitution which related only to the Executive Department of the Government. This, he took it, was a good reason why this rule should not be taken as a rule in the present case; but there was another clause which spoke of disqualifying persons from ever filling any office in future, which was a greater power than that under the Executive Department. If the construction which his colleague had put upon the Constitution with respect to impeachment was the true one, an officer of the Government could not be brought to trial after he had resigned, as he could not then be removed from office.

His colleague had produced another article of the Constitution which limited the punishment under an impeachment. This, Mr. S. said, was meant to guard against any disgraceful excess of Governmental vengeance or party venom, because it went on to say that if the offence was within ordinary crimes it might be prosecuted and punished in the same way as if an impeachment had not taken place.

Impeachment was then to be considered as for

JUNE, 1798.]

*Provisional Army.*

[H. OF R.]

some time to ascertain from each of them, whether they accept the rank allotted to them, and stand ready to raise the troops, so soon as recruiting orders should besent them. Much time would be saved by authorizing this measure immediately; and it would not add to the expense, for they would not be put upon pay until it became necessary to raise an army for the defence of the country. He hoped the section would be agreed to.

Mr. S. SMITH said, gentlemen seemed determined to do everything by steps. The raising of the provisional army was made to rest upon certain contingencies; but now it is wished that the President should have the power to appoint the officers immediately. He thought it would be fairer in gentlemen to come forward at once, and give the President the power to raise the army whenever he shall think proper, or immediately. This conduct would be more consistent with the dignity of Legislative proceedings, than doing one thing to-day and another to-morrow, which appeared to be the course constantly adopted. As it had been thought proper to defer the raising of the army until danger shall appear, he believed it would be best to defer the appointment of officers also till that time; for, if they were to be now appointed, instead of consisting of men who would engage in the service from patriotic motives, they would consist of bad sons, bad nephews, and indifferent cousins, who look up to the army for a livelihood. He wished this army to be a good army, and, therefore, he wished the appointment of officers to be delayed until danger appeared, in order to draw men of character and property into it, and in order to obtain such an army as we had during the Revolution.

Mr. SEWALL said, it appeared to him extraordinary that gentlemen should suppose that men who seek a military life for support should be anxious to accept of situations in a provisional army which may never be raised, and, until it is raised; from which they will never receive any pay or emolument. If the appointments are to be made at this time, these are not the men, he apprehended, who will solicit the appointments; they must have situations from which they can receive immediate emolument. Men who accept of these appointments must have something to live upon at home. But if these officers are not appointed until the time of danger arrives, the President will be under the necessity of appointing such as offer first; whereas, if they are made now, with deliberation, there is every reason to believe good men will be appointed. Indeed, if the appointment of officers was to be delayed until the army was raised, he should be in favor of raising it immediately.

Mr. SHEPARD thought it would be soon enough to appoint the officers, when we knew whether any men could be got. We had officers at this time recruiting for men to fill up the old regiments, but he believed they met with indifferent success. He could see no other way of raising the men than that of making requisitions on the several States for their portion of men; and if they furnish their quota of men, they will expect to be consulted in the choice of officers. But if

the appointments are made at present, and recruiting officers are sent out to get men, they will only pick up the refuse of society, one of whom will require two better men to take care of him; but if the appointment of officers and raising of men were delayed until occasion called for them, tried patriotic officers would be got, and the sons of the yeomanry of the country would enter into the service.

Mr. DANA said, he always supposed, until he heard from the gentleman from Massachusetts, whose military character certainly gave weight to his opinion on military subjects, that it was necessary first to raise men before officers were appointed—that it was first necessary to appoint officers in order to raise men. He supposed the President would not at present proceed to the appointment of officers of the superior grades, but confine his choice to those of the lower grades chiefly, which it may be supposed none of the patriotic officers of the Revolution would be willing to accept of, and this would be a business of the greatest trouble. In case of actual war, he supposed there are many military men in Congress who would again join the standard of their country; but he should be sorry if the public should be deprived of their services in the great councils of the nation, until an actual state of things shall call for their exertions in the field.

Mr. HARPER wished to bring to the recollection of the gentleman from Maryland what he determined to forget, viz: the disposition which certainly exists between making arrangements for an army, and the raising of that army. The bill for raising a provisional army, is a bill for raising an army, provided certain contingencies shall take place; and this bill is intended to make previous arrangements to be in readiness in case the army shall eventually be raised, therefore the objections of the gentleman from Maryland fell to the ground.

Mr. H. thought the idea of none but men who wished to make a military life their profession applying for offices in this army, in case they are appointed immediately, had been ably refuted by the gentleman from Massachusetts, (Mr. SEWALL.) It was likely to have quite a contrary effect.

With respect to the mode of raising troops by requisition, spoken of by another gentleman from Massachusetts, (Mr. SHEPARD,) such an idea must have arisen from a want of that military knowledge which he yesterday said he had forgotten. It was quite a novel idea that the States should have anything to do either with the raising of the men or the appointment of the officers of regular troops. It was another proof that the gentleman had forgotten part of his military knowledge, when he spoke of first raising men and then appointing officers. The gentleman had forgotten a number of other things; but Mr. H. hoped that gentlemen would all remember that Congress is now providing an effectual force against a threatened invasion, and he believed nothing would tend more to make it so, than giving the President power to appoint such officers, as he may think necessary, immediately.

