

MEMORIAL of the Hon. ROBERT MORRIS, to the Legislature of the United States.

SIR,  
I TAKE the liberty to trouble you with the enclosed memorial, and must pray you to lay it before the House of Representatives. The request which is therein made, will be found to consonant with justice, that I cannot doubt of its being granted. Permit me through you, Sir, to make another, which is, that the said memorial may be entered at large on the Journals of the House.

I have the honor to be,  
with great respect and esteem,  
Sir, your obedient humble servant,  
ROBERT MORRIS.

New-York, Feb. 8, 1790.  
To the Honorable the Speaker of the House of Representatives of the United States.

TO THE PRESIDENT, the SENATE, and HOUSE OF REPRESENTATIVES, of the UNITED STATES OF AMERICA.  
The MEMORIAL of ROBERT MORRIS, late Superintendent of the Finances of the said United States.

HUMBLY SHEWETH,  
THAT on the twentieth day of June, one thousand seven hundred and eighty five, and subsequent to your memorialist's resignation of his office of superintendent, the Congress passed a resolution in the words following: "Resolved, That three commissioners be appointed to enquire into the receipts and expenditures of public monies, during the administration of the late Superintendent of Finance, and to examine and adjust the accounts of the United States with that department, during his administration, and to report a state thereof to Congress:" which resolution, to persons unacquainted with the nature of the office, and the mode of conducting the business of the department, gave occasion to the supposition, that your memorialist had accounts both difficult and important to settle with the United States, in respect to his official transactions. That though your memorialist foresaw the disagreeable consequences which might result to himself from the diffusion of such an opinion, he not withstanding, not only forbore any representation on the subject, but scrupulously avoided every species of interference direct or indirect, lest it should be imagined, either that he was actuated by the desire of obtaining from Congress those marks of approbation, which had in repeated instances been bestowed on the servants of the public, or that he feared to meet the proposed investigation. Respect for the sovereignty of the United States, concurring with motives of delicacy, to forbid even the appearance of asking, what if merited, it was to be presumed would be conferred, (as being the proper reward of services, not of solicitation) and a firm confidence in the rectitude of his conduct, leaving your memorialist no inducement to evade any enquiry into it, which it might be thought fit to institute.

That your memorialist taking it for granted, that the reasons which had produced a determination to establish a mode of enquiry into the transactions of the most important office under the government would have ensured a prosecution of the object till it had been carried into effect, long remained in silent expectation of the appointment of commissioners, according to the resolution which had been entered into for that purpose. But it has so happened, from what cause your memorialist will not undertake to explain, that no further steps have ever been taken in relation to it: And your memorialist has remained exposed to the surmises, which the appearance of an intention to enquire into his conduct had a tendency to excite, without having been afforded an opportunity of obviating them. That the unsettled condition of certain accounts of a commercial nature between the United States, and the late house of Willing, Morris and company, and your memorialist prior to his appointment as Superintendent of the finances, having been confounded with his transactions in that capacity, your memorialist has in various ways been subjected to injurious imputations on his official conduct, the only fruits of services, which at the time they were rendered, he trusts, he may without incurring the charge of presumption, affirm, were generally esteemed both important and meritorious, and were at least rendered with ardor and zeal, with unremitting attention, and unwearied application.

