

## Proceedings of Congress.

HOUSE OF REPRESENTATIVES,

Thursday, March 4.

**I**n committee of the whole, on the bill to promote the progress of the useful arts. The bill was read, and discussed in paragraphs. The clause which gives a party a right to appeal to a jury from the decision of referees, it was moved, should be struck out. This motion was opposed, as depriving the citizen of a right to which he is entitled—as improper in itself, as causes of very great magnitude may be depending, which it may be highly improper to submit to the decision of two or three men only, two of which may be so differently interested as never to agree—so that the decision may finally result from the influence of the person nominated by the Secretary of State. On the other hand it was said, that it appears highly improper that juries should be called to judge upon matters that they may not be supposed competent to forming a judgment of—these trials will always relate to matters of invention, &c. of which three persons may be found with much greater ease who are competent to judge, than twelve—that the right of trial by juries is not universal—and in the present case, there will be a much greater probability of having justice done by arbitrators, who are men of science, &c. The motion for striking out was carried in the affirmative.

The committee proceeded further in the discussion of this bill—but rose without completing it—and the chairman reported progress.

The speaker laid before the house a letter from the secretary of the treasury covering his report, made in obedience to the order of the house of the 2d instant.

The said report is in the words following:

TREASURY DEPARTMENT, March 4, 1790.

In obedience to the order of the house of representatives, of the 2d instant,

THE SECRETARY OF THE TREASURY

Respectfully Reports,

**T**HAT in his opinion, the funds in the first instance requisite towards the payment of interest on the debts of the individual states, according to the modifications proposed by him in his report of the 9th of January past, may be obtained from the following objects:

An increase of the general product of the duties on goods imported, by abolishing the discount of ten per cent. allowed by the fifth section of the act for laying a duty on goods, wares, and merchandises, imported into the United States, in respect to goods imported in American bottoms, and adding ten per cent. to the rates specified in respect to goods imported in foreign bottoms, with certain exceptions and qualifications: This change, without impairing the commercial policy of the regulation, or making an inconvenient addition to the general rates of the duties, will occasion an augmentation of the revenue little short of 200,000 dollars.

An additional duty on imported sugars. Sugars are an object of general consumption; and yet constitute a small proportion of the expence of families. A moderate addition to the present rates would not be felt. From the bulkiness of the article too, such an addition may be made with due regard to the safety of collection. The quantity of brown and other inferior kinds of sugars imported, appears to exceed twenty-two millions of pounds, which, at a half cent per pound, would produce one hundred and ten thousand dollars. Proportional impositions on foreign refined sugar, and proper drawbacks on exportation, ought of course to indemnify the manufacturers of this article among ourselves.

Molasses, being in some states a substitute for sugar, a small addition to the duty on that article, ought to accompany an increase of the duty on sugar. This, however, ought to be regulated with proper attention to the circumstance, that the same article will contribute largely in the shape of distilled spirits. Half a cent per gallon on molasses, would yield an annual sum of thirty thousand dollars. Our distillers of spirits from this material, may be compensated by a proportional extension of the duty on imported spirits.

Snuff, and other manufactured tobacco, made within the United States.—Ten cents per pound on the snuff, and six cents on other kinds of manufactured tobacco, would be likely to produce annually, from ninety to one hundred thousand dollars. From as good evidence as the nature of the case will admit, the quantity of these articles manufactured in the United States may be computed to exceed a million and a half of pounds. The imposition of this duty would require an increase of the duty on importation, and a drawback on exportation, in favour of the manufacturer. This being an absolute superfluity, is the fairest object of revenue that can be imagined, and may be so regulated, as in no degree to injure either the growth or manufacture of the commodity.

Pepper, pimento, spices in general, and various other kinds of groceries. These articles will bear such additional rates as may be estimated to yield a sum not less than thirty thousand dollars. Computing according to the entries in the state of New-York, in 1788, the yearly quantity of pepper and pimento brought into the United States, is not less than eight hundred thousand pounds, of which about a third is pepper. Six cents on pepper, and four cents on pimento (with drawbacks on exportation) may, without inconvenience, be laid.

Salt. An additional duty of six cents per bushel, may in the judgement of the secretary, with propriety be laid on this article. It is one of those objects which, being consumed by all, will be most productive, and yet from the smallness of the quantity in which it is consumed by any, and of the price, will be least burthenome, if confined within reasonable limits. If a government does not avail itself, to a proper extent, of resources like these, it must of necessity, overcharge others, and particularly, give greater scope to direct taxation. The quantity of this article annually imported, being at least a million and a half of bushels, the annual product of an additional duty of six cents, may be computed at ninety thousand dollars.

Carriages, such as coaches, chariots, &c. These articles may certainly be the subject of a considerable duty. How productive it would be, is not easy to be estimated. But it is imagined, that it would yield not less than fifty thousand dollars per annum.

Licenses to practisers of the law.—Certain law proceedings, and various kinds of writings. The extent of this resource can only be determined upon trial; but the secretary feels a strong assurance, that there may be drawn from it, yearly, not less than two hundred thousand dollars. The system for collecting a duty of this kind, would embrace playing cards, and some other objects of luxury, which do not fall under the above descriptions, but which are estimated in the supposed product.

Sales at auction (exclusive of houses or lands, or of those made in consequence of legal process, or of acknowledged insolvency.) One per cent. on such sales would, probably, produce a yearly sum of forty or fifty thousand dollars.

