

MARYLAND GAZETTE.

T H U R S D A Y, D E C E M B E R 31, 1801.

WASHINGTON CITY.

CONGRESS of the UNITED STATES.

HOUSE OF REPRESENTATIVES.

Monday, December 14, 1801.

ON motion of gen. S. Smith, the house went into committee of the whole on the state of the union.

Lewis R. Morris in the chair.

The message of the president under consideration.

Gen. S. Smith observed, that among other objects to which the president had attracted the attention of the house, was our commercial situation. We were informed that the United States were at peace with all nations; and that peace had taken place among the powers of Europe. It became congress to direct its attention to consequences that might proceed from such a state of things; and particularly to the injuries that might attach to our carrying trade. It was known that under the British treaty, Great-Britain, going, perhaps, beyond the meaning of the treaty, had imposed heavy countervailing duties on our goods, and that certain acts of France had the same effects, whereby many of our most valuable exports would cease to be carried in our own bottoms. Early under the present government it had been deemed wise to lay discriminating duties, which had tended greatly to assist our carrying trade. Our capitals had greatly increased, and if foreign nations restricted our trade by unfair regulations, it became us to adopt countervailing measures; and this could now be done with the more safety and effect from the force of our capital. He therefore moved:

Resolved, That so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares and merchandise, imported into the United States, as imposes a discriminating duty of tonnage between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, ought to be repealed; such repeal to take effect whenever the president shall be informed that the discriminating duties of foreign nations, so far as they operate to the disadvantage of the commerce of the United States, shall have been abolished.

Ordered to lie on the table.

Mr. Giles. Among the various topics of the message is that in relation to the census. It is important that congress should be early occupied in deciding the ratio of representation, as many of the state legislatures are now in session, and will be specially convened, if they rise before congress shall pass a law on the subject. He therefore moved:

Resolved, That the apportionment of representatives amongst the several states, according to the second enumeration of the people, ought to be in a ratio of one representative for every thirty-three thousand persons in each state.

On which the question was taken, and the motion carried without a division.

General S. Smith said, another important member of the president's message respected our situation with the Barbary powers. It became congress immediately to come to a decision that would enable the president more efficiently to protect our trade. He therefore moved:

Resolved, That it is expedient that the president be authorized by law, further and more effectually to protect the commerce of the United States against the Barbary powers.

Mr. Nicholson said, he did not like the resolution; as it had a reference to a point with which we were unacquainted. The president had informed us that he had sent a squadron into the Mediterranean. It may have been a wise act; but he did not wish the house to commit itself until fully informed.—He moved, with this view, to strike out the words "further and more effectually."

Mr. Giles proposed that the motion lie on the table until the documents on this subject were printed, which was agreed to.

Dr. Mitchell alluded to his having presented two petitions from aliens in New-York, and then moved:

Resolved, That the laws respecting naturalization ought to be revised.

Mr. Giles thought the motion ought to be so drawn as to bring the principle before the house, for which purpose he moved to add "or amended."

Agreed to.

So amended the motion was carried.

The committee then rose and reported the two resolutions agreed to.

Tuesday, December 15.

The house took up the report of the committee of the whole on the state of the union.

The two resolutions referred to yesterday in committee were read.

1. That which apportioned one representative to every 33,000 persons in the United States.

On the motion of Mr. Davis, this resolution was postponed till to-morrow.

2. That for altering and amending the naturalization laws.

Agreed to without division, and a committee of seven appointed to bring in a bill.

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

The following resolution under consideration.

Resolved, That it is expedient that the president be authorized by law, further and more effectually to protect the commerce of the United States against the Barbary powers.

Mr. Nicholson moved to strike out the words "further and."

After a debate, the amendment was disagreed to, and the original resolution passed.

The committee then took into consideration the motion made by gen. Smith yesterday on discriminating duties.

A debate of considerable interest ensued between Mr. S. Smith, Mr. Griswold and Mr. Giles, when on motion of Mr. Randolph, the committee rose and reported progress.

The house then took up the resolution respecting the Barbary powers agreed to in committee, and concurred therein, and a committee of 5 appointed.

Wednesday, December 16.

Benjamin Hugár, a member from South-Carolina appeared, was qualified and took his seat.

The speaker laid before the house a letter from the secretary of state, accompanying an annual return, ending the 9th instant, containing an abstract of all the returns made to him by the collectors for the different ports in the United States, pursuant to the act for the relief and protection of American seamen; also extracts from the communications received from the agents in foreign countries for the relief of American seamen.

Ordered to lie on the table.

The committee of elections made a further report, stating certain members to be duly elected; and further stated, that in consequence of the erection of the Mississippi Territory, under the ordinance of congress, that territory was entitled to a delegate, when the territory was entitled to a legislature. This period having arrived, the committee report an opinion that Nathworthy Hunter be considered as a delegate, with the right of deliberating, but not of voting.

Mr. Milledge could not agree to the report, as by so doing he would vote for a measure that would hurt the sovereignty of Georgia. He therefore moved a reference to a committee of the whole, in order to have the subject discussed.

