

**James Madison to Joseph Jones, September 19, 1780. Transcription: The Writings of James Madison, ed. Gaillard Hunt. New York: G.P. Putnam's Sons, 1900-1910.**

**TO JOSEPH JONES.<sup>1</sup>**

<sup>1</sup> From the Madison papers (1840). Jones served in Congress from 1780 to 1783, and was temporarily absent in Virginia during September and October. See *Letters of Joseph Jones*, Department of State, 1889.

Philadelphia, September 19, 1780.

Dear Sir, —Yesterday was employed by Congress in discussing the resolutions you left with them.<sup>69</sup> The first and second were passed after undergoing sundry alterations.<sup>1</sup> The clause in the second for allowing the expense of maintaining civil government within the ceded territory, was struck out by the committee, and an attempt to get it re-inserted in the House was negatived. It was surmised, that so indefinite an expression might subject Congress to very exorbitant claims. With respect to Virginia, I believe that expense has not been so considerable as to be much worth insisting on.

The principal expenses may properly be included under the military head. The consideration of the last resolution, annulling Indian purchases, was postponed, with an intention, I believe, of not resuming it. It is supposed by some to be unnecessary; by others, to be improper, as implying that without such previous assurance Congress would have a right to recognize private claims in a territory expressly given up to them for the common benefit. These motives prevailed, I am persuaded, with more than the real view

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of gratifying private interest at the public expense. The States may annex what conditions they please to their cessions, and by that means guard them against misapplication; or if they only annul all pretended purchases by their own laws before the cessions are made, Congress are sufficiently precluded, by their own general assurance that they shall be applied

1 “I think you acted very prudently in declining to press on the part of Virginia the Resolutions I left for the consideration of Congress. Had I been present, I should have done the same, as I had no intention when they were offered that Virginia should appear anxious about them.”—Jones to Madison, October 9, 1780, *Letters of Joseph Jones*, 30.

to the common benefit, from admitting any private claims which are opposed to it.

The Vermont business has been two days under agitation and nothing done in it, except rejecting a proposition for postponing the determination of Congress till Commissioners should enquire into the titles and boundaries of New Hampshire and New York. Congress having bound themselves so strongly by their own act to bring it to an issue at this time, and are pressed by New York so closely with this engagement, that

it is not possible any longer to try evasive expedients. For my own part, if a final decision must take place, I am clearly of opinion that it ought to be made on principles that will effectually discountenance the erection of new Governments without the sanction of proper authority, and in a style marking a due firmness and decision in Congress.