

Commercial Intelligence.

FROM THE LONDON GAZETTE, of OCTOBER 9.

At the COURT at St. JAMES'S, October 6, 1790.

PRESENT.

The KING'S Most Excellent MAJESTY,  
IN COUNCIL.

"WHEREAS by virtue of an act passed in the last session of Parliament, intituled, an act to continue the laws now in force for regulating the trade between the subjects of his Majesty's dominions and the inhabitants of the territories belonging to the United States of America, so far as the same relate to the trade and commerce carried on between this Kingdom and the inhabitants of the countries belonging to the said United States," his Majesty by the advice of his Privy Council, did, by an order in Council, made on the first day of April, 1790 amongst other things, declare, That any unmanufactured goods and merchandizes, the importation of which into this kingdom, is not prohibited by law, (except Fish-Oil, Blubber, Whale-Fins, and Spermaceti) and any Pig-Iron, Bar-Iron, Pitch, Tar, Turpentine, Rozin, Pot-Ash, Pearl-Ash, Indigo, Masts, Yards, and Bowsprits, being the growth or production of any of the territories of the United States of America, and no other goods or merchandizes, might (until further order) be imported directly from thence into any of the ports of this kingdom, either in British-built ships, owned by his Majesty's subjects, and navigated according to law, or in ships built in the countries belonging to the United States of America, or any of them, and owned by the subjects of the said United States, or any of them, and whereof the master and three-fourths of the mariners at least are subjects of the said United States, or any of them, and may be entered and landed in any port in this kingdom, upon payment of the same duties as the like sort of goods or merchandize are or might be subject and liable to, if imported in British-built ships owned by his Majesty's subjects and navigated according to law, from any British Island or plantation in America; notwithstanding such goods or merchandize, or the ships in which the same may be brought, might not be accompanied with the certificates or other documents heretofore required by law:

And whereas doubts have arisen upon the true intent and meaning of that part of his Majesty's order in council herein before mentioned, which respects the importation of Fish-Oil, Blubber, Whale-Fins, and Spermaceti, and such other goods and merchandize, being of the growth, production, or manufacture of the said United States as are not therein enumerated or described:—His Majesty by the advice of his council, doth hereby order and declare, That Oil made from Fish or creatures living in the Sea, and Blubber, Whale-Fins, and Spermaceti, and all other goods and merchandize, the importation of which into this kingdom is not prohibited by law, being the growth, production or manufacture of any of the territories of the United States of America, and not enumerated or described in the said order, may be imported from thence into this kingdom in British or American ships, owned and navigated as by the said order is required, upon payment of such duties of customs and excise as are payable on the like goods or merchandize, upon their importation into this kingdom, from countries not under the dominion of his Majesty, according to the tables marked A. D. and F. annexed to an Act, passed in the twenty-seventh year of his present Majesty's reign, intituled, "An Act for repealing the several duties of customs and excise, and granting other duties in lieu thereof, &c. &c." or by any laws in force, passed subsequent to the said act, for that purpose; and in cases where different duties are therein imposed upon the like goods imported from different countries, not under the dominions of his Majesty, then upon the payment of the lowest of such duties; and such goods and merchandize shall be intitled to the same drawbacks as are allowed upon the exportation of the like goods and merchandize from this kingdom, according to the before mentioned tables, or by any other laws in force, passed subsequent to the said Act, for that purpose; and shall be liable to the same rules, regulations, and restrictions, as the like goods and merchandize are liable to upon importation into any port of this kingdom, by any laws in force for that purpose.

And the Right Honorable the Lords commissioners of his Majesty's Treasury, and the Lords commissioners of the Admiralty are to give the necessary directions herein, as to them may respectively appertain. W. FAWKENER.

PHILADELPHIA, Jan. 15.

The Governor of New-Jersey has published the names, pursuant to law, of the candidates for the office Representatives of the United States in that state; they amount to FORTY FIVE!!

The General Assembly of the state of Virginia adjourned the 25th ult. During the session, they passed seventy-one acts.



CONGRESS.

HOUSE OF REPRESENTATIVES.

MONDAY, Jan. 10.

In committee of the whole—on the bill declaring what officer, in case of vacancy of the offices of President, and Vice-President, shall act as President.

Mr. Boudinot in the chair.

THE first clause of the bill being read, which contains a blank to be filled up with the officer, who shall act as President.

Mr. Smith (S.C.) observed, that by the constitution the vacancy is to be filled with an officer of the United States: This narrows the discussion, said he, very much. But he conceived there was a previous question necessary to be determined, and that was, whether the person appointed to supply the vacancy should hold the office during the time for which the President and Vice-President was elected; or whether he was to hold the office only till a new election could take place: He thought that by the Constitution, a new election was not to take place till the term for which the President and Vice-President had been elected, was expired.

He then descanted on the respective offices of the Chief Justice, Secretary of State, and Secretary of the Treasury—and by several particulars shewed, that the appointment would most naturally devolve on the Secretary of State. He accordingly moved that the blank be filled with the words "The Secretary of State."

Mr. Livermore observed, that in considering this question, he thought no reference should be had to the officers which had been mentioned—for as it was supposed that the case contemplated would not happen once in a 100 years, he conceived that the present characters, who now hold the above offices, would be entirely out of the question.—He had in view a different person, and that was the President of the Senate, *pro tempore*—and moved that the blank be filled with this person.

Mr. White observed, that the Constitution says the vacancy shall be filled by an officer of the United States. The President, *pro tempore*, of the Senate, is not an officer of the United States.—Besides this will give one branch of the legislature the power of electing a President: This he conceived was contrary to the Constitution—as both branches have a right to an equal voice in the appointment in this case. This will introduce the very evil intended to be guarded against.

