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[Several flagrant misrepresentations of the proceedings in the House of Representatives on the last day of their sitting having gone abroad, we have been induced, from the dictates of our own judgement, and still more from a deference to the request of others, so far to deviate from our purpose of giving the debates in course, as to anticipate the publication of those of this day.]

CONGRESS.

HOUSE OF REPRESENTATIVES.

MONDAY, *APRIL* 21.

DEBATE *ON SALT BILL.*

The House took up the amendments of the Senate to the bill repealing the acts laying duties on salt, and continuing in force, for a further time, the first section of the act, intituled "An act further to protect the commerce and seamen of the U. S. against the Barbary powers."

These amendments proposed striking out all the provisions of the bill relative to the repeal of the duty on salt.

MR. ALSTON said he believed it would be in order to amend the amendment of the Senate. If it were, he would offer an amendment, which would go to take of the duty on salt to the amount of 8 cents.

The Speaker considering the amendment in the present stage of the business not in order, the question was put on concurring in the amendments of the Senate.

MR. J. RANDOLPH. I understand this House to have sent a bill to the Senate repealing the existing duty on salt, and continuing for a further time the tax imposing a duty of two and a half per cent. on articles previously charged with *ad valorem* duties. The Senate have returned the bill, retaining the supply we voted, as well as the tax proposed by us to be repealed. I hope we shall not agree to their amendments; and the reasons I shall offer will not consist of those drawn from expediency, but from my idea of the constitutional powers of this and the other branch of the legislature; which is, that it is the sole and indisputable prerogative of this House to grant the money of the people of the U. S. It is here only that a grant of money can originate. It is true that the Senate have the power of amending money bills, but my idea of the extent to which that power can go, according to the true spirit of the constitution, is this—While the Senate may amend money bills to facilitate the collection of duties, or in other respects as to their details—they do not possess the constitutional power of varying either the quantum of tax proposed in this House, or the object on which it may be levied. I hope the House will never consent to give up this invaluable privilege, of saying what supplies they will grant & the object on which they shall be levied. But even supposing this objection nugatory, I hope this House will not suffer itself to be trapped on the last day of the session in agreeing to a grant which it was never in their contemplation to make. When we sent a bill to the other branch to continue the Mediterranean duty, we sent at the same time a bill to repeal the duty on salt. The amendment from the Senate can be viewed in no other light than as originating a money bill in the Senate—it goes to originate a tax on salt. Such in effect will be the object and tendency of the measure. Let us suppose, instead of sending to the Senate a bill imposing a new tax, we had sent a simple bill to repeal this same tax upon salt. Could the Senate by an amendment, rivet and continue the Mediterranean fund? And if they could, would not that be originating a money bill? I hope the House will disagree to the amendments of the Senate.

MR. SLOAN. However I may expose myself to the censure of the gentleman from Virginia, I think it my duty to say something on a subject highly interesting to my constituents. Notwithstanding the talents and eloquence of that gentleman, I differ from him on this subject. I will ask what chance there was of obtaining the repeal of this tax upon salt, when the measure was popped in at the heel of a session, when it might have been offered three months ago, and connected with another thing which compelled me to vote for it. In my opinion it is as constitutional for us to agree to an amendment of the Senate, as if the thing originated with us. I hope the House will agree to the amendment—the situation of our affairs requires it, and I trust we shall treat with contempt the attempt to force down so important a bill at the end of a session.

MR. ALSTON thought it would be advisable to accommodate with the Senate. In order to obtain an accommodation, he should vote in the first instance against the amendments of the Senate. On a conference they may agree to strike off the duty of 8 cents on salt; and the next year when we shall better understand the ground on which we stand, the House may be diposed still further to lessen the burthen.

MR. RHEA (of Ten.) I do not consider this bill as in the nature of a bill originating revenue, but as one, on the contrary, detracting from the revenue. I contend that the Senate have the power at any time to say they will not consent to the repeal of a revenue law, else they are a trifling, insignificant body. Are they not as well as we to judge of the exigency of the country? This is not a question of expediency, but of necessity. Though we are desirous of taking off the duty on salt, such is the situation of the country, menaced with foreign danger, and particularly with a war with Tunis, that the revenue ought not to be diminished. For these reasons I shall concur in the amendment of the Senate.