That your memorialist desirous of rescuing his reputation from the aspersions thrown upon it, came in the month of October, 1788, to the city of New-York, as well for the purpose of urging the appointment of commissioners to inspect his official transactions, as for that of procuring an adjustment of the accounts which existed previous to his administration. But the first object was frustrated by the want of a sufficient number of members to make a Congress, and the last was unavoidably delayed by the preliminary investigations requisite on the part of the commissioner named by the late board of treasury, towards a competent knowledge of the business. That in the month of February, 1789, your memorialist returned to New-York, for the same purposes, but the obstacles which he had before experienced, still operated to put it out of his power to present the memorial which had been prepared by him in October, praying for an appointment of commissioners. That he was therefore obliged to confine himself to measures for the settlement of his accounts respecting the transactions antecedent to his appointment as Superintendent, which he entered upon accordingly with the commissioner appointed by the board of treasury: and in which, as much progress as time and circumstances would permit was made until the fourth of March last, when that commissioner, conceiving his authority, by the organization of the new government to have ceased, declined further proceedings, and of course, your memorialist was obliged to wait the establishment of the new treasury department for the further prosecution of that settlement, which has been accordingly refused, and he hopes will speedily be accomplished. But in as much, as no mode of enquiry into his official conduct has hitherto been put into operation, and as doubts of its propriety have been raised by an act of the government, your memorialist conceives himself to have a claim upon the public justice, for some method of vindicating himself which will be unequivocal and definitive. Wherefore, and encouraged by a consciousness of the integrity of his administration, your memorialist is desirous that a strict examination should be had into his conduct while in office, in order that if he has been guilty of mal-administration, it may be detected and punished; if otherwise, that his innocence may be manifested and acknowledged. Unwilling from this motive, that longer delay should attend the object of the resolution which has been recited, your memorialist humbly prays, that an appointment of commissioners may take place, to carry the said resolution into effect. And your memorialist as in duty bound, will pray, &c.

ROBERT MORRIS.

New-York, Feb. 8 1790.

CONGRESS OF THE UNITED STATES,

At the second Session, begun and held at the City of New-York, on Monday the fourth day of January, one thousand seven hundred and ninety.

An ACT for giving effect to the several acts therein mentioned, in respect to the State of North-Carolina, and other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, that the several and respective duties specified and laid, in and by the act, entitled, "An act for laying a duty on goods, wares and merchandizes imported into the United States;" and in and by the act, entitled, "An act imposing duties on tonnage," shall be paid and collected upon all goods, wares and merchandizes, which after the expiration of thirty days from the passing of this act, shall be imported into the State of North Carolina, from any foreign port or place, and upon the tonnage of all ships and vessels, which, after the said day, shall be entered within the said State of North Carolina, subject to the exceptions, qualifications, allowances, and abatements in the

said acts contained or expressed; which acts shall be deemed to have the like force and operation within the said State of North Carolina, as elsewhere within the United States.

And be it further enacted, That for the due collection of the said duties there shall be in the said State of North Carolina, five districts—one to be called the district of Wilmington, and to comprehend all the waters, shores, bays, harbors, creeks and inlets, from Little River inlet, inclusive, to New River inlet inclusive. Another to be called the district of Newbern, and to comprehend all the waters, shores, bays, harbors, creeks and inlets, from New River inlet, exclusive, to Occoock inlet, inclusive, together with Pamlico Sound (except that part of it into which the Pamlico or Tarr and Machapunga Rivers empty themselves, and which lies between the Royal Shoal extended to Machapunga bluff, and the shoal which projects from the mouth of Pamlico river towards the Royal Shoal.) Another to be called the district of Washington, and to comprehend all that part of Pamlico Sound excepted, out of the district of Newbern, and the waters, shores, bays, harbors, creeks and inlets adjacent to, and communicating with the same. Another to be called the district of Edenton, and to comprehend all the waters, bays, harbors, creeks and inlets, from the channel between Pamlico Sound and Albemarle Sound inclusive. The other to be called the district of Camden, and to comprehend North River, Pasquotank, and Little River, and all the waters, shores, bays, harbors, creeks and inlets, from the junction of Currituck and Albemarle Sounds, to the northern extremity of Back Bay.—That in the district of Wilmington, the town of Wilmington shall be a port of entry and delivery, and Swanborough a port of delivery only; and there shall be a collector, naval officer and surveyor, to reside at the said town of Wilmington, and a surveyor to reside at Swanborough. That in the district of Newbern, the town of Newbern shall be a port of entry and delivery, and the town of Beaufort a port of delivery only; and there shall be a collector to reside at Newbern, and a surveyor to reside at Beaufort. That in the district of Washington the town of Washington shall be the sole port of entry and delivery, and there shall be a collector to reside at the same. That in the district of Edenton, the town of Edenton shall be a port of entry and delivery, and Hertford, Murphesborough, Plymouth, Windsor, Skewarkey, Winton and Bennet's Creek, ports of delivery; and there shall be a collector at the town of Edenton, and a surveyor at Hertford, another Surveyor at Murphesborough, one Surveyor at each of the ports of Plymouth, Windsor, Skewarkey, Winton, and Bennet's Creek. That all ships or vessels intending to proceed to Hertford, Plymouth, Windsor, Skewarkey, Winton, Bennet's Creek, or Murphesborough, shall first come to, and enter at the port of Edenton. That in the district of Camden, Plankbridge on Sawyer's Creek, shall be the port of entry and delivery, and Nixonton, Indian town, Newbiggin Creek, Currituck inlet, and Pasquotank River-Bridge, ports of delivery; and there shall be a collector at Plankbridge, on Sawyer's Creek, and a surveyor at each of the ports of Nixonton, Indian town, Currituck inlet, Pasquotank River-Bridge, and Newbiggin creek. And that the authority of the officers of each district shall extend over all the waters, shores, bays, harbors, creeks and inlets comprehended within such district.

