Congress

OF THE

UNITED STATES.

House of Representatives.

Tuesday, October 18.

The house resolved itself ito a committee of the whole on the state of the union—Mr. Varnum in the chair.

The president's message having been read, resolutions were offered by Mr. Dawson, on the several parts of the communication, and reported to the house, which immediately took them up, and agreed to them as follows:

Mr. Randolph's resolutions:

Resolved, That so much of the president's message as relates to the regulations proper to be observed by foreign armed vessels within the jurisdiction of the United States;

To the restraining of our citizens from entering into the service of any of the belligerent powers of Europe;

And to the exacting from all nations the observance, towards our vessels and citizens, of those principles and practices which all civilized people acknowledge; be referred to a select committee.

Referred to Messrs. Randolph, N. R. Moore, G. Griswold, Crowninshield, Blackledge, Rodney, and Rhea, of Tennessee.

Resolved, That so much of the president's message as relates to the adopting of measures for preventing the flag of the United States from being used by vessels not really American, be referred to the committee of commerce and manufactures.

Referred to the committee of commerce and manufactures.

Mr. Dawson's resolution.

Resolved, As the opinion of this committee, that so much of the message of the president of the United States as relates to our finances, ought to be referred to the committee of ways and means.

On motion of Mr. Thomas,

Resolved, That a committee be appointed to enquire, whether any and what amendments are necessary to be made in the establishing a post-office and post-roads within the United States; and that the said committee have power to report by bill or otherwise.

Referred to Messrs. Thomas, Walton, Hanna, Wadsworth, and Alexander.

On motion of Mr. Nicholson,

Resolved, That a committee be appointed to enquire and report by bill or otherwise, whether any further provisi- protection of American seamen.

Referred to Messrs. Nicholson, Eustis, Sands, Hampton, Baldwin, Eppes, and Jos. Clay.

A memorial was received from Saml. J. Cabell, representing that he intended to contest the election of Thomas M. Randolph as a member of the house, with accompanying documents.

Referred to the committee of elections.

Several petitions were presented, which will hereafter be noticed.

Wednesday, October 19.

It was voted and carried, that four members be added to the committee of post-roads and post-office regulations.

The petitions presented last session, were ordered to be referred to the present committee.

A petition was presented for a new road and post offices from Portland, in the province of Maine, to Canada, St. Albans, &c.

The house then went into a committee of the whole on the state of the union. Mr. Varnum in the chair.

A motion was made respecting the mode of election of president and vice-president—when, after some argument, wherein the speakers appear to concur in the outlines, it was agreed to be withdrawn, in order at a future time to modify another motion on the subject. It was therefore moved that the committee of the whole should rise without coming to any resolution.

The speaker having resumed the chair, doctor Mitchell moved, that the committee of commerce and manufactures be discharged from the consideration of the improper use of the American flag, and that the subject be referred to a select committee.

Mr. Danna said that a committee of commerce would be more proper to determine upon the question than a select committee, as the whole title to act under our flag was commercial.

Mr. Randolph did not think it material to which committee the matter was referred.

Dr. Mitchell withdrew his motion in order to make another, viz. That the select committee be discharged, in order hereafter to appoint another committee.

The house divided. Ayes 55. Noes 40.

Mr. Randolph now rose, and, in an impressive speech, announced the death of one of the oldest patriots of the union—SAMUEL ADAMS. Mr. R. said he hoped some other member, older and abler than himself, would have brought this subject before the house, but he could no longer rest, without satisfying his own feelings by moving the subsequent resolution—

Resolved, That this house, penetrated with a full sense of gratitude for the eminent services in the most trying situations, of the late Samuel Adams, to wear a black crape round their left arm in honor of the memory of that undaunted and illustrious patriot. Agreed to unanimously.

Mr. Nicholson then observed that it was usual after the passing of such a resolution to move an adjournmeut, and the house adjourned accordingly.

Friday, October 21.

Petitions received—which shall be hereafter noticed.

Saturday, October 22.

LOUISIANA TREATY.

The following message was received from the president of the United States by Mr. Harvie, his secretary:

To the Senate and House of Representatives of the United States.

In my communication to you, of the 17th instant, I informed you that conventions had been entered into, with the government of France, for the cession of Louisiana to the United States. These, with the advice and consent of the senate, having now been ratified and my ratification exchanged for that of the first consul of France in due form, they are communicated to you for consideration in your legislative capacity. You will observe that some important conditions cannot be carried into execution, but with the aid of the legislature; and that time presses a decision on them without delay.