The yeas and nays were then taken on agreeing to the amendment of the Senate—Yeas 24—Nays 56.

MR. J. RANDOLPH. I hope we shall now adhere to our disagreement to the amendment of the Senate. I hope we shall not concur with the Senate, under the idea of reducing the duty on salt from twenty to twelve cents. Notwithstanding a fear intertained by some gentlemen of a deficiency in the revenue, the House, by a vast majority, passed the bill repealing the duty on salt. The message of the President was referred to the committee of Ways and Means, and that committee made a report recommending the taking off the duty on salt, and continuing the two and a half per cent duty. Every objection to the measure that now exists then existed, and ought then to have been offered. We then sent to the other House a supply of money—a tax yielding 900,000 dollars, with the probability of its amounting the ensuing year to a million, in this same bill we proposed taking off a tax, which does not yield 600,000 dollars—we therefore made a grant of 400,000 dollars annually. It is said that the amendment of the Senate does not go to the imposition of a new tax, but that it continues the revenue as it is. There is some plausibility, but no solidity in this remark. If it goes to continue the revenue as it now is, where is the necessity of continuing the duty of two and a half per cent? It is therefore in fact a new money bill. Let me urge one thing to the House. If we ever mean to strike off the duty on salt, we must cling to the Mediterranean fund as the lever to lift this load from the shoulders of the people. It will be recollected that within five years we have taken off the internal taxes. I am glad of it; for I fear it would not now be done. They produced about 800,000 dollars, inclusive of the taxes which have expired, and 640,000 dollars exclusive of them. But we have granted a supply of two and a half per cent. duties, which yield annually, from 900,000 to a million dollars. This is a compleat offset to the repeal of the internal taxes. What we have lost by their repeal we have gained with the addition of one, or 200,000 dollars beyond the sum we should have received, had they been suffered to remain, and no addition been made to the duties on imports and tonnage; and yet we hear of the growing demands of the government. But the growing demands of all governments are alike. Do gentlemen recollect the growing state of the nation. When this government was first put in motion, the duties on imports were not more than 4 or 5 millions. These resources are daily growing, and a fund accruing from the increasing prosperity of the people which their guardians are bound to account for. Though we have contracted a debt for New-Orleans, we have gained a revenue of not less than 300,000 dollars a year. From these circumstances I hope we shall adhere to our disagreement to the amendments to the Senate, and that they will in their justness and graciousness, yield a tax of half a million for a tax which produces a whole million. It is a new stretch of senatorial prerogative, for that body—[The *Speaker* said the House had nothing to do with the conduct of the Senate—it was therefore out of order to make such remarks.] Mr. J. Randolph. I would wish to have nothing to do with the Senate; and am therefore in favor of adhering to our vote—though I believe when there is a constitutional question as to the powers of the two branches, we may very properly examine their proceedings. It is said the Senate may strike out all but the title of your bills—Indisputably; but will this House submit? Suppose you send a bill to the Senate laying a duty of two per cent. on salt petre, and they send it back to you, striking out this provision, and giving you a bill in lieu of it, laying a tax of four shillings in the pound on all the lands of the U. S. Is that, under the constitution, a fair exercise of their power? To my mind, if the position be admitted, that it is the sole privilege of this House to grant the public money, it is extremely indecent, to say no more, for that branch of the Legislature to tell the U. S. they will get all the money they can, whatever may be the disposition of this House. Recollect how the salt tax was laid before—on the last day of an expiring Congress, after a proposition to lay the tax had been rejected, and members had gone home under the persuasion that no such attempt would be renewed. By some little modification of that proposition, a tax of 20 cents was laid on every 56 lbs. of salt, was laid and riveted on the people forever. When I say forever, I mean the period of its being taken off depends on a branch of the legislature, over which the people have but little control, who are the representatives, not of the people, but of the state sovereignties. Now if the House do wish, as surely they must, to get rid of this tax, and if they believe, as they must, that the present circumstances of the country admit of its repeal, else the bill would not have passed by so large a majority, I hope they will adhere to their disagreement to the amendments of the Senate, and put it in the power of the other branch to take so much of the public money, as it is our pleasure to grant, and not one cent more.

