

# Gazette of the United States.

PUBLISHED WEDNESDAYS AND SATURDAYS BY JOHN FENNO, No. 69, HIGH-STREET, BETWEEN SECOND AND THIRD STREETS, PHILADELPHIA.

[No. 37, of Vol. III.]

SATURDAY, SEPTEMBER 3, 1791.

[Whole No. 245.]

FROM THE NEW-YORK JOURNAL, &c.

To the Gentlemen of the Grand Jury of the County of ABBEVILLE in the STATE of SOUTH-CAROLINA.

**A**PRESENTMENT from your body to one of the judicial courts of your State, has been published in several Gazettes in the United States. As it applies solely to a national law, it is a proper object of decent comment for any of your fellow citizens; and it cannot be doubted that you will be ready to hear any thing, which can prove you are honestly mistaken in a matter which is deemed of so much importance to liberty, and which is also of consequence to the credit of our common country abroad, and at home.

You say the excise act is a grievance of the highest nature. This is strong language, brethren, and stronger, it is believed, than you will find the facts to support. If this law had been passed without competent powers in Congress, and to carry on an ambitious war, it would surely have been a grievance of a higher nature. This is no play on words, for grand juries are sober and important bodies of men, have the most serious duties to perform—should enquire diligently, and make true presentment. They should not misname man-slaughter and call it murder, nor should they call by either of those criminal names, the lawful actions of an individual, much less of a government, though those actions should unhappily end in death. It is never well in discharge of public duties to let expressions go forth, which, by irritating, may produce lamentable evils. The more freedom is used with you, brethren, on this point, because it is supposed the language of freedom will not be offensive to you, and because you have shewn all necessary moderation and reason in the conclusion of your presentment, by recommending a constitutional and lawful application, through your senators and representatives, for an alteration of the law.

You say also, that all excises are incompatible with liberty, which history, you observe, will fully shew. This is certainly a mistake, for the history of every nation that ever contracted debts, and formed a system to discharge those debts shews that they have uniformly had recourse to them. The American provinces had excises laid by their own legislatures, the popular branches of which were freely chosen by the people—yet nobody ever thought, or said, the provincial legislatures enslaved their constituents. On the contrary, it is well known they were constantly engaged in struggles, against the crown, in favor of the people. The State of Pennsylvania, which had only one popular house, for many years, and no negative in the executive, had an excise through half this century—The amount of it being eight pence, their money, per gallon, was as near as possible to nine cents, which is the rate of country spirits, per gallon, under the act of Congress, unless the distiller, living in the country, chuses to pay sixty cents per annum, for each gallon his still holds, for the right of stilling as much as he can through a year—Then the duty will be lower, if there is any industry in working the still. Massachusetts, a free State, with a well constituted government, had an excise—Connecticut, with a legislature chosen half yearly, had an excise; and so of other American States. Britain and Holland, two of the freest countries in Europe, had an excise; and France, now freer than either of them, or any other country in Europe, has an excise. All taxes (including excise) are equally compatible with liberty, if the legislature is freely and frequently chosen. How can the excise of Congress be incompatible with liberty, if the people vested them with power to lay it, and can turn out every Congress man that voted for it, if they really think it best, and chuse others instead of them. Freedom can never be endangered by a law, the repeal of which, a bare majority can any moment effect.

You suppose the dwelling houses of the people liable to be entered at all times, night or day, by the officers. In this, brethren, you are mistaken; and it is a very great mistake, for the officers are not authorized to go into the dwelling houses, in the night or day either. They can go into liquor stores, liquor cellars, and liquor vaults, and distilleries marked as such, but that only in the day time. So tender is the law, that though it shall be made to appear, on oath to a judge or justice of the peace, that spirits are fraudulently hid in a dwelling house, to deprive the country of the duty, the officer cannot go into even that house without a warrant under the hand and seal of a judge or justice, nor without a constable or peace officer with him, nor can he go at any time, but only by day.

It is said, again, by you, brethren, that the duty will not bear the expence of collecting in some places. This, also, must be a mistake, for a land tax, or poll tax, in a thin settled country, must be more expensive and troublesome. Assessments, levies, distraints, advertisements, and sales of property for those taxes, are much more inconvenient.