Mr. MAON did not consider this a very import-

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## REUBEN HARVEY TO THE AMERICAN PEACE COMMISSIONERS, 10 FEBRUARY 1783

Reuben Harvey<sup>7</sup> to the American Peace Commissioners

LS: National Archives<sup>8</sup>

Cork 10th Febr. 1783

Respected Friends John Adams, Benjamin Franklin John Jay & Henry Laurens, Esquires.

Although my Name may be unknown to you, it is not so to many of your Countrymen whom the chance of War threw into Captivity at Kinsale & here during the late War, so unnaturally waged, & persisted in by a weak, wicked Ministry— In the early part of it some few warm Friends to America assisted me in collecting a handsome Sum to buy Cloaths & other Necessaries for 33 American Prisoners who had been taken near Montreal in 1775 & sent to England from Quebec— These poor Men were brought here on board the Solebay (one of Sir Peter Parker's Fleet) in Decr. 1775 & had comfortable Supplies of every thing suitable provided for their Winter Passage—<sup>9</sup> From July till Octr. 1781 there were several Hundred Americans captured in those Seas & confined in Kinsale Prison: their Treatment was not good, & I applied to Government for their relief, but under the Administration of Lord North little or no attention was paid to any Distress of this kind, however, I availed myself of the change that happened in April 1782 & on the Duke of Portland's Arrival at Dublin as Lord Lieutenant I wrote him concerning the hard Treatment (in many respects) endured by the poor Americans at Kinsale;<sup>1</sup> & a Correspondence on that Subject continued some Months between his Secretary Col. Fitzpatrick & me, as you will perceive by two of his letters to me now enclosed—<sup>2</sup> A great many of the Prisoners escaped from Kinsale to this place & were maintaind by me & a few other Friends to America for Months, until I could get them Passages to different parts of France & the Continent.

I have been severely reflected upon during the American War for my open & avowed Attachment to your just cause: I have been threatened with the vengeance of Ministry & was once obliged to appear before the Mayor of this City to answer a charge brought against me by Robert Gordon Esqr. Commissary: no less a charge than that of assisting the American Rebels, which however had no effect, for I told both Gordon & the Mayor; that I abhorred the American War; that I must ever wish Success to a People who bravely opposed "the tyrannick Attempts of a vile Ministry, & that if the Americans were reduced to their last Province, I would still adhere to their Cause, believing it to be a just one & them an oppressed People."

Though my Fortune is but moderate & I have 10 Children, my Feelings for the poor ill-clothed Prisoners from New England, Pennsylvania & other parts of America (whose Fate cast them amongst us) were so prevalent that I have expended large Sums of my own Property, besides the Subscriptions & Collections that I made, in maintaining, cloathing, & paying Passage Money for those Prisoners, the Truth of which you'll have confirmed by living Witnesses, when you shall happily return to your Native Country— I was a principal Person in effecting a Remonstrance & Petition against the American War so early as 1776 which was signed by about 600 respectable Inhabitants of Cork & delivered to the King by Lord Middleton<sup>3</sup> the 10th of May following. At that time an Address for carrying on the War & ending the Rebellion (so called) in America was set on foot here by Commissary Gordon, Paul Benson a Contractor & others who were immediate Gainers by this War, but it was only signed by Men of that Stamp, Revenue & other Crown Officers, together with the Mayor & Corporation, in the whole 150.<sup>4</sup>

I don't expect by thus acquainting you with the little Services which I have done for the Cause & People of America to receive any Emolument, but I hope for your Friendship in recommending me to the Congress, should they think proper to appoint any Person here or in other Ports of Ireland as a Consul, for managing Matters of Commerce: Sufficient Security should be given, & my Character will bear the test of Enquiry.

Your Consequence, Gentlemen, in different parts of America must give great weight to your Recommendation of me as a Merchant and I flatter myself that you will be so kind as to mention my Name to your Friends at Boston, Philadelphia, New York Charlestown, Maryland, Virginia &c &c that I may be favoured with some Business from a Country, for whose Welfare & Independence no Person has been a more strenuous & steady Advocate than—Your very sincere Friend

REUBEN HARVEY

p.s. Should any of you visit London, Col. Barré<sup>5</sup> will readily tell you his opinion & Knowledge of my Principles & Conduct during the American War—

(Copy)

[Note numbering follows the Franklin Papers source.]

<sup>7</sup> Z. Harvey (1734–1808) was a Quaker merchant who had been involved in trading ventures with North America: Sheldon S. Cohen, "Reuben Harvey: Irish Friend to American Freedom," *Quaker History*, LXXXVIII (1999), 22–39; Reuben Harvey to George Washington, Feb. 12, 1783 (National Archives).

<sup>8</sup> This copy was enclosed in Harvey's letter to Washington, cited above.