The ulterior provisions also suggested in the same communication, for the occupation and government of the country, will call for early attention. Such information, relative to its government, as time and distance have permitted me to obtain, will be ready to be laid before you within a few days. But as permanent arrangements for this object may require time and deliberation, it is for your consideration whether you will not forthwith make such temporary provisions for the preservation, in the mean while, of order and tranquility in the country, as the case may require.

TH: JEFFERSON.

October 21st, 1803.

The message having been read,

Mr. Huger hoped the reading of the treaty and conventions would be dispensed with, and that they would be printed for the use of the members.

read.

The reading of course was proceeded with—which being finished,

Mr. Randolph moved a reference of the message, and of the document accompanying, to the committee of the whole house on Monday, which motion was agreed to without a division.

Mr. Randolph begged leave to submit a resolution, arising out of the message, which he hoped would be considered at that time, for the purpose of referring it to the same committee to whom had been just referred the message.

Resolved, That provision ought to be made for carrying into effect the treaty and conventions concluded at Paris on the 30th April, 1803, between the U. States of America and the French republic.

Referred to the same committee, without a division.

Mr. Dawson, from the committee to whom had been referred two propositions of amendment to the constitution, made a report in part, as follows:

The committee to whom were referred two resolutions proposing amendments to the constitution of the United States, relative to election of the president and vice-president, have according to order, had the same under consideration, and beg leave to submit the following report, in part.

Resolved, by the senate and house of representatives of the United States of America in congress assembled, two thirds of both houses concurring, that the following article be proposed to the legislatures of the different states as an amendment to the constitution of the United States, which, when ratified by three fourths of the said legislatures, shall be valid to all intents and purposes as a part of the said constitution, viz.

In all future elections of president and vice-president, the electors shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice-president, of whom one at least shall not be an inhabitant of the same state with themselves; the person having a majority of all the electors appointed as president shall be the president; and if there shall be no such majority, the president shall be chosen from the highest numbers, not exceeding three, on the list for president, by the house of representatives, in the manner directed by the constitution; the person having the greatest number of votes as vice-president shall be the vice-president, and in case of an equal number of votes for two or more persons for vice-president, they being the highest on the list, the senate shall chose the vice-president from those having such equal number, in the manner directed by the constitution.

Referred to a committee of the whole on the state of the union.

Mr. Leib said, that during the last sessieon a bill had passed the house for reducing the marine corps, but which had been arrested in the senate. From the present circumstances of the country, it appeared to him a proper subject for consideration. He therefore submitted the followirg motion:

Resolved, That a committee be appointed to enquire whether any, and if any, what alterationsare necessary in the several acts relative to the establishment of a marine corps, and in an act fixing the rank and pay of the commanding officer of the corps of marines: and that the committee be authorised to report by bill or otherwise.

Agreed to—Ayes 75—and a committee of five appointed, viz. Messrs. Leib, Jackson, Cutts, L. Williams and Olin.

Mr. Randolph said the house would recollect a report made during the last session, having relation to the subject of the message of the president, delivered that morning, which had been acted upon at a late day. The report, it had been thought inexpedient to publish at that time. As tending to throw light on the important subject before the house, and as a very able composition of a gentleman not then in his place, (Mr. Nicholson) he thought it worthy of publication. He, therefore, moved its reference to the committee to whom the message had been committed, and would afterwards move that it should be printed for the use of the members.

The speaker doubted whether it was in order to receive such a motion respecting a paper which had been considered confidential.

Mr. Randolph said he would withdraw his motion for the present, and bring it forward at a future time, in a less objectionable shape.

Mr. Gregg observed, that if his memory did not fail, the injunction of secrecy, was taken off, though there had been no resolution for printing the report. He regretted it had not been published last session. If his impression was correct, it might now be published.

Mr. Randolph said his friend from Pennsylvania, would perceive a very cogent reason for not publishing the report at that time. Its contents rendered it inexpedient to publish it, till the negociations then depending should be terminated one way or the other. That reason had ceased, and the report might therefore be published. As it appeared [illegible] before the injunction of secrecy could be taken off, he hoped that measure would be adopted before an adjournment took place. He would not, however, offer such motion until any other important business, coming before the house, might be attended to.