Agreed to, and made the order for Friday.

RATIO OF REPRESENTATION.

The house then took up the following resolution, reported by the committee of the whole on the state of the union.

Resolved, That the appointment of representatives amongst the several states, according to the second enumeration of the people, ought to be in a ratio of one representative for every thirty-three thousand persons in each state.

Mr. Griswold remarked that the effect of adopting this resolution would be an increase of members in that house; that the number would amount to nearly 150. He was of opinion that the present house was sufficiently numerous for every correct purpose, as well of legislation, as for obtaining all desirable information from the people. Should an augmentation be made, the consequences would be an increase of expence, and business would inevitably be protracted. He moved, therefore, to strike out the words "thirty-three," meaning if they were stricken out, to propose the substitution of a larger number. On this motion a desultory debate ensued, in which Messrs. Griswold, S. Smith, Nicholson, Giles, Bayard, Allston, Elmer, Eustis, Sprigg, and other gentlemen took part.

Mr. Griswold stood alone in advocating an apportionment of one member, to every 40,000 persons.

Messrs. Giles and Bayard, were for one member for every 30,000.

Messrs. S. Smith, Nicholson and Eustis, were for one member for every 33,000.

Mr. Allston was in favour of one representative for every 31,000.

The preferences avowed by the several speakers, appeared to arise from the application of that divisor, to the state from which each member came, which left the least fraction.

Some gentlemen, however, declared, and particularly Mr. Giles, that he had made no calculation, and that his preference of the smallest ratio proposed was the preference of principle.

Those in favour of a small ratio argued that though the expence attending the compensation of the members might be somewhat increased, yet that it would be trifling compared with the great advantages that would result from a larger representation; that such a representation would be productive of true economy as it would oppose all extravagant expence of money; that the weight of expence incurred by the government did not arise from the expence of the civil list, which formed but a speck in the mass of expence. That it was important to this government to adopt those measures which would insure the respect and the confidence of the people; that this end would be best attained by each representative being familiarly acquainted with the interests of his constituents; and that this could only be the case, when the number of his constituents was limited within certain bounds. It was true that it had been said that a body of more than one hundred, even though composed of philosophers, was a mob; but it was replied that the long experience of this country had proved the reverse, for that many of the state legislatures consisted of more members.

These ideas were but feebly opposed. The diversity of opinion expressed, chiefly arose from a division of the house on the ratios of 30,000 and 33,000. The former was advocated principally from a regard to Delaware and Rhode-Island, which by its adoption would have each two representatives instead of one, if a higher ratio were preferred.

During the discussion, it was moved to strike out the word "three;" leaving thirty thousand as the ratio. This motion was lost—Ayes 43—Noes 46.

Mr. Bayard then moved to strike out "thirty-three," leaving the resolution blank, in order that it might be filled up with such number as should be agreeable to the house.

This motion was opposed chiefly by Mr. Nicholson and Dr. Eustis, who were of opinion that the progressive increase of the members would be sufficiently large on the ratio of 33,000 persons to a member. They were also further in favour of this number as it left the fewest fractions. The only two states much injured by it would be Delaware and North-Carolina; whereas if the ratio were increased to 35,000, New-Jersey would have a fraction of 31,000; Delaware of 26,000; Maryland of 30,000; Georgia of 23,000; and Kentucky of 29,000.

On the question being taken for striking out "thirty-three," there rose only 31 members. It was therefore declared to be lost.

The question was then taken on the original motion, and carried without a division, and a committee of three members appointed to bring in a bill conformable thereto.

Thursday, December 17.

A letter was received from the secretary of the treasury, stating, in obedience to the order of the house, the importations made into the United States, in American and foreign vessels, from October 1, 1798, to October 1, '99.

A letter was received from the commissioners of the sinking fund, with an accompanying report made to them by the secretary of the treasury, stating in detail the amount of stock redeemed, which in the aggregate amounted to 14,738,367 dollars 83 cents; and stating that on the 12th of December last, there remained in the hands of the treasurer 449,069 dollars 31 cents; subject to the disposition of the commissioners of the sinking fund, which, with the growing resources of that fund, would be equal to meeting the 7th instalment of 6 per cent. the 1st instalment of deferred stock, and the 10th of a loan becoming due.

The committee, to whom was referred the resolution for a new apportionment of representatives among the several states, reported a bill, which gives to the states the following members, viz. New-Hampshire 5; Massachusetts 17; Vermont 4; Rhode-Island 2; Connecticut 7; New-York 17; New-Jersey 6; Pennsylvania 18; Delaware 1; Maryland 8; Virginia 22; N. Carolina 12; S. Carolina 8; Georgia 4; Kentucky 6; Tennessee 3. The bill was read a second time, and referred to a committee of the whole, this day.

Mr. Randolph, a member of the committee of ways and means, informed the house that certain documents just directed to be printed, owing to the state of the manufacture in this place, could not be printed in less than 20 days; during which the proceedings of the committee would be arrested. He, therefore, moved that a committee be appointed to devise a plan for expediting the printing work of the house.

A committee of three was appointed.