

lighted beacon on Shell Castle Island in the harbor of Ocracock, in the State of North-Carolina."

Ordered, That the Secretary acquaint the House of Representatives therewith.

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

"M. President—The House of Representatives have passed a bill, entitled, "An act for the relief of Reuben Smith and Nathan Strong," in which they define the concurrence of the Senate." And he withdrew.

The bill last brought up for concurrence was read the first time.

Ordered, That this bill pass to the second reading.

The petition of Dennis Mc Reedy and others, in behalf of the manufacturers of tobacco and 'uff, against an additional tax on those articles, was presented and read.

Ordered, That this petition lie on the table.

Mr. Ellsworth from the committee to whom was referred the bill, to authorize District Judges to adjourn Circuit Courts, reported the bill amended, and the report being agreed to, and the bill amended accordingly;

Ordered, That the rule be so far dispensed with as that this bill be now read the third time.

Resolved, That this bill pass, that it be engrossed, and that the title thereof be, "An act further to authorize the adjournment of Circuit Courts."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

After the consideration of the Executive business.

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

Wednesday, May 14th, 1794.

Mr. Ellsworth from the committee to whom was referred the bill entitled, "An act providing for the payment of certain expenses incurred by Fulwar Skipwith, on public account," reported amendments, which were adopted, and the bill amended accordingly.

Ordered, That the rule be so far dispensed with as that this bill be now read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

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

"Mr. President—The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled, "An act further to authorize the adjournment of Circuit Courts." And he withdrew.

The bill sent from the House of Representatives for concurrence, entitled, "An act for the relief of Reuben Smith and Nathan Strong," was read the second time.

Ordered, That this bill pass to the third reading.

Mr. Cabot from the committee to whom was referred the bill, entitled, "An act for erecting a light-house on the Island of Seguin in the District of Maine," reported amendments, which were adopted accordingly.

Ordered, That the rule be so far dispensed with as that this bill be now read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A motion was made that the next session of Congress be held at Boston.

Ordered, That this motion lie for consideration.

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

## CONGRESS.

House of Representatives.

May 15.

This day came on in the House of Representatives of the United States, the consideration of the resolution some time past laid on the table by Mr. Goodhue, for guaranteeing an indemnification to those sufferers who had sustained losses by British spoliation on our commerce—

Mr. Goodhue moved that the resolution might be referred to a committee of the whole House, which was seconded by Mr. Dexter—it was then moved by way of amendment to the motion by Mr. Day

ton, to add these words, "to whom was referred the resolution for the sequestration of British debts, to which Mr. Goodhue objected, because he said the subjects were distinct and separate in their nature and ought not to be combined; his resolution went only to establish the principle of indemnification by guaranteeing it to the sufferers, leaving the fund from which it should be made, (in case Great Britain should refuse to do us justice) to a future consideration, that whether British debts were sequestered or not, he said the United States were bound to see that indemnity was made to the merchants whose property had been kidnapped in a secret clandestine manner, while pursuing a lawful trade under the authority of this government and the law of nations, or to give them an opportunity of indemnifying themselves by making reprisals—that it was well known there was great opposition to the sequestration of British debts, and it was very doubtful whether such a measure would ever be adopted; and if this resolution was to be referred to the same committee and become connected with that, he should very much despair of ever getting any indemnification; that British debts were a very precarious and uncertain fund, and the idea of ever getting indemnification from that source would operate as a delusion, that if sequestration under any circumstances could be proper, it was highly improper at this time when an envoy extraordinary had just been dispatched to Great Britain, and more so as we had discontinued the embargo, which would put all our remaining vessels in the power of that nation—he should therefore consider an agreement to the amendment as amounting to a determination not to consider the subject at least for the present session.

In support of the amendment it was argued, that the two subjects had an intimate connection with each other, and never ought to be separated; that British debts and British property, were the natural and only funds, for paying British depredations; and if indemnity was not given this way, it ought not to be given at all; that as it was probable, the resolution for sequestration would lay dormant for some time, it was best to refer this to the same committee, that they might sleep together—the amendment was supported by Messrs. Lyman, Dayton, Nicholas, Smilie, Dearborn, Madison, Clark and Giles.