Mr. Dana enquired whether there was on the public journal any notice of the report alluded to. If there were, they could act upon it in public; if there were not, they could not act.

Mr. Griswold. What, Mr. Speaker, is the question before the house?

The speaker said there was no question before the house.

Mr. Griswold. The speaker having decided that there is no question before the house, all this conversation is out of order.

Mr. Randolph. There is nobody out ordor but the gentleman himself. His colleague asks if there is any mention of the report on the public journal. For answering his enquiry the clerk is examining the journal. *There is*, therefore, a question before the house; and any member has a right to require that the journal be examined, to determine his mind on any particular business.

Mr. Griswold was sorry to see a difference between the speaker and the gentleman from Virginia. The speaker says there is not a question before the house, the gentleman from Virginia says there is.—It was very well for any gentleman requiring information contained in the journal to enquire of the clerk. But he never knew before that that made a motion.

Mr. Lyon saw no difference between the speaker and the gentleman from Virginia.

The clerk said there was no mention on their public journal of the report.

Mr. Lyon moved that the doors be closed, for the purpose of taking off the injunction of secrecy.

Mr. Rodney was opposed to closing the doors. It might be proper to publish the report, but that could be directed at a future day. He felt very hostile to closing the doors of that house except on important occasions.

The question was taken on Mr. Lyon's motion, which was lost—ayes 49, noes 62.

Mr. Dawson wished, as the injunction of secrecy could not be taken off with open doors, that they would be shut for that purpose, when he should move a resolution for taking off the injunction on all subjects before us at the last session.

The speaker said the regular course would be to move a re-consideration of the motion for closing the doors.

Mr. Smilie hoped the house would reconsider the motion. He was no friend to shut doors; but it was apparent that the only way of giving publicity to the report was to come to a resolution to that effect with closed doors.

After some further remarks, the question of re-consideration was taken and agreed to, as also was the question of closing the doors.

The doors were then closed for a short time, and the injunction of secrecy respecting the report of the secret committee taken off, and the report ordered to be printed.

From the NATIONAL INTELLIGENCER.

Under a government founded on the will of the people, and under which rulers are the guardians of their rights and interests, we cannot too frequently enquire into the effects of their measures, and the opinion entertained by the people respecting them. Those measures which tend to unite and harmonise the community must ever be wise, while those which tend to division and inflammation, must be proportionably unwise. Whatever lofty notions of abstract right or wrong may be embraced by a proud mind, it is most certain that the greatest practical happiness is to be acquired by consulting and respecting the sentiments of the people. Can they be happy unless they think themselves so? As they cannot, the only way of rendering them happy is to collect their feelings and wishes and carry them into effect.

It does not follow that a government is to yield implicit obedience to every prejudice that takes possession of the public mind. On the contrary, it is their duty to dissipate it, and to inspire the people with more correct sentiments; and in this they will seldom fail to succeed, when, actuated by honest motives, they diligentiy promote the public good, and liberally unfold the grounds on which they act. Men possessed of equal information generally agree on the great outlines of human conduct, when no peculiar interest or sinister motive lead them astray; and of such men the great body of the nation is composed. In this consists the merit of the present administration. What have been its effects? It has united and harmonised public sentiment with most astonishing rapidity.

To shew this, it is only necessary to contrast the relative strength of parties in the year 1800 and in the present year.

We shall first notice the change which has taken place in congress. This will furnish two important views; the effects of the measures of the present adminis- [illegible] on the *people*, and on the *parties*.

The relative state of the members of the *house of representatives* will exhibit the former.

Political complexion of the House of Representatives in the year 1800.

	Fed.	Repub.
New Hampshire,	4	0
Massachusetts,	11	3
Rhode Island,	2	0
Connecticut,	7	0
Vermont,	1	1
New York,	4	6
New Jersey,	2	3
Pennsylvania,	4	9
Delaware,	1	0
Maryland,	4	4
Virginia,	5	13
North Carolina,	4	6
South Carolina,	5	1
Georgia,	0	2
Kentucky,	0	2
Tennessee,	0	1
	54	51
	51	
Federal majority of	3	

Political complexion of the House of Representatives in the year 1803.

