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SATURDAY, JANUARY 28, 1792.

[Whole No. 287.]

HOUSE OF REPRESENTATIVES.

The SECRETARY of the TREASURY, in obedience to the order of the House of Representatives of the 19th instant, respectfully makes the following

R E P O R T.

AT the close of the year 1790, there was a considerable surplus of revenue beyond the objects of expenditure, which had required a provision to that period; which surplus, by an act of the 12th of August in that year, was appropriated to the reduction of the public debt.

The statement (A) herewith submitted will shew, in one view, all the sums which according to the establishments heretofore made, and corresponding appropriations, have required and will require to be defrayed, from the beginning of the year 1791, to the end of the year 1792, amounting together to seven millions and eighty-two thousand, one hundred and ninety-seven dollars, and seventy-four cents.

The statement (B) will also shew in one view the nett product of all the public revenues for the same period, according to the best calculation and estimate which can now be formed of it, amounting to seven millions and twenty-nine thousand seven hundred and fifty-five dollars, and twenty-six cents.

The statement (C) exhibits a summary of the total annual expenditure of the United States, in conformity to existing establishments, amounting to three millions six hundred and eighty-eight thousand and forty-three dollars, fifty cents.

The statement (B) includes a view of the probable product during the year 1792, of the existing revenues of the United States, amounting to three millions seven hundred thousand dollars.

From these statements will result substantially the information which is desired by the House of Representatives, as far as it is now in the power of the Secretary to give it.

One or two matters however may be proper to be added with a view to greater accuracy.

There are certain instances, in which the estimates for appropriations have exceeded, and will exceed the sums actually expended. Hence, the apparent excess of the expenditure as exhibited in the statement (A) beyond the product of the revenue as shewn in the statement (B) will probably not be found real. But the amount of these surplusses or over estimates is not stated, because it is not, and in some cases, cannot now be ascertained, and it is not likely to be very considerable; and because, also if it should do more than counterbalance the excess alluded to, it will be safe to set off the surplus against those contingent demands which from time to time occur.

No deduction has been made from the annual interest, on account of the debt purchased. This has proceeded from a supposition that it will be deemed expedient by the legislature, to appropriate inviolably the interest of any part of the debt which shall at any time be extinguished, towards the extinction of the remainder. This point will be more particularly submitted in a report on the subject of the public debt.

All which is humbly submitted.

ALEXANDER HAMILTON,
Secretary of the Treasury.

TREASURY DEPARTMENT, January 23d, 1792.

STATEMENT of EXPENDITURES, made and to be made, pursuant to appropriations heretofore made, in conformity to the existing establishments of the United States, from the beginning of the year 1791 to the end of the year 1792, viz.

	Dols.	Cts.
Amount of monies appropriated by an act of the 11th of February, 1791, making appropriations for the support of government during the year 1791, and for other purposes,	740,232.	60
Sum appropriated by an act of the 3d of March, 1791, towards effecting a recognition of the treaty with the Emperor of Morocco,	20,000.	
Sum appropriated by an act of the same date, for raising another regiment, and making a further provision for the protection of the frontiers,	312,686.	20
Amount of monies appropriated by an act of the 23d of December last past, making provision among other things, for the support of government for the year 1792	1,059,222.	81
Sum to be advanced pursuant to the act making provision for defraying the intercourse between the United States and foreign nations,	49,000.	
	2,172,141.	61

Amount of one year's interest on the public debt, foreign and domestic, during the year 1791,

Amount of one year's interest on the public debt, foreign and domestic, (including that of the respective states, assumed) during the year 1792,

Total expenditure to the end of the year 1792,

Treasury Department, Jan. 23, 1792.

ALEXANDER HAMILTON,
Secretary of the Treasury.

Estimate of the nett Product of the Public Revenues, during the Years 1791 and 1792.

	Dols.	Cts.
IMPORT DUTIES FOR 1791.		
Quarter ending the 31st of March,	314,881.	11
Quarter ending the 30th of June,	1,345,303.	49
Quarter ending the 30th of September,	919,570.	66
Quarter ending the 31st of December,	600,000.	

Total nett products for 1791 of imports, Duties on home made spirits, from the 1st of July to the last of December,

Total nett revenue, 1791,

Duties on imports for the year 1792, estimated at

Duties on home-made spirits for the same year, estimated at

Total of nett revenue for the years 1791 and 1792,

NOTES.

(A.) The produce of these three quarters may be considered as ascertained. Though returns have not been received from all the

ports for the entire period; yet so many have been received (including the principal ports) as to have admitted of a calculation with regard to the rest, not liable to material error. The produce for the year 1790, has served as a guide, in respect to ports from which returns have not been received.