MR. RHEA (of Ten.) As I do not appear to have been understood, it is necessary that I should say a few words in explanation. I said nothing of the Mediterranean fund. I said then, and I say still, I do not contemplate this bill, so far as it relates to imposing a duty on salt, as a money bill; and I consider the amendment of the Senate as only a negation to the repeal of laws affecting the revenue. I said that House had a right to judge of the propriety of the repeal of a revenue law, and I say so still. We say we are in favor of a repeal of the law imposing a duty on salt—they say they are against it. What has that to do with originating a money bill? One is as distinct from the other as the effect from its cause. I agree that this House has the right to originate revenue laws; but once enacted, they have an equal right with us to judge of the expediency of rescinding them. With regard to this law, when I came here, I found it in existence, and I think in the present state of our country it ought to be continued. Have we not every reason to believe that we shall be embroiled in a war with Tunis? Will not this take all the revenue we have to spare? I shall be glad if it will not take more. We have no information from the executive government, that this duty can be dispensed with—we have seen no report on the subject from the secretary of the treasury. It is not my duty to sit here and disarm the government of the power of promoting the public interest. You may go on repealing one law after another, until the executive has but the mere name of authority left. It has been said that the demands on the treasury may increase—I believe they may justly increase; we know indeed they have increased. Since the meeting of Congress we have taken measures which may increase them for eventual good, for the benefit of the whole community. Being of this opinion I must vote against this bill in every shape in which it comes before me.

MR. J. RANDOLPH. I understand that if the House do adhere, all conference with the Senate will be at an end. If they refuse to keep the duty on salt to having the Mediterranean fund, they will refuse to recede from their amendments. But I have no idea they will refuse a revenue of a million for half a million. I am as anxious as any man to vote the necessary supplies for the government, and perhaps my vote might have been materially influenced, had a different vote prevailed on the bill relative to the public debt, which has been postponed. But when I find the hands of the commissioners of the sinking fund tied, and that there is a probability that they will be obliged to pour back into the treasury, a part of the fund vested in them, I feel altogether indisposed to this amendment. If all the surplus revenue could be applied to the discharge of the debt, I might be as liberal as any man in granting it; but as it cannot, I am for adhering to our vote.

MR. CONRAD. I hope we shall not adhere, but try a conference. It will be then time enough to consider whether we will adhere. Anxious as I am to get rid of this odious tax, I will agree to reduce the duty to 12 cents; or keep the Mediterranean fund, and next session judge whether we are able to take off the whole of it.

MR. RHEA (of Ten.) said he barely rose to set the gentleman from Virginia right, by stating that the hands of the commissioners of the sinking fund would not be tied for several years to come, and that Congress would be in session before any such great sum would be accumulated in their hands.

MR. LYON said he felt as great an aversion to the salt tax as any man, but his strong wish was to act in such a manner that the Executive government might not be distressed in discharging the duties devolved on it by the legislature. He should vote against adhering, that a conference might be had with the Senate. He should vote for taking off the salt tax, if he thought the government could do without it; and he had no doubt that most of the gentlemen who voted for dispensing with it, did it under the impression that the Secretary of the Treasury thought we could do without it. He said for his own satisfaction he had applied to the Secretary of the Treasury, who had told him the government could not do without it.

The motion to adhere was then disagreed to—Ayes 36—Noes 42—When the House agreed to insist on their disagreement to the amendment of the Senate and appointed a committee of conference.

MONDAY EVENING, APRIL 21.