Mr. Williamson said the motion was directly repugnant to the Constitution. Why not chuse the Speaker of this House?

Mr. Livermore said, he was well aware of the objections offered by the gentlemen: He could have wished the Constitution had pointed out the person. But he conceived that the Senate was the only body that could do this business. If either of the officers mentioned, should be the person designated to supply the vacancy, it would be in the power of the Vice-President, by virtue of the power of removing officers, absolutely to appoint a successor, without consulting either branch of the legislature.

Mr. Sherman observed, that this matter is left with the legislature—the whole power of the people, in case of the vacancy, devolves on the legislature. The particular officer is not pointed out: It lays with Congress to say who it shall be. The President of the Senate is an officer of the United States. In case of the death of a Governor and Lieutenant Governor, it is common in the several States for the oldest counsellor to preside. He intanced the case of the abdication of James Ild. Adverting to the constitution, he shewed that the appointment of Vice-President, in certain cases devolves on the Senate—who will of course be President. The vacancy may be filled for a longer or shorter time, and this appears to be a question previous in its nature to be determined.

Mr. Sedgwick said he should be in favor of the motion of the gentleman from New-Hampshire, if it was not for the express provision in the constitution—which says the office shall be filled by an officer of the United States. Should the vacancy now happen, there would be no officer in the Senate that could be appointed.

He mentioned that the office of Chief Justice was considered as next to that of President, and therefore, on the whole, he considered him as the most proper person to fill the vacancy.—He thought the bill respecting the votes for President and Vice President should be first determined—He moved therefore that the committee should rise, and take up the next bill.

Mr. Carroll and Mr. Livermore objected to the motion for the committee's rising.

Mr. Madison was also opposed to the motion: He enlarged on the subject—and said he thought

it a duty, urged by a variety of considerations, important in themselves, and more so perhaps in their consequences, that the decision should be now made.

Mr. Smith started a variety of objections to Mr. Livermore's proposition: He thought it unconstitutional, as it would, in its operation, deprive a state of a vote in the Senate.

Mr. Bourne said he seconded the motion for the committee's rising, because he conceived there was other business of more immediate importance to be considered—and he saw no necessity of coming to a decision on the present question, at this time.

Mr. Lawrance supposed the blank could be filled up in the house: He was therefore in favor of the committee's rising.

The motion for the committee's rising was negatived.

Mr. Benson was in favor of filling up the blank with the Chief Justice. He observed that the objection arising from the Vice President's having it in his power to name his successor, in case the Secretary of State is inserted, does not apply to the Chief Justice. He is independent of the Executive.

He pointed out several particulars—in which there was an incompatibility in the offices of Secretary of State, and that of President. He observed that the appointment to the regency in all countries, is generally of the first law officer.

Mr. Jackson objected to the Chief Justice, and said, the Speaker of the House of Representatives was, in his opinion, the next officer in point of dignity, to the President and Vice President.

Mr. Madison objected to the Chief Justice, as it would be blending the Judiciary and Executive. He objected to the President, *pro tem.* of the Senate. He will be a Senator of some particular State, liable to be instructed by the State—and will still hold his office: Thus he will hold two offices at once.—He adverted to the other objections which had been offered against the Secretary of State, and shewed the compatibility of the two offices.

Mr. Stone stated sundry difficulties respecting all the officers that had been named; but on the whole, thought there were fewer against the Secretary of State than any other officer that had been mentioned.

Mr. Sehey was opposed to coming to any decision at the present time: He thought more important business was before the house: He was not for making any decision that should give umbrage to any officer in the government: The Secretary of State, the Secretary of the Treasury, were equally entitled to the public notice.

Mr. Carroll was in favor of coming to a decision—and if nothing more could be offered against the motion for filling up the blank with the Secretary of State, he presumed the committee were ripe for a decision—he referred to the situation of countries who had not in season made provision for a regent, &c.

Mr. Sherman said he was in favor of the committee's rising and reporting the bill, and leave the blanks to be filled up in the house.

Mr. White was in favor of filling up the blank in the committee: He saw no reason for a delay. The officers mentioned are as well known now, as they will be 3 days hence. The President and Vice-President being in health, is a reason why the subject should now be considered: It can be done with coolness, and freedom from all warmth.

Mr. Lawrance said, he thought there was no necessity for precipitating the decision: With respect to every person that has been named, difficulties have been started: The subject is important—and time should be given to deliberate on the several officers that have been named.—He hoped therefore that the Committee would rise, and report the bill—and leave the blank to be filled up at another time.

Mr. Burke was in favor of the committee's rising: He observed, that the members in general appeared to be very much undetermined:—This is the first day the subject has been under consideration: He hoped the members would not be precipitated to vote on the occasion.

Mr. Carroll said, if the Committee should rise, he hoped the bill would not be reported; but that they would set again.

Mr. Burke said he hoped the committee would set again.

The question on the committee's rising and reporting progress, was carried in the affirmative.

WEDNESDAY, Jan. 12.

The bill for granting lands to the inhabitants and settlers of the town of Vincennes in the Illinois country north west of the Ohio, and confirming them in their possessions, was read a second time, and referred to a committee of the whole house this day week.

Mr. Sedgwick presented petitions from a number of officers and soldiers in the Massachusetts line of the late army, which were read and referred to the Secretary of war.

Mr. Fitzsimons presented a petition from a number of tradesmen employed in the various branches of ship-building, in the city and liberties of Philadelphia, praying that they may have some