(B) The sum here stated, is altogether upon estimate: the time which has elapsed since the end of the quarter not admitting of the proper documents. It exceeds the produce of the same quarter, for the preceding year, fifty-five thousand seven hundred and seventy-three dollars and nineteen cents. If the ratio of increase of any preceding quarter during the year 1791, had been applied to this quarter, the sum would have been considerably greater. But it is believed, that this would not furnish a just rule. It is understood that the importations for the last quarter of 1790, were much increased to avoid the additional duties which were to take place on the first day of the year 1791. And though the additional duty on distilled spirits, might at first view be expected to add to the product for the quarter in question, yet it is far from certain, that this was the effect of it. Extraordinary exertions were made to import distilled spirits prior to July, when the additional duty took effect, which may be supposed to have lessened the quantity afterwards—so as to leave it a question whether this article was more or less productive in that quarter, than in the same quarter of the former year. Making allowance for these circumstances, it does not appear probable, that the last quarter of 1791, will exceed the last quarter of 1790, in so great a proportion, as any of the preceding corresponding quarters.

(C) This sum is materially short of the originally estimated product, but from the returns hitherto received, it does not appear likely to be greater. This is owing partly to a decreased distillation of spirits from foreign materials, in consequence of a sudden rise in the price of molasses, and partly to the obstacles which have retarded the complete execution of the law.

(D) The sum here estimated, cannot, in the nature of the thing, be accurate. It includes a compromise of opposite considerations. First, it contemplates an additional sum for the additional duty on imported spirits, which will be fully operative during the present year. Secondly, it contemplates the possibility that the disturbances in Hispaniola may tend to diminish the supply of several articles which are objects of considerable duties, and may proportionably diminish the revenue. Hence about one third of the probable increase of the duties on spirits is added to the produce of the year 1791, and the aggregate is taken as the produce of the year 1792 abating two thirds of that increase as an equivalent for other deficiencies.

(E) The same disturbances in Hispaniola may be expected to diminish the product of the duties on home made spirits, by considerably reducing the supply of molasses; which, added to the obstacles already alluded to (and which it will require yet some time completely to surmount) cannot fail to render the real product of these duties, in the course of the present year, materially less than the estimated product. Accordingly an abatement of about one-third is made in the present estimate.

Treasury Department, Jan. 23, 1792.

ALEXANDER HAMILTON,
Secretary of the Treasury.

(C)

ESTIMATE of Annual Expenditure, on the Ground of existing Establishments, viz.

	Dols.	Cts.
For the support of the civil establishments of government, including 40,000 dollars for foreign affairs,	368,653.	56
Stated expenditure of the War Department, including 25,000 dollars for Indian Affairs,	382,731.	61
Pensions to invalids,	87,463.	60
	838,848.	77
Interest on the public debt, foreign and domestic, including the amount of the state debts assumed,	2,849,194.	73
Total annual expenditure,	3,688,043.	50

Treasury Department, Jan. 23, 1792.

ALEXANDER HAMILTON,
Secretary of the Treasury.

FROM THE DELAWARE GAZETTE.

CONSTITUTION OF GOVERNMENT.

PUBLISHED FOR THE CONSIDERATION OF THE CITIZENS OF THE DELAWARE STATE; Pursuant to an Order of the Convention of the 31st Dec. 1791.

WE, the People, hereby ordain and establish this Constitution of Government for the State of Delaware.

GOD, of his infinite goodness, so willing all men have united with their nature, the rights of worshipping and serving their Creator according to the dictates of their consciences, of enjoying and defending life and liberty, of acquiring and protecting reputation and property, and in general of attaining objects suitable to their condition, without injury by one to another; and as these rights are essential to their welfare, for the due exercise thereof power is by the Divine benevolence inherent in them, and therefore all just authority in the institutions of political society is derived from the people and established with their consent, to advance their happiness: and they may for this end, as circumstances require, from time to time alter their constitutions of government.

ARTICLE I.

SECTION 1. It is the duty of all men frequently to assemble together for the public worship of the Author of the universe; and piety and morality, on which the prosperity of communities depends, are thereby promoted; but no man shall or ought to be compelled to attend any religious worship, to contribute to the erection or support of any place of worship, or to the maintenance of any ministry, against his own free will and consent; and no power shall or ought to be vested in or assumed by any magistrates, that shall in any case interfere with, or in any manner controul the rights of conscience, nor a preference be given by law to any religious societies, denominations or modes of worship.

2. No religious test shall be required as a qualification to any office, or public trust under this state.

3. All elections shall be free and equal.

4. Trials by jury shall be as heretofore.

5. The press shall be free to every citizen who undertakes to examine the official conduct of men acting in a public capacity; and any citizen may print on any subject, being responsible for the abuse of that liberty. In prosecutions for publications investigating the proceedings of officers, or where the matter published is

proper for public information, the truth thereof may be given in evidence; and in all indictments for libels, the jury may determine the facts and the law.

