

war, with all her slaves, backward in her resistance to Great-Britain? View the conduct of her citizens, their zeal and ardor in the cause of liberty; their valor at Fort Sullivan. Are crimes more frequent in that country than in the other States? Are there more executions? I believe there have been as few as in any part of the continent, and those which have taken place have been generally of emigrant convicts or fugitive wheelbarrow men; he would be bold to assert that in no State on the continent was there more order, sobriety and obedience to good government; more industry and frugality; nor was there any trace of the influence of slavery on the character of her citizens.

The French so far from curbing and cramping the African trade with needless regulations, give large premiums upon every negro landed on their islands; in some instances as much as 200 livres per head. Is that nation more debased than others? Are they not a polished people, sensible of the rights of mankind, and actuated by proper sentiments of humanity? The Spaniards encourage slavery; they are people of the nicest honor, proverbially so. The Romans and Greeks had slaves, and are not their glorious achievements held up as incitements to great and magnanimous actions? Sparta teemed with slaves at the time of her greatest fame as a valiant republic. The absolute power of the Lacedaemonians over the Helotes is frequently spoken of by the ancient writers; they were not only the slaves of the commonwealth, but of every individual, they could not be set at liberty, neither could they be sold; hence arose a saying, that a free man at Sparta was most a free man, and a slave most a slave.

The system of the Roman policy with regard to slavery was still more severe: Slaves were not even under the protection of the laws; they were considered as things, *inter res*. A master merely from caprice might torture, dismember, and even murder his slave. If a slave did any damage exceeding his value, he was delivered to the person injured, who did with him what he pleased. Yet these slaves were of the same color as their masters, and equal to them in mental faculties; many of them were men of great learning, philosophers, poets, &c. Much had been said of the cruel treatment of slaves in the West-Indies and the Southern States; with respect to the latter, he denied the fact from experience and accurate information, and believed in his conscience that the slaves in South-Carolina were a happier people than the lower order of whites in many countries he had visited. With regard to the West-Indies, Lord Rodney and Admiral Barrington had both declared that they had spent some time in the West-Indies, and that they had never heard of a negro being cruelly treated; that they had often spoken of their happiness in high terms, declaring that they should rejoice exceedingly if the English day-labourer was half as happy.—Some have said that slavery was unnecessary: so far from it that several essential manufactures depended on it, Indigo, cochineal and various other dyeing materials, which were the produce of the West-Indies could only be raised by slaves; the great staple commodities of the South would be annihilated without the labor of slaves.—It was well known that when the African slaves were brought to the coast for sale, it was customary to put to death all those who were not sold; the abolition of the slave trade would therefore cause the massacre of the people.

The cruel mode of transportation was another motive to this abolition; but it was to be presumed that the merchants would so far attend to their own interests as to preserve the lives and the health of the slaves on the passage—all voyages must be attended with inconveniences, and those from Africa to America, not more than others. As to their confinement on board, it was no more than was necessary; as to the smallness of space allotted them, it was more than was allowed to soldiers in a camp; for the measurement of cubical air breathed by the Africans compared with that of soldiers in a camp, was in favor of the former as thirty to seventeen; it was full as much as was allotted in ships of war to seamen who by the laws of England were frequently on their return to their families after a long and dangerous voyage, seized by violence, hurried away by a press-gang, and forced on another voyage more tedious and perilous than the first to a hot and sickly climate, where several hundreds of them were stowed away in the hold of a vessel. In cases of disobedience the Captain had a right for slight offences, to inflict on them corporal punishment without the intervention of a court martial, and in other cases they are punishable by very severe laws, executed by martial courts, established for that purpose. The same may be observed of the soldiers, who were frequently flogged severely for trifling offences; instances have been known of their being put under the care of a surgeon, after receiving a small part of the intended flagellation, to rest them for the residue.

Having thus removed the force of the observations which have been advanced against the toleration of slavery by a misguided and misinformed humanity, I shall only add, that I disapprove of the whole of the report; because it either states some power sufficiently expressed in the constitution which is unnecessary, or it sets forth some power which I am clear Congress don't possess. The concluding paragraph is an extraordinary one. In what mode are the memorialists to be informed of our humane dispositions? Are we to send a special committee to inform them? Or is the Speaker to write them a letter, or the Sergeant at Arms with the mace to wait on them? In short, Mr. Chairman, the whole of this business has been wrong from beginning to end, and as one false step generally leads to others, so has the hasty commitment of these memorials involved us in all this confusion and embarrassment. I hope therefore if any kind of report is agreed to, it will be something like that proposed by my colleague.

SATURDAY, APRIL 10.

The bill providing for the punishment of certain crimes against the United States, was read the third time, and passed to be enacted.

The report of the Secretary of the Treasury on the memorial of the Baron de Steuben, was read the second time, and made the order of the day for next Monday week.