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9. The most famous of these prisoners was Col. Ethan Allen, whose treatment at the hands of the British had enraged <sup>BF: xxii, 393</sup>; J. Kevin Graffagnino, ed., *Ethan and Ira Allen: Collected Works* (3 vols., Benson, Vt., 1992), II, 18–21; John J. Duffy et al., eds., *Ethan Allen and His Kin: Correspondence, 1772–1819* (2 vols., Hanover, N.H., and London, 1998), I, 54–5.

1. For the community's response to the prisoners' distress see xxxvi, 606–7.

2. The Hon. Richard Fitzpatrick (1748–1813) was the Earl of Shelburne's brother-in-law. He had served in the British army in North America in 1777–78, and as a member of Parliament he opposed the American War: Namier and Brooke, *House of Commons*, II, 433–5. In Harvey's letter to Washington of Feb. 12 (cited above) he enclosed at least three of Fitzpatrick's letters written in May, 1782, and his own replies; these copies are at the National Archives.

3. George Brodrick, 4th Viscount Midleton (1754–1836), an Irish peer who opposed the North ministry, wrote in August, 1775, "we are all Americans here." The 1776 petition was the result of the embargo on provisions; with Cork's American trade prohibited and its West Indies commerce in ruins, the signers called on the king to dismiss his ministers and stop the war: R. B. McDowell, *Ireland in the Age of Imperialism and Revolution, 1760–1801* (Oxford, 1979), pp. 241–2; Burke's *Peerage*, p. 1733.

4. The March, 1776, address by the mayor, sheriffs, merchants, traders, and inhabitants of Cork expressed the signers' abhorrence of the "American Rebellion" and their support of the king. It was sent to the city's parliamentary representatives for forwarding to the Lord Lieutenant of Ireland: Richard Caulfield, ed., *The Council Book of the Corporation of the City of Cork, from 1609 to 1643, and from 1690 to 1800* (Guildford, Eng., 1876), p. 906.

5. Col. Isaac Barré: xvi, 69–70n.

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March, 1787

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[Report of Secretary of Congress on petition of H. Ringlispeur<sup>1</sup>]

SECRETARY'S OFFICE 27 March 1787

On the petition of Henry Ringlispeur, stating that he was a soldier enlisted for the war, and was transferred from his regiment to wait upon major gen<sup>l</sup> Lord Stirling whom he served till his lordship's decease, that he has not been settled with for his pay and is now excluded from a settlement by a resolution limiting the time for bringing in claims; and praying for relief.

The Secretary reports

Passed  
27 March That the petition of Henry Ringlispeur be referred to the board of treasury to report.<sup>2</sup>

WEDNESDAY, MARCH 28, 1787.

Congress assembled. Present Massachusetts, Connecticut New York, New Jersey, Pennsylvania, Delaware, Virginia, North Carolina and Georgia and from Rhode island M<sup>r</sup> [James Mitchel] Varnum and from South Carolina M<sup>r</sup> [Daniel] Huger.

The Delegates of New Jersey having moved<sup>3</sup> as follows

Whereas the legislature of New Jersey did by their resolution of the 23 of Nov<sup>r</sup> last empower his Excellency governor Livingston to apply to Congress for the loan of five brass field pieces for the use of the said state; and whereas the Governor of the said state in pursuance of the aforementioned resolu-

<sup>1</sup> *Reports of Secretary of Congress, Papers of the Continental Congress*, No. 180, p. 51. According to the *Committee Book, Papers of the Continental Congress*, No. 190, p. 142, this petition was referred to the Board of Treasury to report.

<sup>2</sup> MARCH 27, 1787. According to indorsement and the *Committee Book, Papers of the Continental Congress*, No. 190, p. 142, the following committee was appointed:

Mr. Abraham Clark, Mr. Rufus King and Mr. William Pierce on memorial of John Porter, who was dismissed by court martial, dated March 26, 1787, read March 27, praying to be reinstated so as to receive emoluments. *Papers of the Continental Congress*, No. 41, VIII, pp. 218-219. Report rendered April 10, 1787, and postponed May 22, 1788.

<sup>3</sup> The original motion, in the writing of Mr. Lambert Cadwallader, is in the *Papers of the Continental Congress*, No. 36, III, pp. 341-342. It is indorsed March 28, 1787, question taken and lost.

TEXT ID

evans.N26740

Unmodified Emolument - All 11 cases

DECADE

1790

YEAR

1799

PRIMARY AUTHOR

Hardie, James, 1758-1826

SOURCE

Evans Early American Imprints

TITLE

An account of the malignant fever, lately [sic] prevalent in the city of New-York. Containing I. A narrative of its rise, progress and decline, with the opinions of some medical gentlemen, with respect to its origin, &c. II. The manner in which the poor were relieved during this awful calamity. III. A list of the donations, which have been presented to the committee for the relief of the sick and indigent. IV. A list of the names of the dead, arranged in alphabetical order, with their professions or occupations, and as far as was practicable to obtain information, the names of the countries of which they were natives. V. A comparative view of the fever of the year 1798, with that of the year 1795. / By James Hardie, A.M. ; Copy-right secured according to act of Congress.