It seems probable, that you were misinformed about many parts of the law, especially the manner in which the duty is laid on country stills. Some have thought the duty to be sixty cents for every gallon that the still should make; but this is a great error. No more is laid than sixty cents for a whole year upon the quantity that would fill the still once, and if enough spirits should not be made to amount to that at nine cents per gallon, the owner may have it deducted, by taking care to keep an account of what he makes, in the manner the law directs. More than nine cents on what is made will, therefore, never be paid by those who take proper care of their own business; but less will be paid by all those who are so industrious as to make more spirits than sixty cents, on the measure or capacity of the still, will come to. This will have an effect very favorable to the planters and farmers, because industrious men, who will make a trade of distilling, will set up works, and making considerable profits by this, and by distilling largely, will be able to buy larger parcels of grain at better prices, to manufacture into spirits.

You complain, that the northern distillers will have the advantage, but you will think otherwise when you have examined this point. Spirits from molasses pays two cents per gallon more than that from grain or fruit, which is above twenty-two per cent, or twenty-two pounds in the hundred. This is too clear and plain to dwell upon. It would be to question your candor or understanding to do more than mention the fact.

You appear to labor under the same want of information, when you complain about the excise being too high in proportion to the import on foreign spirits. The lowest proof of foreign rum, brandy, &c. is at twenty cents; the lowest proof of country grain or fruit spirits is at nine cents. The difference is prodigiously in favor of the home distiller, and it is plainly better for him to have the small duty on country made spirits, seeing it is accompanied with one so much greater on rival foreign spirits.

It is but right to remember how much the States are made free of the occasion to lay taxes by the assumption, which part of the public debt, and the defence of the western country, this duty is appropriated to. If South-Carolina is averse to the excise, she

ought not to avail herself of the opportunity of getting four millions of her debt on the United States. The measure comes remarkably easy to your State, because little foreign rum is used on the sea coast counties, on account of the small number of whites, and great number of blacks: and in the western country the home made spirits are to pay only nine cents, which is less than half the duty.

I am, gentlemen,  
Your friend and humble servant,  
A NEW-YORK GRAND JURY MAN.

FROM THE NORWICH PACKET.

MR. TRUMBULL,

In a late paper of your's, there appeared a paragraph respecting a meeting of the Clergy at New-Haven, on the ensuing Commencement. Some have supposed that said publication mistook and misrepresented the object of the proposed meeting; you may explain the true origin and design of the same, by publishing the following

Extracts from the Minutes of the General Assembly of the Presbyterian Church in the United States.

**A**GREEBLY to the appointment of the General Assembly, last year, directing Dr. Rodgers, and Dr. M'Whorter, to correspond with the congregational churches in Connecticut, in order to renew and strengthen the bonds of union between those churches and the presbyterian church in America, Dr. M'Whorter reports that some progress has been made in opening a plan of correspondence with said churches. That three modes of correspondence are proposed for consideration, viz.—1st. By letter from a committee of this body, with a committee of the general association of Connecticut. 2d. By reviving a convention similar to one which subsisted between those bodies before the late war. 3d. By sending delegates reciprocally from each body, who shall sit in their respective meetings, to answer the important purpose designed by this correspondence.

On motion, resolved, That in order to carry into effect the proposed plan for a correspondence with the congregational churches in New-England, a committee consisting of Dr. Wither-spoon, Dr. Rodgers, Dr. M'Whorter, Mr. Chapman, Dr. Samuel S. Smith, Mr. Tenant and Mr. Austin, or any three of them, be, and they are hereby appointed to meet at New-Haven on the second Wednesday in September next, to consult with such ministers from the New-England churches as may be there present, on the subject in contemplation, and to determine on such plan of correspondence and intercourse as shall appear eligible. And that the prospect of accomplishing the desire of the General Assembly in this appointment may be the more favorable, Doctor M'Whorter is hereby directed to write immediately to Dr. Timothy Dwight, of Connecticut, and inform him of this measure, requesting him, at the same time, to lay it before the General Association of Connecticut, that they may be prepared to meet at the time above-mentioned, and do what they may think expedient in this concern."