Mr. Dexter against the amendment, said, that very strong reasons existed both for taking into consideration a proposition for indemnity to the sufferers, and also against connecting it with sequestration or any other subject. Each ought to stand or fall on its own merits. The sufferers were numerous and deserving citizens; they had waited a long time, and had a right to know before the close of the session what protection they were to expect from the government of their own country. Sequestration without a change of political circumstances would never pass both Houses of the Legislature; to connect them then, would be to deny relief, without even examining the principles on which they claim it. He said British debts had been called the only proper and natural funds; in his opinion they would be no fund at all, even if sequestration could be adopted; the debts would never be collected; and not only so, but sequestration would be the beginning of hostilities, and war must ensue; this at the same moment would prevent all hope of obtaining justice from Britain, and also discharge our own government from every obligation to indemnify. Mr. D. said he would state, what in his opinion was the proper and natural fund; the money to be demanded of Britain by our envoy extraordinary. Should this fail, the government of America would either pay the sufferers or grant them letters of marque and reprisal. This, he said, is the constant course of nations, and this the sufferers have a right to demand as a counterpart of their allegiance. Mr. D. said it had been objected that the British government would be encouraged by it to refuse a recompense. This if true, would be a serious objection, for he had always viewed negotiation as affording the only probable chance for indemnity to the sufferers; if a recompense be refused by Britain, war will be the consequence. The objection however he thought would be entirely removed by attending to the resolution itself. It is not he said a provision for taking the debt on ourselves, but merely to guarantee a recompense to the sufferers; the very word implies that the government of America is not the principal

debtor, but is to compel another to make indemnity, or become the debtor—Mr. D. closed with saying that he had attended only to the reasoning of the gentlemen and not to their personalities; it was not his practice to leave the question to impute to others, motives either corrupt or patty; if they chose to glean imaginary laurels on this ground, he was not anxious to share them; they could but judge whether in this way they were likely to increase their reputation, or benefit the public.

Messrs. Sedgwick, Ames, Murray, Smith of South-Carolina, and Hillhouse, also spoke against the amendment, and said the merits of neither proposition were now before the house, but only the mode in which the subject should be considered—that they were in themselves separate and independent, and ought to have a separate and independent consideration—they were questions of very great national concern, and that blending them together would give an undue bias, and neither would be fairly and impartially decided. It was doubtful whether the resolution for sequestration ever ought to be adopted, and that to connect the two subjects, would be to hang a mill stone about the necks of the sufferers—that as they were a numerous and very meritorious class of citizens, their claim merited a candid and full examination, unembarrassed with any other matter.

The Yeas and Nays were called on the amendment, and were as follows:

Y E A S.

Messrs. Bailey, Baldwin, Beatty, Blount, Boudinot, Carnes, Christie, Claiborne, Clark, Coles, Dawson, Dayton, Dearborn, Dent, Findley, Giles, Galespie, Gillon, Greenup, Gregg, Griffin, Groves, Hancock, Heath, Heister, Hindman, Hunter, Locke, Lyman, Macon, Madison, McDowell, Mebane, Montgomery, Moore, Muhlenberg, Neville, New, Nicholas, Niles, Orr, Page, Parker, Pickens, Preston, Rutherford, Scott, Sherburne, Smilie, I. Smith, Talbot, Cortlandt, Venable, Walker, Williams, Winn, and Winston. 57.

N A Y S.

Messrs. Ames, Armstrong, Bourne, Cobb, Coffin, Coit, Dexter, Fitzsimons, Foster, Gilbert, Gilman, Glen, Goodhue, Gordon, Hillhouse, Latimer, Learned, Lee, Malbone, Murray, Sedgwick, J. Smith, W. Smith, Swift, Thatcher, Tracy, Trumbull, Allen, Gaasbeck, P. Wadsworth, and Watts. 31.

The resolution was then referred to the same Committee to whom the resolution for sequestrating British debts was referred.

For the GAZETTE of the UNITED STATES.

### CONSIDERATIONS on EXCISE.

THAT the manufacturers of the United States are unwilling to contribute their share in the expenses of government, and that they rest perfectly content, let who may, bear that duty, so they are exempt, are charges, which with a considerable share of industry, are endeavoured to be impressed on the public mind.

To a class of citizens unconscious of a disposition inimical to the happiness of society, relying on their industry, usefulness, and irreproachable conduct for the approbation of their fellow men, no aspersion could have been more injurious; it is therefore incumbent upon them to state some few facts, from which the unprejudiced will make the due inference.

That the expenses of government are to be defrayed is most true, and cheerfully ought the citizens of this highly favoured country to contribute each his apportionate share; it should be considered as a free will-offering rather than an exaction; it is a mutual participation in the expenses of that society, by which we are protected in our persons and property.