FULL CONTEXT

want of assistance . Difficulties of the same sort , occurred in New York , during the sickness of 1798 , but by no means in the same degree . There were however several instances of distress , in this particular , of which I shall only select one . My wife was taken in labour on the 20th Sept. about 9 in the evening . I applied to many Doctors and Midwives . Some were really sick ; some pretended to be so , and others candidly told me , that in consequence of the pestilence , which prevailed in my vicinity , they would on no account attend . At five in the ensuing morn | ing , I applied to Mrs. Bunting , a midwife at Deans dock Greenwich Street , who immediately came with me . I would not have mentioned this circumstance ; but that it afterwards came to my knowledge , that Mrs. Bunting , in cases where the disorder raged with the utmost malignity , never hesitated to attend any persons in that situation , and that too in many cases where she must have been con | vinced , she would never **receive any emolument** . Such instances of disinterested philanthropy , ought not , in a pub | lication of this sort to be omitted . They do honour to human nature . No disease has , perhaps , on any previous occasion been more fatal to physicians , than that with which we were lately afflicted : for during its prevalence , exclusive of medical students , no less than sixteen physicians have been swept off , in discharging the perilous duties of their profession . These are Doctors Andrews , Brooks , D. Chickering , Dingley , Peter Faugeres , John B. Hicks , John B. Jones , Melchen Caldwell , Lamb , Millegan , J. B. Scandella , Elihu H. Smith , Teller , Tredwell , Va | rick , and Young . As all these gentlemen fell sacrifices to their endeavours to relieve the distressed , it might appear invidious , were I to point out those , who in my opinion were most useful and eminent in their profession . I shall therefore only mention the case of J. B. Scandella , who , being a foreigner of distinguished literary abilities , and possessed of the most philanthropic principles

# Founders Online

## PROSPECTUS OF THE SOCIETY FOR ESTABLISHING USEFUL MANUFACTURES, [AUGUST 1791]

### **Prospectus of the Society for Establishing Useful Manufactures<sup>1</sup>**

[Philadelphia, August, 1791]

The establishment of Manufactures in the United States when maturely considered will be fo(und)<sup>2</sup> to be of the highest importance to their prosperity. It (is) an almost self evident proposition that that com(muni)ty which can most completely supply its own w(ants) is in a state of the highest political perfection. (And) both theory and experience conspire to prove that a nation (unless from a very peculiar coincidence of circumstances) cannot possess much *active* wealth but as the result of extensive manufactures.

While also it is manifest that the interest of the community is deeply concerned in the progress of this species of Industry, there is (as) little room to doubt that the interest of individuals may equally be promoted by the pursuit of it. What (is) there to hinder the profitable prosecution of manufact(ures) in this Country, when it is notorious, that, independent of impositions for the benefit of the revenue and for the encouragement of domestic enterprise—the natural commercial charges of the greater part of th(ose) which are brought from Europe amount to from fiftee(n to) thirty per Cent—and when it is equally notorious that provisions and various kinds of raw materials are ev(en) cheaper here than in the Country from which our principal supplies come?

The dearness of labour and the want of Capital are the two great objections to the success of manufactures in the United States.

The first objection ceases to be formidable when it is recollected how prodigiously the proportion of manual labour in a variety of manufactures has been decreased by the late improvements in the construction and application of Machines—and when it is also considered to what an extent women and even children in the populous parts of the Country may be rendered auxiliary to undertakings of this nature. It is also to be taken into calculation that emigrants may be engaged on reasonable terms in countries where labour is cheap, and brought over to the United States.

The last objection disappears in the eye of those who are aware how much may be done by a proper application of the public Debt. Here is the resource which has been hitherto wanted. And while a direction of it to this object may be made a mean of public prosperity and an instrument of profit to adventurers in the enterprise, it, at the same time, affords a prospect of an enhancement of the value of the debt; by giving it a new and additional employment and utility.

It is evident that various fabrics, under every supposed disadvantage, are in a very promising train. And that the success has not been still more considerable may be traced to very obvious causes.

Scarcely any has been undertaken upon a scale sufficiently extensive or with a due degree of system. To insure success it is desirable to be able to enter into competition with foreign fabrics in three particulars—quality, price, term of credit. To the first, workmen of equal skill is an essential ingredient. The means employed have not generally been adequate to the purpose of procuring them from abroad and those who have been procureable at home have for the most part been of an inferior class. To cheapness of price, a capital equal to the purpose of making all necessary advances, and procuring materials on the best te(rms) is an indispensable requisite—and to the giving of (Credit) a Capital capable of affording a surplus beyond wh(at) is required for carrying on the business is not less indispensable. But most undertakings hitherto have been bottomed on very slender resources.

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To remedy this defect an association of the Capitals of a number of Individuals is an obvious expedient—and the species of Capital which cons(ists of) the public Stock is susceptible of dispositions which will render it adequate to the end. There is good reason to expect that as far as shall be found necessary money on reasonable terms may be procured abroad upon an hypothecation of the Stock. It is presumeable that public Banks would not refuse their aid in the same way to a solid institution of so great public utility. The pecuniary aid even of Government though not to be counted upon, ought not wholly to be despaired of. And when the Stock shall have attained its due value so that no loss will attend the sale all such aids may be dispensed with. The Stock may then be turned into specie without disadvantage whenever specie is called for.