A message was received from the Senate stating their adherence to the bill repealing the acts laying duties on salt, and continuing in force, for a further time, the first section of the act, intituled "An act to protect the commerce and seamen of the United States, against the Barbary powers."

MR. GREGG, from the committee of conference on the same bill, observed that the conferees on the part of the Senate did not discover any disposition to recede from their amendments. The conferees on the part of the House stated the danger of losing the bill if the conferees did not relax, and proposed to meet them on the ground of compromise, by taking off the duty of 8 cents imposed on salt. To this proposition the conferees on the part of the Senate declined acceding.

MR. J. RANDOLPH moved that the House adhere to their disagreement to the amendments of the Senate.

MR. SMILIE. I shall now be against this bill, though I was originally in favor of it. The Senate having adhered to their vote, to repeal the duty on salt is out of the question. The only question now is whether we shall continue the Mediterranean fund independent of the other. Seeing that I cannot get the first, I will not on that account lose the last; for I do believe under present circumstances, it would be unwise to divest ourselves of the Mediterranean fund.

MR. ALSTON. Having done every thing in our power to repeal the duty on salt or to lessen it; the only question is whether we shall continue the Mediterranean fund until the next session or not. I call on gentlemen to take a review of the different estimates from the treasury during the present session, and to consider the expences they warrant—I allude particularly to the appropriation of two millions towards the purchase of the Floridas, to decide whether we can do without the Mediterranean fund. The great object with me in advocating the repeal of the duty on salt was to obtain the Mediterranean fund. We have done our part to effect this object. I believe with the aid of that fund, though the duty on salt had been taken off, our revenue would have been sufficient—tho' even then the greatest economy would have been requisite in the disbursement of the public money. Official documents on our tables from the proper departments will shew that we cannot do without the Mediterranean fund: provided the objects for which we have made appropriations be carried into effect. At the next session, however, we shall know the measures taken by the Executive, and what our wants will be. This bill only extends the continuance of the fund to the next session, which will be on the 3d of March; and since as it now stands, it will not expire until three months from the ratification of the treaty, this bill will only continue it for a period of six or seven months.

MR. FINDLEY. Though *I* represent a district which suffers more perhaps than any other in the U. S. from the duty on salt, yet *I* confess myself astonished at the manner in which this bill has been brought before us. We have heard on a former occasion much about a cabinet. *In* this instance no cabinet has been consulted—but the measure has been smuggled in at the last period of the session. Are we sitting here to embarrass the character and credit of the U. States? *I* thought the measure had come in on calculation; but *I* find since that it is founded on *miscalculation*; and that it is a part of the system to throw the gauntlet, to destroy the administration. The people have offered us no petitions to repeal this tax. What have we done? The Mediterranean fund is about to cease, and it is now proposed to give up the salt tax for it. This mode of bargaining—this system of corruption *I* have always been averse to. *I* voted for the bill, because *I* thought it came from the treasury department, but instead of this, *I* find it part of a system to embarrass the administration. *I* will agree to continue the Mediterranean fund, for *I* am not at war with the government or any part of it. *I* know *I* am risking my popularity as much as any man; but *I* am not afraid of this, as *I* am convinced in a good cause *I* shall never suffer. There can be no good argument for the motion to adhere but desire to destroy the administration.

MR. D. R. WILLIAMS.—No man can be more earnestly impressed with the proverbial duty of paying respect to age than myself; but my feelings have never been more hurt than by the gentleman's impeaching the motive of those who have acted a patriotic part. The gentleman has avowed the idea, that the Committee of Ways and Means have been actuated by the view of embarrassing the administration. I abhor and detest such an imputation.——

Here was a loud cry of order by a number of gentlemen, and among others by *Mr. Thomas M. Randolph*.

MR. FINDLEY said he hoped the gentleman would be permitted to go on. He wished those who were opposed to the government to speak out.——

The call to order was again repeated.