A message was received from the President of the United States, by his Secretary, informing the house that the act for the encouragement of useful arts has received his assent.

The order of the day on the bill to regulate trade and intercourse with the Indian tribes, being called for, the house went into a committee of the whole—the bill was read.

Mr. SCOTT offered a few general observations on the subject, and after pointing out the importance of competent regulations to secure the peace of the frontiers, and to impress the minds of the Indians with friendly sentiments towards the people of the United States, said, that to effect these important objects great care and information are necessary in order to forming an adequate system—the bill did not come up to his ideas fully—he therefore suggested the propriety of sending the bill to the senate—who not being crowded with business just now, would have time to form a more perfect plan, than the house has time to.

A motion was made that the committee should rise, but this being objected to, the motion was withdrawn.

The first paragraph in the bill provides for the appointment of a superintendent who is to be a military officer.

It was moved that the clause which contains this restriction should be struck out.

The motion was supported by the following observations: It was said to infringe the power of the President, and in that view is unconstitutional—that it may counteract the essential interests of the people, by precluding the President from appointing perhaps the most proper character in the United States. That persons in civil life may be found fully competent to the business, many such possess a perfect knowledge of Indian affairs. The military duty of an officer is sufficient to engage his attention—but this bill will convert him into a mere trader and speculator. Further it was said, that it blended the civil and military characters which is unconstitutional.

In objection to the motion it was observed that a military character is the most suitable, being amenable to a court martial, and therefore the most easily called to account, that they will probably have the greatest influence with the Indians. As to the constitutionality of the question, it is evident that the President and Senate are restricted in their appointments of officers to several other departments. The Attorney General must be a person learned in the law, or, in other words a lawyer, &c. and as it is not to be expected that any person would be contented to go and reside in the Indian country, who is debarred from carrying on all commerce as is contemplated by the bill, it follows that military officers are the only proper characters to be appointed.

Mr. SCOTT proposed a full substitute for the clause under debate which induced a motion for the committee to rise and report progress, which motion was carried in the affirmative.

Mr. FITZSIMONS then moved that the committee of the whole should be discharged from any further consideration of the bill, and that it be recommitted to a select committee—after considerable debate this motion was negatived.

Mr. BENSON proposed a resolution in lieu of that offered yesterday by Mr. Smith of South-Carolina for appointing a committee to ascertain the time when the President, Vice-President, Senate and Representatives commenced their respective offices, &c.

Mr. LIVERMORE objected to the appointment of any committee, he said every gentleman may satisfy himself by looking at his commission. If we choose such a committee, it will be thought that our design is to protract our existence as the long parliament did. Other gentlemen also objected.

Mr. BENSON and Mr. SMITH of South-Carolina explained their motives in bringing forward the motion, different sentiments were entertained, some supposed the two years commenced in December others in March. Some gentlemen's commissions are dated after March. Various opinions are entertained on the subject, and to prevent confusion, it appears necessary that Congress should decide the matter—no other body is competent to it.

Mr. BURKE and Mr. WILLIAMSON spake against the motion.

Mr. SEDGWICK was in favor of the resolution for appointing a committee.

Mr. GERRY moved a resolution a little different from the last. The discussion was not finished when the house adjourned.

MONDAY, APRIL 12.

The committee of conference on the disagreement between the two houses respecting an amendment proposed by the Senate, to the bill for the remission of fines, penalties and forfeitures in certain cases, having come to no accommodation as stated in our last. It was moved, that the house should adhere to their disagreement.

This motion occasioned some debate. The vote being taken it was carried in the affirmative.

On motion of Mr. LAWRENCE, the House went into a committee of the whole on the report of the Secretary of the Treasury, for making provision for the support of the public credit.

The proposition for the assumption of the State debts was read.

Mr. SHERMAN observed that the making provision for the support of the public credit, is an object of the greatest importance. He was sorry that the committee appeared to be so much divided on the subject.

The friends of the government were very generally concerned in effectual provisions being made for the payment of the public debts—and the people in general he conceived were very much interested in the decisions that shall take place.

He then entered into a consideration of the assumption of the State debts, and recapitulated the most important observations in favor of the measure that had been made in the former discussion of this business. He noticed particularly the objections that had been urged from the improbability of the accounts between the United States and individual States being ever settled.—He said if the accounts are never to be settled, this is as strong a reason as can be urged in favor of assuming those debts, which had been contracted for the general defence. He could conceive of no difference between debts, all of which had been contracted for the same purposes. If the accounts are not to be settled, justice seems to require that the debts should be made a general charge, and the whole mass paid out of the common stock.—But he could not agree to the idea that the accounts would never be settled. He then adverted to the arrangements which had been made by the Congress under the old Confederation—the progress that had been made—and the practicability of finishing the business. He concluded by saying that he thought it wise and just—and that it would meet the approbation of the public in general to assume the liquidated debts of the States.