But it is easy to see that upon a good Capital in Stock an effective Credit may be raised in various ways which will answer every purpose in specie, independent of the direct expedient of borrowing.

To effect the desired association an incorporation of the adventurers must be contemplated as a mean necessary to their security. This can doubtless be obtained. There is scarcely a state which could be insensible to the advantage of being the scene of such an undertaking. But there are reasons which strongly recommend the state of New Jersey for the purpose. It is thickly populated—provisions are there abundant and cheap. The state having scarcely any external commerce and no waste lands to be peopled can feel the impulse of no supposed interest hostile to the advancement of manufactures. Its situation seems to insure a constant friendly disposition.

The great and preliminary desideratum then is to form a sufficient capital. This it is conceived, ought not to be less than Five hundred thousand Dollars. Towards forming this capital subscriptions ought immediately to be set on foot; upon this condition that no subscriber shall be bound to pay until an Act of Incorporation shall have been obtained—for which application may be made as soon as the sums subscribed shall amount to One hundred thousand Dollars.

As soon as it is evident that a proper Capital can be formed means ought to be taken to procure from Europe skilful workmen and such machines and implements as cannot be had here in sufficient perfection. To this the existing crisis of the affairs of certain parts of Europe appears to be particularly favourable. It will not be necessary that all the requisite workmen should be brought from thence. One in the nature of a *foreman* for each branch may in some branches suffice. In others it may be requisite to go further and have one for each subdivision. But numbers of workmen of secondary merit may be found in the United States; and others may be quickly formed.

It is conceived that there would be a moral certainty of success in manufactories of the following articles—

- 1st Paper and Pasteboard
- 2nd Paper hangings
- 3rd Sail cloth and other coarse linen cloths, such as sheetings, shirtings, diaper, oznaburgs &ca.
- 4th The printing of Cottons and linens; and as incident to this but on a smaller scale the manufacturing of the article to be printed.
- 5th Womens shoes of all kinds.
- 6th Thread, Cotton and Worsted Stockings.
- 7th Pottery and Earthen Ware.
- 8th Chip Hats
- 9th Ribbands & Tapes
- 10th Carpets
- 11th Blankets
- 12th Brass and Iron wire.
- 13th Thread and Fringes.

It will be unnecessary to enter into the det(ails) of the execution further than to observe that the employment of the labor-saving mills and machines is particularly contemplated.

In addition to the foregoing a brewery for the supply of the manufacturers, as a primary object, may be thought of.

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When application shall be made for an act of Incorporation it ought to include a request that provision may be made for incorporating the Inhabitants of the district within a certain defined limit which shall be chosen by the Company as the principal seat of their factories and a further request that the Company may have permission to institute a lottery or lotteries in each year for the term of five years for a sum or sums not exceeding in one year One hundred thousand dollars. The State of Jersey if duly sensible of its interest in the measure will not refuse encouragements of this nature.

An incorporation of this sort will be of great importance to the police of the establishment. It may also be found eligible to vest a part of the funds of the Company in the purchase of ground on which to erect necessary buildings &c. A part of this ground divided into town lots may be afterwards a source of profit to the Company.

The lottery will answer two purposes. It will give a temporary command of Money and the profit arising from it will go towards indemnifying for first unproductive efforts.

The following scheme for the organisation of the Company will probably be an eligible one—

1. The Capital of the Company as before remarked to consist of Five hundred thousand dollars, to be divided into Five thousand Shares, each share being One hundred Dollars, [The Company nevertheless to be at liberty to extend their capital to one Million of Dollars.]<sup>3</sup>
2. Any person Copartnership or body politic may subscribe for as many shares as he she or they may think fit. The sums subscribed to be payable—One half in the *funded* six per Cent Stock, or in three per Cent Stock at two dollars for one, and the other half in deferred Stock. The payments to be in four equal parts. The first at the time of subscription,<sup>4</sup> the second in six months after, the third in six months after the second, and the fourth in six months after the third. Those who prefer paying in Specie to be permitted to do so, computing the funded six per Centum at par, and the deferred according to its present value at the time of payment discounting the interest thereupon during the suspension of payment at the rate of Six per Centum per annum.
- 3rd. The affairs of the Company to be under the management of thirteen Directors to be chosen annually on the first Monday of October in each year by plurality of suffrages of the Stockholders. The Directors by plurality of voices to choose from among themselves a Governor and Deputy Governor.
- 4th. The number of votes to which each Stockholder shall be intitled, shall be in proportion to the number of shares he shall hold that is to say one vote for each share. But neither the United States nor any State which may beco(me) a Subscriber shall be entitled to more than One hundred votes. The United States or any State nevertheless, which may subscribe for not less than One hundred Shares may appoint a Commissioner who shall have a right at all times to inspect the proceedings of the Company and the state of its affairs but without any authority to controul. Every Subscriber may vote by Attorney duly constituted.
- 5th. There shall be a statea meeting of the Directors on every first monday of January, April, July and October at the place which is the principal seat of the Manufactory. But the Governor for the time being or any three Directors may by writing under his or their hands, directed to the other Directors and left at their respective places of abode at least fourteen days prior to the day for Meeting, or by advertisement in one public Gazette printed in the State where the Corporation shall be established and in another public Gazette printed in the City of Philadelphia, and in another public Gazette printed in the City of New York for the space of thirty days prior to the time of Meeting convene a special meeting of Directors, for the purpose of transacting business of the company.
- 6th. No Director shall receive any emolument unless the same shall have been allowed by the Stockholders at a General meeting. But the Directors may appoint such Officers and with such compensations as they shall think fit.
- 7th. Not less than seven Directors, if the Governor or Deputy Governor be not one shall constitute a Board for the transaction of business. But if the Governor or Deputy Governor be one four shall suffice. In case it should at any time happen that there are two separate meetings of five or more Directors each, but both less than a majority of the whole, one having the Governor, and the other the Deputy Governor, that at which the Governor shall be present shall be the legal one.
- 8th. The Directors to have power to make all Bye-laws, rules and regulations requisite for conducting the affairs of the Company.
- 9th. At every annual Meeting of the Stockholders for the purpose of choosing Directors the Directors shall lay before them