If the proportions of wealth is the just criterion by which to regulate the quota of tax for each individual, and that it is, appears confirmed by the popular opinion—"that Luxuries should be the most heavily assessed, because the opulent are the consumers" it could be easily distinguished that the manufacturer and they who (from their rank in wealth) are termed the middle class of citizens, have not only paid their sufficiency, but greatly more—as a tenant, he most frequently pays the tax on the real estate of his landlord, and as a citizen over and above his own he participates in the taxes levied for the protection of the delinquent personal property (however overgrown) of the wealthy citizen.

To allege then that the manufacturer or the industrious mechanic shall pay, even yet more than this excise to which he is now accustomed in order to preserve unfubidized that property which the power of wealth has hitherto secured from assessment even for its own protection, is nothing short of a delu-

ration that they shall become the "bravers of wood and drawers of water". The contemplated tax on manufactures, were it only on account of the banditti of that kind of excitements hitherto unknown in America, with the rigor of the laws necessary to give efficiency, and to qualify their insolence, is in itself the most execrable, and to the liberties of freemen the most dangerous.—Is it because they possess more enterprise, are more ingenious, or that they are less scrupulous of the sweat of their brow, that they are to be singled out? are then their peculiar improvements, knowledge, or excellence, the result, perhaps, of years of assiduity and research, to be of no longer value, and are to be subjected to the most common inspection and exposure? I hope not. But the apology (and experience proves it only an apology) is, that the consumer and not the manufacturer will pay the duty; had this been well founded or the result of due enquiry, it would have been some consolation; that it is either I deny, and in confirmation take one well tried, stern, and recent fact, in preference to a volume of theory.

The late excise on wines, &c. in the state of Pennsylvania was 8d. per gallon, the fair dealer paid the duty, and demanded a profit of 10 per cent. which included waste, &c. the false swearer demanded no such profit, the duty answered his purpose, the ultimate proved that instead of a revenue to the state, it became a bounty for his perjury, mangle all the watchfulness which could be exerted for its support. Need I to add that what little duty the state received, was paid by the fair trade, whose business in consequence became of no value, while the abandoned character Bourlisch on the bulk of the duty contemplated for the commonwealth.

The receipts into the Treasury became daily less, until at the formation of the Federal government notwithstanding the vigilance of a worthy office it became when compared with the expected amount a very pittance, but if viewed with respect to its effect on society, dreadful.—Should I be here told that it was in consequence of the inefficiency of the law, the history of all revenue systems in Europe will make the answer and prove that the utmost despotism is unequal to their maintenance.

One of the greatest securities which the community have is, that when the Legislature levy a tax, they in general also tax themselves; but in the instance of an excise on manufactures it is possible they may overwhelm, while themselves feel none of the effect. Wealth begets power, and power too oft leads to usurpation; to obviate these impressions, protect the rising interests of his country, induce harmony in society and good will to its rulers is peculiarly the duty of the representative of a free people, and his elevation to that highest honor which his fellow-citizens can confer, will I trust, be a pledge for the faithful and exemplary maintenance of the compact for support of just and equal rights.—Forbearance in power, rejection of self interest, and an attachment to the principles of equal liberty, are the means by which has rose to the highest pinnacle of human honor, and real dignity one of our fellow citizens, and whose prudence and magnanimity receive applause even in the cabinets of Europe.

As flourishes the state, suffer then to flourish the manufacturers and cherish the arts, chargeable only with an equitable share of its burdens, and having arrived at just earned wealth under the countenance of a good administration, their participation in its expenses shall bear its fullest proportion, so shall the happiness of the community be permanently fixed and the rulers of government receive their highest reward in the approbation and attachment of a free people.

ANTI PRETEXTUS.

## UNITED STATES.

COLUMBIA.

PROCEEDINGS of the Legislature of South Carolina.

HOUSE OF REPRESENTATIVES.

May 3, 1793.

Col. Anderson (late chairman of the committee, appointed on the second day of Dec. 1793) with full powers to send for persons, papers and records, to examine into, and ascertain the truth of a report, "that an armed force was levying within this state, by persons under a foreign authority, without the permission, and contrary to the express prohibition of the government of the United States," informed the House, that himself and the other members of that committee, had been sued for their acts done as members of that committee (which they had submitted to the House, and which the House had thought proper to approve) by Stephen Drayton, for a sum of 60,000 dollars; and that their messenger, Col. Wade Hampton, had also been sued for executing their warrants and orders; which suits have been brought by Alexander Moultrie, attorney at law.

Whereupon ordered, that the information of Colonel Anderson be referred to the committee on privileges and elections.