And be it further enacted, That the ports of Wilmington, Newbern, Washington, and Edenton, shall be the sole ports of entry within the said State of North-Carolina, for ships or vessels not registered or licensed within the United States, according to law, and for all ships or vessels whatsoever, which shall arrive from the Cape of Good Hope, or any place beyond the same.

And be it further enacted, That all the regulations, provisions, exceptions, allowances, compensations, directions, authorities, penalties, forfeitures, and other matters whatsoever, contained or expressed in the act, entitled, "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandizes, imported into the United States," and not locally inapplicable, shall have the like force and effect within, the said State of North-Carolina, for the collection of the said duties, as elsewhere within the United States, and as if the same were repeated, and re-enacted in this present act.

Provided always, and be it declared, That the thirty-ninth section of the said act, and the third section of an act, entitled, "An act to suspend part of an act, entitled, "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandizes imported into the United States, and for other purposes," did, by virtue of the adoption of the constitution of the United States, by the said State of North-Carolina, cease to operate in respect to the same.

And be it further enacted and declared, That the act, entitled, "An act for registering and clearing vessels, regulating the coasting trade, and for other purposes," shall, after the expiration of thirty days from the passing of this act, have the like force and operation within the said State of North-Carolina, as elsewhere within the United States, and as if the several clauses thereof were repeated, and re-enacted in this present act.

And be it further enacted, That the second section of the act, entitled, "An act to suspend part of an act, entitled an act to regulate the collection of duties imposed by law, on the tonnage of ships or vessels, and on goods, wares, and merchandizes, imported into the United States, and for other purposes," passed the sixteenth day of September last, shall, with respect to the inhabitants and citizens of the State of Rhode-Island and Providence plantations, be revived, and also, that the fourth section of the said act shall be revived, and both continue in force until the first day of April next, and no longer.

FREDERICK AUGUSTUS MUHLENBERG,  
Speaker of the House of Representatives.  
JOHN ADAMS, Vice-President of the United States,  
and President of the Senate.

APPROVED, FEBRUARY THE 8th, 1790.  
GEORGE WASHINGTON, President of the United States.

CONGRESS.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, FEB. 10.

ON motion, the memorial of Robert Morris was read the second time.

The request which accompanied the memorial that it may be entered at large on the Journals of the House being also read—

Mr. Scot moved that it should be entered accordingly, which passed in the affirmative.

It was then voted that this memorial should be referred to a select committee, and Mr. Madison, M. Sedgwick and Mr. Sherman were appointed.

In committee of the whole on the report of the Secretary of the Treasury—Mr. Scot's amendment under consideration.