6. The people shall be secure in their persons, houses, papers, and possessions, from unreasonable searches and seizures; and no warrant to search any place, or to seize any person or things, shall issue, without describing them as particularly as may be; nor then, unless there be probable cause supported by oath or affirmation.

7. In all criminal prosecutions, the accused hath a right to be heard by himself and his counsel, to be plainly and fully informed of the nature and cause of the accusation against him, to meet the witnesses in their examination face to face, to have compulsory process in due time, on application by himself, his friends or counsel, for obtaining witnesses in his favor, and a speedy and public trial by an impartial jury: He shall not be compelled to give evidence against himself; nor shall be deprived of life, liberty or property, unless by the judgment of his peers or the law of the land.

8. No person shall for any indictable offence be proceeded against criminally by information, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; and no person shall be for the same offence twice put in jeopardy of life or limb: Nor shall any man's property be taken or applied to public use, without the consent of his representatives, and without compensation being made.

9. All courts shall be open; and every man for an injury done him in his reputation, person, moveable or immovable possessions, shall have remedy by the due course of law, and justice administered according to the very right of the cause and the law of the land, without sale, denial or unreasonable delay or expence; and every action shall be tried in the county in which it shall be commenced, unless when the judges of the court in which the cause is to be tried, shall determine that an impartial trial thereof cannot be had in that county. Suits may be brought against the State, according to such regulations as shall be made by law.

10. No power of suspending laws shall be exercised, but by authority of the Legislature.

11. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted; and in the construction of laws, a proper regard shall be had to the health of prisoners.

12. All prisoners shall be bailable by sufficient sureties, unless for capital offences when the proof is positive or the presumption great; and when persons are confined on accusation for such offences, their friends and counsel may at proper seasons have access to them.

13. The privilege of the writ of Habeas Corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

14. No commission of oyer and terminer or goal delivery shall be issued.

15. No attainder shall work corruption of blood, nor, except during the life of the offender, forfeiture of estate. The estates of those who destroy their own lives shall descend to or vest as in case of natural death; and if any person be killed by accident, no forfeiture shall be thereby incurred.

16. Though disobedience to laws by a part of the people, upon suggestions of impolicy or injustice in them, tends by immediate effect and the influence of example, not only to subvert the public welfare and safety, but also in governments of a republican form, contravenes the social principles of such governments, founded on common consent for common good, yet the citizens have a right in an orderly manner to meet together, and to apply to persons intrusted with the powers of government, for redress of grievances or other proper purposes, by petition, remonstrance or address.

17. No standing army shall be kept up without the consent of the Legislature; and the military shall, in all cases and at all times, be in strict subordination to the civil power.

18. No soldier shall in time of peace be quartered in any house, without the consent of the owner; nor in time of war, but by a civil magistrate, in a manner to be prescribed by law.

19. No hereditary distinction shall be granted, nor any office created or exercised, the appointment to which shall be for a longer term than during good behaviour; and no person holding any office under this state, shall without the consent thereof, accept of any present, emolument, office, or title of any kind whatever from any King, Prince, or foreign State.

We declare that every thing in this Article is reserved out of the general Powers of Government herein-after mentioned.

ARTICLE II.

SECTION 1. The Legislative Power of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

2. The Representatives shall be chosen annually by the Citizens residing in the several Counties Respectively, on the first Tuesday of October.

No Person shall be a Representative, who shall not have attained to the age of twenty-one years, and have a freehold in the county in which he shall be chosen, or personal property of the value of two hundred pounds at least, and paid a State or county tax, have been a citizen and inhabitant of the State three years next preceding the first meeting of the Legislature after his election, and the last year of that term an inhabitant of the county in which he shall be chosen, unless he shall have been absent on the public business of the United States or of this State.

There shall be seven Representatives chosen in each county, until a greater number of Representatives shall by the general Assembly be judged necessary; and then, two thirds of each branch of the legislature concurring, they may by law make provision for increasing their number.

3. The Senators shall be chosen for three years by the citizens residing in the several counties respectively, having right to vote for Representatives, at the same time when they shall vote for Representatives, in the same manner, and at the same places.

No person shall be a Senator who shall not have attained to the age of twenty-five, and have in the county in which he shall be chosen, a freehold-estate in two hundred acres of land, or an estate in real and personal property, or in either, of the value of one thousand pounds at least, and have been a citizen and inhabitant of the State three years next preceding the first meeting of the Legislature after his election, and the last year of that term an inhabitant of the county in which he shall be chosen, unless he shall have been absent on the public business of the United States, or of this State.

There shall be three Senators chosen in each county. When a greater number of Senators shall by the General Assembly be judged necessary, two thirds of each branch concurring, they may by law make provision for increasing their number; but the