Wines and spirits sold at retail. These articles are, in the opinion of the secretary, capable of being rendered far more productive than has been generally contemplated; and they are, certainly, among the most unexceptionable objects

of revenue. It is presumed that two hundred thousand dollars per annum may, with facility, be collected from the retail vent of these articles.

The foreign objects are those, which appear to the secretary, preferable towards a provision for the debts of the individual states. There are others, which have occurred to him as supplementary, in case the experiment should discover a deficiency in the expected product; but which he conceives it unnecessary now to detail. He will only add that he entertains no doubt of its being practicable to accomplish the end, on the principles of his former report, without the necessity of taxing either houses or lands, or the stock, or the produce of farms.

The secretary conceiving the design of the house to have been to obtain from him a general delineation only of the funds, competent in his judgment to the provision in question, has refrained from those details, which would be indispensable, if that provision were immediately to be made; and to have furnished which would have occasioned greater delay than would, probably have suited the present state of the business, or the convenience of the house. He with great deference trusts, that what is now offered will be deemed a satisfactory compliance with their order.

The statement required, respecting the product of the duties on imports and tonnage to the last of December, as far as returns have come to hand, is contained in the schedule herewith.\*

All which is submitted.

ALEXANDER HAMILTON,  
Secretary of the treasury.

Friday, March 5.

Mr. Gerry presented a petition from Catherine Green, relict of the late Major-General Greene, which was read.

Mr. Smith (M.) presented the petition of Thomas Dorrel, of Baltimore, which was read the first time, and laid on the table.

Mr. Scott moved, that the memorial of Richard Wells and J. Hart, respecting the old paper money, should be referred to the committee of the whole house.

The question being taken, the motion was negatived. It was then moved, that it be referred to a select committee of ten members—which passed in the affirmative.

A memorial was presented by Mr. Tucker, from the officers of the South-Carolina line of the late army.

The petition of Mrs. Greene was read a second time, and referred to a committee of five.

The house went into a committee on the bill to remit fines and forfeitures in certain cases: and having amended and agreed to the bill, ordered it to be engrossed.

A message was received from the senate, requesting the concurrence of the house to an act they had passed, for accepting the cession of the western territory, made by the state of North-Carolina; also requesting the concurrence of the house to the following resolution:

“That the respective collectors in the several ports of the United States, be directed not to grant a clearance for any ship or vessel, having articles on board subject to inspection, by the laws of the state from which such ship or vessel shall be about to depart, without having previously obtained such manifests and other documents as are enjoined by the said laws.”

The house considered the report of the committee respecting the salaries of the clerks of the board of commissioners for settling accounts between the United States and individual states, and ordered a bill to be brought in to allow them the same salaries as the clerks of the other public offices.

\* For the statement alluded to, see our last.

The committee, to whom was referred sundry memorials from the people called Quakers, and also a memorial from the Pennsylvania society for promoting the abolition of slavery, reported:

That from the nature of the matters contained in those memorials, they were induced to examine the powers vested in Congress, under the present constitution, relating to the abolition of slavery, and are clearly of opinion—

Firstly. That the general government is expressly restrained from prohibiting the importation of such persons as any of the states now existing shall think proper to admit, until the year 1808.

Secondly. That Congress, by a fair construction of the constitution, are equally restrained from interfering in the emancipation of slaves, who already are, or who may, within the period mentioned, be imported into, or born within, any of the said states.

Thirdly. That Congress have no authority to interfere in the internal regulation of particular states, relative to the instruction of slaves in the principles of morality and religion, to their comfortable cloathing, accommodation and subsistence—to the regulation of their marriages, and the prevention of the violation of the rights thereof, or to the separation of children from their parents—to a comfortable provision in cases of sickness, age, or infirmity, or the seizure, transportation, or sale of free negroes; but have the fullest confidence in the wisdom and humanity of the legislatures of the several states, that they will revise their laws, from time to time, when necessary, and promote the objects mentioned in the memorials, and every other measure that may tend to the happiness of slaves.

Fourthly. That, nevertheless, Congress have authority, if they shall think it necessary, to lay at any time a tax or duty, not exceeding ten dollars for each person, of any description, the importation of whom shall be, by any of the states, admitted as aforesaid.

Fifthly. That Congress have authority to interdict, or (so far as it is, or may be carried on by citizens of the United States, for supplying foreigners) to regulate the African trade, and to make provision for the humane treatment of slaves, in all cases, while on their passage to the United States, or to foreign ports, as far as it respects the citizens of the United States.

Sixthly. That Congress have also authority to prohibit foreigners from fitting out vessels in any port of the United States, for transporting persons from Africa to any foreign port.

Seventhly. That the memorialists be informed, that in all cases, to which the authority of Congress extends, they will exercise it for the humane objects of the memorialists, so far as they can be promoted on the principles of justice, humanity and good policy.

The said report was read, and laid on the table. Adjourned.

Monday, March 8.

The bill for the remission and mitigation of fines, forfeitures, and penalties, was read a third time and passed.

The bill for promoting the progress of useful arts, was read a third time, and ordered to lie on the table until tomorrow.

On motion, the consideration of the bill accepting the cession of a certain territory ceded to Congress by the state of North-Carolina, sent from the senate, was postponed until Thursday next, and then to be taken up in a committee of the whole.

The resolve sent from the senate, directing the collectors in the several states not to grant clearances to any vessel without having such documents and manifests as are by law specified, was referred to Messrs. White, Coxe, and Tucker.

Mr. Livermore, from the committee respecting the salaries of the clerks of