MR. J. RANDOLPH—I hope we shall adhere to our vote, and I will give my reasons for indulging this hope. I do not profess to be so well acquainted with subjects of finance as some other gentlemen on this floor. But if the Mediterranean fund is to be continued for so short a time, it is obvious that the revenue to be gleaned from it will be proportionally small. The arguments of gentlemen therefore rebut themselves. They declare that they want a great revenue, while they acknowledge that the continuance of this tax will produce but a small one. I hope that we shall keep the Mediterranean fund as a hostage for the salt tax. If between this and the next session a deficiency shall occur in our ways and means, to meet the demands of the government, it will not be the first time, as I know it will not be the last, in which I shall step forward to vote a supply to meet every honorable demand. If there shall be a deficit, as there is no reason to believe there will be, I pledge myself as one of those who will meet it. I wish to adhere to our vote, that the Mediterranean fund may be lost; for we have been told by those who, I presume, are well acquainted on such points, that such a course will enforce economy, and I wish I could add, in the words of an honorable friend who has no longer a seat here, would insure economy. But what has thrown us into this heat? Is it the dinner we have just eaten? I hope no honorable gentleman, who has heretofore kept the noiseless tenor of his way, because we have adjourned for half an hour, has permitted his passions to indulge in an asperity not shewn on any former occasion. I did hope that whatever contumely or hostility may have been manifested during the earlier period of the session, we would have shewn in the last moments of it neither the splenetic temper of age or youth; but that we should have parted like men not ashamed of what we had done, or afraid to meet the public award.

The question was then taken by yeas and nays on adhering—Yeas 40—Nays 47—as follow:

YEAS—Messrs. Alexander, Basset, Bedinger, Betton, Casey, Dana, Davenport, Early, Elliot, Ellis, Elmer, Ely, Eppes, Garnett, Gray, Gregg, Holmes, Hough, Lewis, Moore, Mosely, J. Nelson, Olin, Pitken, Quincy, J. Randolph, Rea, Pen. Sammons, S. Smith, Taggart, Talmadge, Tenney, P. R. Thompson, T. W. Thompson, Van Rensselaer, Wadsworth, D. R. Williams, Wilson, Winn and Winston——40.

NAYS—Messrs. Alston, Anderson, Barker, Bidwell, Blake, Chandler, Claiborne, Clopton, Conrad, Crowninshield, Cutts, Darby, Dawson, Earle, Findley, Fisk, Fowler, Green, Halsey, Jackson, Jones, Lambert, Leib, Lyon, Marion, Masters, M'Creery, N. R. Moore, Jer. Morrow, John Morrow, Mumford, Newton, Pugh, T. M. Randolph, Rhea, Ten. Russell, Sailly, Schuneman, Sloan, Smith, Southard, Thomas, Tracy, Varnum, J. Whitehill, R. Whitehill, and N. Williams——47.

MR. T. M. RANDOLPH. It is true, as the gentleman says, I have not made much noise this session, and it is as true that he he has made more than has been useful. I believe in the present stage of it that the advantage is on my side. I go home with a more contented mind, more tranquil feelings, and I may add also, I believe, a better heart, for not having engaged in the manner he has done, or in the character he has assumed, in the scenes exhibited before me in this House. Between the gentleman from Virginia and myself I acknowledge there is in point of talents an immeasurable distance. I can never hope to attain that intellectual elevation, which he has long since reached. At my inferiority in that respect I do not repine. I am what nature made me, and I am perfectly satisfied with my condition. But although there is this intellectual difference between the gentleman and myself, and the superiority is so great on his part in that point, I maintain that in the point of true patriotism he is my inferior. I do not hesitate to pronounce *that* myself, and I do not fear the imputation of vanity for so doing. With respect to the usefulness of either to the public, there is no such difference in reality between us as may appear to exist. I insist that the tenor of the gentleman's recent conduct has been such, that, with all his extraordinary powers, and the extraordinary exertion of them he has made, his utility to his country this session has not been superior to mine. The difference between us, in the effect produced by either upon the public affairs, has been, to speak the favorite language of the gentleman himself, the same with that between "aviditas coeli" and "nimius imber" upon the fields. To translate into the