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a general state of the affairs of the Company exhibiting the amount of its Stock, Debts and Credits, the different kinds of Manufactures carried on, the number of persons employed in each and their respective compensations together with an account of profit and loss.

10th. [The persons not exceeding five in number who at any general meeting shall have next after the Directors chosen the highest number of votes for Directors shall by force thereof be a committee of Inspection and shall have a right of access to all the books of the Company and of examination into all its affairs, and shall at each succeeding meeting report all such authentic facts as shall come to their knowledge to the Stockholders for their information.] The Stockholders may [also]<sup>5</sup> if they think fit at any general meeting appoint by plurality of suffrages any five of their number for the purpose of making such inquiries and investigations as they may think necessary.

11th. The Stockholders at a General meeting may annul or alter any of the Regulations established by the Directors and make such others as they may think necessary.

12th. Any Board of Directors or either of the Committees above-mentioned may at any time call a general meeting of Stockholders; giving thirty days previous notice thereof in three Gazettes, one published in the state in which the Factory shall be established another in the City of Philadelphia and another in the City of New York.

13th. Every Cashier or Treasurer of the Corporation shall before he enters upon the duties of his Office give Bond with one or more sureties to the satisfaction of the Directors for the faithful execution of his duty in a sum not less than Twenty thousand Dollars.

14th. So much of the Capital Stock of the Company as may consist of public Debts shall be placed on the Books of the Treasury of the United States in the name of the Corporation; and every Stockholder shall be entitled to a license under the Seal of the Corporation to inspect the account of the said Stock at his pleasure as far as may comport with the rules of the Treasury. This however shall not prevent the investment of the said Debt in Stock of the Bank of the United States, reserving to each Stockholder the like right of Inspection in relation to the Stock of the Company so invested.

15th There shall be a yearly dividend of [so much of]<sup>6</sup> the profits of the Company [as the Directors shall think proper] for the first five years, and after that period a half yearly dividend.

16th The Stock of the Corporation shall be assignable and transferable according to such rules as shall be instituted in that behalf by its laws & Ordinances.

17th. The Corporation shall be at liberty to make and vend all such Articles as shall not be prohibited by law: Provided that it shall only trade in such articles as itself shall manufacture in whole or part or in such as shall be received in payment or exchange therefor. Provided nevertheless that this shall not prevent the investment of any sums paid in specie in Stock of the United States or in Bank Stock.<sup>7</sup>

18. It shall be understood that a Majority of the Stockholders may at any time dissolve the Corporation; but this shall only be done at a general meeting which shall have been specially summoned for the purpose with public notice of the intent. And upon such dissolution the Directors for the time being shall be ipso facto trustees for settling all the affairs of the Corporation disposing of its effects paying its debts and dividing the surplus among the Stockholders in proportion to their respective interests in the Stock; [unless the Stockholders at a General Meeting previous to such dissolution shall have nominated other persons as trustees; in which case those persons shall be trustees for the purposes aforesaid.]<sup>8</sup>

19. The Stock and other property of the Corporation to be exempt from Taxes.

The management of the Affairs of this Company will require that an Agent should be appointe(d) to Superintend all the different works and the disposition of the Articles manufactured in conformity to the general regulations of the Directors. This Agent ought to have such a compensation as will command the services of a man every way competent and trustworthy. Such a man may doubtless be found. It is not necessary that he should be a technical man in any of the branches of manufacture; but a man of information, thoroughly a man of business, of probity, and diligence and energy.