Mr. Scot observed that the object contained in the above amendment is of so important a nature that two or three days more spent upon it will be time well employed.—It involves the whole doctrine of discrimination and liquidation—those great points once established, the way will be opened to proceed in the discussion of the principle of the report.—That report, provided the principles of it are just and equitable, is a masterly performance, and does great honor to the framer of it.—It has been said that the domestic debt of the United States must be considered in the light of a fair and just contract which cannot be violated.—I never considered it in this view—Let us revert back to the time when the public securities, so called, were received by those, who

had through blood and slaughter established the liberties of the country.—Did they consider them as a contract to be made good agreeable to the terms expressed in the bills they received? No Sir—they did not—how did they estimate their value? Why, Sir, taking into consideration the circumstances of their country at the moment they had completed and established its independence—in addition to all their other sacrifices they added this, they were contented to receive 2/6 in lieu of 20s. He then enlarged on the injustice that would accrue from funding the whole debt agreeable to the face of the securities—and of taxing those who had made so great and noble a sacrifice, to make good the securities to their present possessors—and observed that strict, impartial justice required that the securities should be reduced to their real value, and a re-liquidation of the whole made before funds are provided to pay the interest.—When this consolidation is effected, the interest ought to be punctually paid at six per cent.—From some valuations which he had made, it appeared that some millions of the debt were unliquidated. He controverted the doctrine that the present possessor of public securities stood in the place of the original holder.

With respect to those characters of whom he spoken so highly, it had been said that many of them held sentiments different from those he was now advocating—to which he observed, that some who were once soldiers, had lost all title to the honorable appellation by commencing speculators.—These, like a woman in marriage, having changed their name, by wedding speculation, no longer speak the language of soldiers but of speculators.

Mr. Hartley said he was opposed to the amendment, not only on account of the mode of expression used in it—but also on account of the very reasons urged by the gentleman in support of it.—I am one of those said he, to whom the gentleman alludes, having been in the army; though I never speculated in public securities—but beg leave to differ from him with respect to a discrimination, or postponing the present business.—He then referred to the resolution of the last session when they resolved that provision ought to be made to support the public credit—the idea of a discrimination I believe never entered into the contemplation of any person—he represented the injustice, difficulty, and expence of the measure of a re-liquidation—the principle on which the public securities were originally issued and received, he insisted were totally different from the idea held up by the gentleman, and the assertion that they were received by the soldier on the idea of their being worth only 2/6 in the pound has no foundation whatever—he shewed the capacity of the country to pay its debts; being in possession of great resources which have not been glanced at by the Secretary, in his report—this circumstance of our ability, greatly enhances the obligation to do justice.—He defended the principle of a funding system—as wife and politic in itself, and being sanctioned by the experience of the most flourishing countries in the world—Great-Britain, by virtue of her funds, and paper credit, has extended her commerce and manufactures—and raised her character to the most respectable rank, in the scale of nations.—He then instanced in the history of Frederick the 2d King of Prussia to shew the effects of a contrary system—that monarch accumulated in his coffers specie to the amount of 100 millions crowns—while his whole people were poor and wretched—he added a few other observations—and concluded by saying, that tho he was sorry to differ from his colleague for whose judgment he had a high esteem, yet he must vote against the amendment.

Mr. Sedgwick entered into a general consideration of the subject of providing for the establishment of public credit—he said he believed that government had a right to interfere in certain cases with contracts public and private, and instanced the conduct of Congress on former occasions with respect to paper money, and the consolidation of demands against the public—the great point to be settled in the present business is our capacity to fulfil the existing engagements of the country to its creditors.—He should be in favor of fulfilling those engagements as far as our abilities extended—on this question there may be various opinions—he should think himself bound to acquiesce in the decision that shall be made after a due investigation of our resources; but was clearly of opinion that any further procrastination of the business would increase the difficulty of a final determination—the pernicious consequences of speculation will be increased—for tho that business is necessarily connected with a transferable debt—and derives its value from it in a great degree, and the public credit is thereby promoted; yet when persons are seduced from the more useful occupations of life, and commence gamblers in the public funds, he thought the policy of any system that would promote such speculation ought to be reprobated—he concluded by saying that very dangerous consequences to the government were to be apprehended from delays in funding the public debt.