	Fed	Repub.
New Hampshire,	5	0
Massachusetts,	10	7
Connecticut,	7	0
Rhode Island,	0	2
Vermont,	2	2
New York,	6	11
New Jersey, (prob.)	0	6
Pennsylvania,	0	18
Delaware,	0	1
Maryland, (probable)	3	6
Virginia,	3	19
North Carolina,	1	11
South Carolina,	2	6
Georgia,	0	4
Kentucky,	0	6
Tennessee,	0	3
Ohio,	0	1
	39	103
		39
Republican majority		64

The following tables formed on the above statement will shew the change of each state, arising for a variation of numbers or alteration of political opinion.

Fedenal loss and gain.

	1800	1803	loss	gain
New Hampshire,	4	5	0	1
Massachusetts,	11	10	1	0
Rhode Island,	2	0	2	0
Connecticut,	7	7	0	0
Vermont,	1	2	0	1
New York,	4	6	0	3
New Jersey, prob.	2	0	2	0
Pennsylvania,	4	0	4	0
Delaware,	1	0	1	0
Maryland, prob.	4	2	2	0
Virginia,	5	3	2	0
North Carolina,	4	1	3	0
South Carolina,	5	2	3	0
Georgia,	0	0	0	0
Kentucky,	0	0	0	0
Tennessee,	0	0	0	0
			24	4

Republican loss and gain.

	1800	1803	loss	gain
New Hampshire,	0	0	0	0
Massachusetts,	3	7	0	4
Rhode Island,	0	2	0	2
Connecticut,	0	0	0	0
Vermont,	1	2	0	1
New York,	6	11	0	5
New Jersey	3	6	0	3
Pennsylvania,	9	18	0	9
Delaware,	0	1	0	1
Maryland,	4	6	0	2
Virginia,	13	19	0	6
North Carolina,	6	11	0	5
South Carolina,	1	6	0	5
Georgia,	2	4	0	2
Kentucky,	2	6	0	4
Tenenessee,	1	3	0	2
			0	51

From this view it appears that federalism has lost twenty members, and gained four; but these last do not prove any growth of federalism in the states of New Hampshire and Vermont, wherein the gain is made. It arises entirely from their increase of numbers and consequent increase of representatives. On the contrary, in New Hampshire, there is a relative loss of about one-third of a representative: in Vermont there is neither a relative gain or loss; and in New York there is a relative loss of two representatives.

It further appears that republicanism has not in any state lost a single member, or fraction of a member, while it has actually gained 51 members. It further appears that a diminution of relative federal strength has occurred in every state, not before unanimously republican.

Political complexion of the Senate in 1800.

	Fed.	Repub.
New Hampshire,	1	1
Massachusetts,	2	0
Rhode Island,	2	0
Connecticut,	2	0
Vermont,	2	0
New York,	1	1
New Jersey,	2	0
Pennsylvania,	2	0
Delaware,	2	0
Maryland,	2	0
Virginia,	0	2
North Carolina,	0	2
South Carolina,	1	1
Georgia,	1	1
Kentucky,	1	1
Tennessee,	0	2
	21	11
	11	
Federal majority	10	

Political complexion of the Senate in 1803.

	Fed.	Repub.
New Hampshire,	2	0
Massachusetts,	2	0
Connecticut,	2	0
Rhode Island,	0	2
Vermont,	0	2
New York,	0	2
New Jersey,	1	1
Pennsylvania,	0	2
Delaware,	2	0
Maryland,	0	2
Virginia,	0	2
North Carolina,	0	2
South Carolina,	0	2
Georgia,	0	2
Kentucky,	0	2
Tennessee,	0	2
Ohio,	0	2
	9	25
		9
Republican majority		16

LATE FROM FRANCE.

By capt. Cowell, of the Hazard, in 37 days from Nantz, (arrived at Boston the 14th inst.) we learn, that it had been officially announced in the Paris paper, that admiral Nelson, with a squadron of 7 frigates had bombarded the town of Algiers, in consequence of the Dey's having imprisoned the British merchants and confiscated their property. This spirited measure of the British Hero, is said to have produced an immediate release of their persons and property. A few such *weighty* arguments as these, have a wonderful good effect in settling disputes;—they are direct palpable and efficacious.—Capt. C. further advises, that the army destined to invade England was supposed to amount to 300,000 men, and that no relaxation of activity in constructing gun-boats had taken place. The French coast, capt. C. adds, was completely lined with British cruizers.

Bost. Gaz.

Bills of sale, bonds, notes, and a general assortment of Magistrates Blanks, for sale at the Star-Office.

Tickets in the Chester Church Lottery for sale, at the Star-Office.