We<sup>9</sup> the Subscribers for ourselves respectively and not one for the other and for our respective heirs, executors and administrators do severally covenant promise and agree to and with each other and with the heirs Executors and Administrators of each other that we will respectively contribute and pay in the manner and at the times specified in the plan hereunto annexed the respective sums against our respective names hereunder set for the purpose of establishing a company for carrying on the business of manufactures in one of the States of New York New Jersey and Pennsylvania

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(giving a preference to New Jersey if an incorporation can be obtained from the said State on advantageous terms) according to the general principles of the plan aforesaid, but subject to such alterations as shall be agreed upon at any time previous to the obtaining an Act of Incorporation either in the principles or details thereof by the major part of us whose names are hereunto subscribed, or in the details thereof only, as shall be thought fit by the major part of the persons hereinafter named. And we do hereby jointly and severally constitute and appoint 10 one and each of our Attornies who or the major part of them or the major part of the survivors of them are hereby empowered as soon as the sum of One hundred thousand Dollars shall be subscribed hereto to make application on our behalf to either of the States aforesaid (giving such preference as aforesaid to the State of New Jersey) for an Act or Acts of Incorporation according to the principles of the plan aforesaid with such alterations in the details thereof as shall appear to them eligible, or with such alterations whatsoever, as shall be previously agreed upon by us; And further to take such measures at our joint expense as shall appear to them necessary and proper for engaging workmen in the several branches of manufacture mentioned in the said plan.

In testimony whereof We have hereunto subscribed and set our hands and seals, the \_\_\_\_\_ day of \_\_\_\_\_ 11 in the year of our Lord One thousand seven hundred and ninety One.

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D, with insertions in writing of H, The Passaic County Historical Society, Lambert Castle, Paterson, New Jersey; copy, Hamilton Papers, Library of Congress; [Philadelphia] *Gazette of the United States*, September 10, 1791. The prospectus was also printed in a number of newspapers; for example, see the *Federal Gazette and Philadelphia Daily Advertiser*, September 5, 1791; [Philadelphia] *Dunlap's American Daily Advertiser*, September 7, 1791; *The [Philadelphia] General Advertiser*, September 7, 1791; *The [Boston] Argus*, September 23, 27, 1791.

1. Although no MS of this document in H's handwriting has been found, this prospectus has generally been attributed to him (Davis, *Essays*, I, 356; Cole, *Industrial and Commercial Correspondence*, 191). For an estimate of the view that Tench Coxe wrote all or part of this prospectus, see Davis, *Essays*, I, 349-57.

2. All the material within broken brackets in this document has been taken from the copy in the Hamilton Papers, Library of Congress.

3. The bracketed words in this sentence are in H's handwriting.

4. In the Library of Congress copy and in the *Gazette of the United States* "subscription" has been changed to "incorporation."

5. The brackets around "also" and the preceding sentence were inserted by H. In the margin opposite this section H wrote "omitted."

6. The bracketed words in this sentence are in H's handwriting and are not included in the Library of Congress copy or in the *Gazette of the United States*.

7. This sentence is in H's handwriting. It is not included in the Library of Congress copy or in the *Gazette of the United States*.

8. The bracketed words in this sentence are in H's handwriting and are not included in the Library of Congress copy. The wording varies in the *Gazette of the United States*.

9. The remainder of this document has been taken from the copy in the Hamilton Papers, Library of Congress.

10. Space left blank in MS. In the *Gazette of the United States* the following names have been inserted at this point: Elias Boudinot, Nicholas Low, William Constable, William Duer, Philip Livingston, Blair McClenachan, Matthew McConnell, and Herman Le Roy.

11. These two spaces were left blank in MS.

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PERMALINK <https://founders.archives.gov/documents/Hamilton/01-09-02-0114>  
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TITLE                 Prospectus of the Society for Establishing Useful Manufactures, [August 1791]  
AUTHOR               Society for Establishing Useful Manufactures  
DATE                  August 1791  
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source: *The Papers of Alexander Hamilton*, vol. 9, *August 1791–December 1791*, ed. Harold C. Syrett. New York: Columbia University Press, 1965, pp. 144–153.]

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The [National Historical Publications and Records Commission](#) (NHPRC) is part of the National Archives. Through its grants program, the NHPRC supports a wide range of activities to preserve, publish, and encourage the use of

## 6 LIFE of DAVID HUME, Esq;

In 1752, the Faculty of Advocates chose me their Librarian, an office from which I received little or no emolument, but which gave me the command of a large library. I then formed the plan of writing the History of England; but being frightened with the notion of continuing a narrative through a period of 1700 years, I commenced with the accession of the House of Stuart, an epoch when, I thought, the misrepresentations of faction began chiefly to take place. I was, I own, sanguine in my expectations of the success of this work. I thought that I was the only historian, that had at once neglected present power, interest, and authority, and the cry of popular prejudices; and as the subject was suited to every capacity, I expected proportional applause. But miserable was my disappointment: I was assailed by one cry of reproach, disapprobation, and even detestation; English, Scotch, and Irish, Whig and Tory, churchman and sectary, free-thinker and religionist, patriot and courtier, united in their rage against the man, who had presumed to shed a generous tear for the fate of Charles I. and the Earl of Strafford; and after the first ebullitions of their fury were over, what was still more mortifying, the book seemed to sink into oblivion. Mr. Millar told me, that in a twelvemonth he sold only forty-five copies of it. I scarcely, indeed, heard of one man in the three kingdoms, considerable for rank or letters, that could endure the book. I must only except the primate of England, Dr. Henry, and the primate of Ireland, Dr. Stone,

which seem two odd exceptions. These dignified prelates separately sent me messages not to be discouraged.