FROM THE COLUMBIAN CENTINEL.

JUST COMPLAINTS OUGHT TO BE HEARD AND REMEDY AFFORDED.

**W**HAT compensation are the right worthy citizens likely to receive, who not finding it in their hearts to put any confidence in our State or Continental Governments, never purchased any of their securities—and now, contrary to their belief, Publick Securities have risen so amazingly as to make fortunes for some common folks—folks, we may say, who never dreamed of such a thing?—We despise speculation;—if it had been right, we should have seen through it, and gotten twice as much by it, as any of these moon-shine fortunes—It's all delusion now, they will go to ruin faster, ten times, than ever they rose, and our solid estates will, ten chances to one, be taxed yet, to support these pretenders to money—It is impossible there should be such a golden shower and we not catch it—They hug a phantom, therefore, good people all don't worry your gizzards about them—don't make wry faces, nor look melancholy—Stocks fall already—their faces are half as long as our's now—let 'em alone, we'll measure with them by and by.

SKINFLINT & Co.

WARSAW, May 15.

**T**HE different supreme tribunals have sent deputies to the King and the States, acknowledging their fidelity and submission to the new constitution.

June 15. The following articles have been added to the New Constitution, and have received the unanimous sanction of the Diet of Poland.

Of the King, the Executive Power.

"No Government, though it were the most perfect that can be imagined, can subsist unless the executive power be enabled to act with the fullest energy.

[Would to Heaven that this principle, which is incontrovertibly just and true, were every where admitted! Owing to the non-observance of this indispensable axiom, the revival of liberty has become odious to all those who have still a regard for social order.]

"Just and equitable laws are the foundation of national happiness.

"All the good effects to be expected from them, must depend on their having been vigorously executed.

"Experience has taught us, that to a want of this executive energy, Poland owes all its misfortunes.

"For these reasons, after having insured liberty to the Polish nation, and having made it independent; after having secured to it the right of making laws, and of watching over the executive authority, and also of choosing all public magistrates; we entrust the King and his Council (which shall hereafter be stiled the Superintending Council) with the Supreme execution of the laws.

"The executive power shall be under a strict obligation to superintend the execution of the laws, and exemplarily to conform to them. It shall act in all cases permitted by the law; in all such cases which require a superintendance, execution, and even a coercive force. All Magistrates are bound to obey it implicitly; and by it they are liable to be punished for neglect of duty or disobedience.

"The executive power shall neither make laws, nor explain them. It shall not impose taxes, or levy contributions. It shall not contract public debts, nor make the least alteration in the collection of the revenue. And finally, it shall neither declare war nor make peace; nor make any treaties with other powers. It shall only be enabled to have a temporary correspondence with foreign courts, so far as the safety and tranquility of the state may require; and for this it shall be accountable to the following Legislature."

ROME, June 3.

The chagrin experienced by his Holiness, occasioned by the revolt of Avignon and the decrees of the National Assembly of France relative to the Clergy, is a little alleviated by learning the progress of the Roman Catholic religion in some of the provinces of North-America, and chiefly in Acadia, Maryland, and part of Pennsylvania. Charles Walmsley, Bishop of Rama, has consecrated Mr. John Carroll, superior of the foreign missions, in quality of Bishop of Baltimore, the Congress of Philadelphia having permitted the free exercise of the Roman Catholic religion in the aforesaid provinces.

LEYDEN, June 9.

The accounts from the empire are confirmed. The Count d'Artois has been at Ulm, but is returned to Augsbourg. M. de Calonne does not mean to go there, for which reason the Prince de Lambesc, and other emigrants of the old French nobility, have quitted Manheim and Deux Ponts, where they had assembled to wait the result of the attempt on Huninguen, which it seems has not answered their expectation.

HAMBURGH, June 10.

The King of Sweden, who landed at Rostock the 2d inst. went the same evening to Ludwigsburg to wait for his carriages. They arrived the 5th, and his Majesty remaining incognito, under the title of Count Haga, continued his journey to Aix-la-Chapelle. The 6th in the evening he arrived at Brunswick, where the Court was very brilliant on the occasion.