Mr. WHITE observed, that he conceived gentlemen had taken up this business on wrong principles. He then stated what he thought the proper grounds on which the subject ought to be discussed. He adverted to the principles which he had before advanced respecting a previous settlement of accounts. He justified the conduct of members in advocating the interest of their several States—the general interest can perhaps be promoted no other way. Virginia thinks it against her interest to assume the debts. Massachusetts thinks it her interest that they should be assumed—here can be no charge of local ideas—without a recrimination.

He then adverted to certain observations which had been made respecting the eastern States, receding from the Union.—He could not suppose the eastern States would find their interest in separating: But he thought it as proper to attend to what would be the effect in case the debts are assumed. He mentioned the proposed duties as exceptionable, and the excise in particular would be very unpopular. Some petitions have already been presented. It has been said, that assumption would facilitate the settlement of accounts, he thought the contrary would be the consequence. Individuals would then be at ease. Another ob-

jection is that it will increase the public debt—which will lead to sanguinary laws.—One law already passed is tinged with blood, merely on account of the prospect of increasing the evidences of debt.—We have made forgedy death—which is contrary to the maxims of our ancestors. In England it was considered only as a misdemeanour, till the enormous addition to their debts took place.—Upon the whole he thought the assumption a measure that would not meet the approbation of a majority of the people—and ought not to take place.

Several other gentlemen spake on the occasion—and various motions were offered to modify the proposition—but they were all rejected—and the question for the assumption being put was negatived—thirtyone voting against—and twenty nine in favor of the proposition.

After the question relative to the assumption of the state debts had passed in the negative,

Mr. SEDGWICK rose and said, I now consider the question of the assumption as ultimately negatived. We are then in my opinion in a situation, most solemn and serious. In the name of the people of Massachusetts, who have honored me with a seat in this house—in whose behalf my colleagues and myself have united in representing their services and sufferings, do I address you.—We have demanded justice—we have implored the compassion of the representatives of the people of America, to relieve from the pressure of intolerable burdens—burdens incurred in support of your freedom and independence. Our demands and our entreaties have both been ineffectual. Feeling as I do, on this important occasion, I shall stand justified to myself, and I trust to the candor of every other gentleman, in what I am about to declare: During the war, the government of Massachusetts, the corporations and the people all united in straining every nerve in support of the common cause. To the remembrance of every friend of his country, I appeal. To your public officers, and to the men conversant in the transactions of that day of anxiety and distress, I appeal, for the evidence of that noble and disinterested enthusiasm, of those exertions and services, which were then as important as was your escape from slavery. Exertions and services which were then acknowledged; and however they may be now forgotten, or disregarded without, believe me they will long be remembered within that state. Is there a man who does not believe the exertions of Massachusetts, compared with her ability, were at least equal to those of any of the states? This has not, and I presume will not be denied; was she less frugal? It is not pretended. Does it not then follow, irresistibly, that the excess of her debt must have been contracted for national purposes? Is there any one who supposes that what they denominate the national debt, can be securely funded, without invading those objects of revenue, which are now appropriated for the support of public credit, in that state? Can it be believed that the government or the people there will voluntarily submit to sacrifice the interests of 20,000 men who adventured their lives and estates in the common cause? Shall the first operations of this government which I fondly hoped would move on national ground, and regulate its conduct by enlarged and liberal policy, be the impoverishment of such, and so many honest, confiding citizens.

Independent of the assumption, there is not, in my opinion the least reason to believe a settlement of the accounts of the individual states with the United States will ever take place. The offer of justice on that contingency, is therefore, little more than pretence on one side, and I can assure gentlemen is felt to be little less than mockery on the other—all these things make a deep impression, nor will they easily be erased from the memory. It only remains, that I express directly the purpose for which I rose, which was to warn, solemnly warn, gentlemen of the dangerous consequences, in the progress of this business, of invading those funds which are preoccupied by that state. Let them then proceed and see whether without such violent and unjust invasion, it will be practicable to procure the necessary objects of revenue.

The committee then rose. Mr. GERRY proposed a resolution, that that part of the Secretary's Report relative to the State debts, be referred to a committee to consist of a member from each State.

This motion was laid on the table for further consideration, agreeable to the rules of the house. Adjourned.

TUESDAY, APRIL 13.

Sundry petitions were read, and referred to the heads of departments; Mr. Vining of the Committee appointed to bring in a bill to enable the Secretary of State to appoint an additional Clerk in his office reported the draught of a bill, which was read.

A message was received from the Senate informing the House that they adhere to their proposed amendment to the bill, for the remission or mitigation of fines penalties and forfeitures in certain cases.