I was, however, I confess, discouraged; and had not the war been at that time breaking out between France and England, I had certainly retired to some provincial town of the former kingdom, have changed my name, and never more have returned to my native country. But as this scheme was not now practicable, and the subsequent volume was considerably advanced, I resolved to pick up courage and to persevere.

In this interval, I published at London my Natural History of Religion, along with some other small pieces: its public entry was rather obscure, except only that Dr. Hurd wrote a pamphlet against it, with all the illiberal petulance, arrogance, and scurrility, which distinguish the Warburtonian school. This pamphlet gave some consolation for the otherwise indifferent reception of my performance.

In 1756, two years after the fall of the first volume, was published the second volume of my History, containing the period from the death of Charles I. till the Revolution. This performance happened to give less displeasure to the Whigs, and was better received. It not only rose itself, but helped to buoy up its unfortunate brother.

But though I had been taught by experience, that the Whig party were in possession of bellowing all places, both in the state and in literature, I was so little inclined to yield to their senseless clamour, that in above a hundred alterations,



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deprived me of the last refuge for comfort I had left. Oh! monsters! barbarians! had you glutted your savage fury by dismembering my limbs, one after another, from my body, it would have been mercy, compared with depriving me of that little image of her I love! But it is all over, and I shall soon sink into the grave, and never more be blessed with the view of those heavenly features, till we meet in that region where all tears are wiped away, and where, I trust, we shall be joined together for endless ages, in eternal, never-fading bliss!"

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L E T T E R   L I I .

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ON the day succeeding that on which the agent of HYAT SAHIB had held the discourse with me, mentioned in my last Letter but one, I was again sent for, and brought to the same person, who asked me, whether I had duly considered of the important offer made me by HYAT SAHIB, and of the consequences likely to result from a refusal? and he apprised me at the same time, that the command of five thousand men was an honour which the first Rajahs in the Myforean dominions would grasp at with transport. I told him I was well convinced of the honour such a command would confer on any man but an Englishman, whose Country  
being

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being the object of HYDER's incessant hostility, would make the acceptance of it infamy---that although I knew there were but too many Englishmen apostates to their Country, I hoped there were but few to be found in India willing to accept of any emoluments, however great, or any temptations, however specious, to fly from the standard of their Country, and rally round that of its bitterest enemy---that, for my own part, being of a name ever foremost in the ranks of loyalty and patriotism, and of a family that had hitherto detracted nothing from the honours of that name, such an act of apostacy would be peculiarly infamous in me, and I could view it in no better light than traitorous and parricidal---that, independent of all those claims, which were of themselves sufficient to deter me, I felt within myself a principle, perhaps innate, perhaps inspired by military habit, that forbade my acceding---and, finally, appealed to the good sense of HYAT SAHIB, whether a man who in such circumstances had betrayed his Country, and sacrificed her interests to his own conscience, was such a person as confidence could properly be put in.

Notwithstanding these, and a thousand other remonstrances, which I cannot immediately recollect, but which the hazards of my situation suggested, he still continued to press me, and used every argument, every persuasion, that ingenuity could dictate, or hints of punishment enforce, to shake my purpose---but in vain: attachment to Country and Family rose paramount to all other considerations; and I gave a peremptory, decisive refusal.

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Line 14 (Posting Read)

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This use occurs in the Constitution of the State of South Carolina.

The text of the clause is as follows:

"20. That if any member of the senate or house of representatives, shall accept any place of emolument, or any commission (except in the militia, or commission of the peace) and except as is excepted in the tenth article, he shall vacate his seat, and there shall thereupon be a new election; but he shall not be disqualified from serving, upon being re-elected, unless he is appointed secretary of the state, a commissioner of the treasury, an officer of the customs, register of mesne conveyances, a clerk of either of the courts of justice, sheriff, powder-receiver, clerk of the senate, house of representatives, or privy council, surveyor-general, or commissary of military stores; which officers are hereby declared disqualified from being members either of the senate or house of representatives."

This refers to a "place of emolument." I would say that place of serves as a modifier in this case. Because of this, I would say that this usage likely does not yield support for the President's position.

The following link is to an online copy of the text, but I didn't find the original:

[http://avalon.law.yale.edu/18th\\_century/sc01.asp](http://avalon.law.yale.edu/18th_century/sc01.asp)

<https://quod.lib.umich.edu/cgi/t/text/text-idx?type=simple;rgn=div1;c=evans;cc=evans;idno=N13761.0001.001;q1=emolument;submit=Go;view=text;subview=detail;node=N13761.0001.001%3A3>

Additionally, the following link is to a different linguistic tool (Voyant):

<https://voyant-tools.org/?corpus=0accd0e0f4dcfc38eaccbffcae794243&inputFormat=TEI&input=http://tei.it.ox.ac.uk/tcp/Texts-TEI/free/N13/N13761.xml&stopList=stop.en.taporware.txt>