

Mr. G. said the motion related to subject which, ought, in his opinion, to receive the early and earnest consideration of the house, but not wishing to take the house by surprise, he should move for it to lie on the table, for the present.

It was ordered to lie on the table accordingly.

The standing and other committees, were appointed by Mr. Speaker Taylor, pursuant to the orders of the house.

Monday, Nov. 20.

Mr. Eddy, of Rhode Island, offered for consideration the following resolution.

Resolved, That the act entitled "An Act allowing compensation to the members of the Senate, members of the House of Representatives of the United States, and to the Delegates of the territories, and repealing all other laws on the subject," passed the first session of the Fifteenth Congress, ought to be so altered and amended that the compensation to the members and delegates aforesaid shall hereafter be six dollars for each day's attendance, and six dollars for every twenty miles' travel, instead of the compensation now allowed by said act, and that it be referred to a committee to prepare and report a bill for altering and amending said act accordingly.

And the question being put, without debate, the House refused to proceed to the consideration of the resolution at this time.

Mr. Linn of New Jersey, submitted for consideration the following resolution:

Resolved, That the committee of Ways and Means be directed to inquire into the expediency of reducing the compensation allowed to members of Congress to six dollars per day, and a proportional reduction for travelling to and from the seat of government; and also of reducing the pay of all the officers of government that has been increased since the year 1809, to what it was at or before that period. Ordered to lie on the table.

Mr. Cooke, of Tennessee, submitted for consideration the following resolution:

Resolved, That the committee on the Military Establishment be instructed to inquire into the expediency of reducing the military Peace Establishment of the United States.

Which was agreed to, without debate or division.

Mr. Smith, of North Carolina, submitted the following resolution.

Resolved, by the Senate & House of Representatives of the United States, in Congress assembled, two-thirds of both houses concurring, That the following amendment to the Constitution of the United States be proposed to the legislatures of the several states, which, when ratified by the legislatures of three-fourths of the states, shall be valid, to all intents and purposes, as part of the said constitution.

"That, for the purpose of choosing Representatives in the Congress of the United States, each state shall, by its legislature, be divided into a number of districts, equal to the number of Representatives, to which such state may be entitled, the districts shall be formed of contiguous territory, and contain, as nearly as may be, an equal number of persons entitled by the constitution to be represented, or of persons qualified to vote for members of the most numerous branch of the state legislature.

In each district the persons qualified to vote shall choose one representative. That, for the purpose of choosing Electors of President and Vice President of the United States, the persons qualified to vote for Representatives in each district, shall choose one elector. The two additional electors, to which each state is entitled, shall be appointed in such manner as the legislature thereof may direct.

"The electors, when convened at the time and place prescribed by law, for the purpose of voting for President and Vice President of the United States, shall have power, in case any of them shall fail to attend, to choose an elector or electors in place of him or them so failing to attend.—The division of states into districts, as hereby provided for, shall take place immediately after this amendment shall be adopted, and immediately after every future census and apportionment of representatives under the same; and such districts shall not be altered until a subsequent census shall have been taken and an apportionment of representatives under it shall have been made."

The resolution was twice read, and referred to a committee of the whole on the state of the Union.

And the house adjourned.

Tuesday, Nov. 21.

Mr. Mallory submitted the following resolution for consideration.

Resolved, That the President of the U. S. be requested to lay before this house information respecting the progress made by the commissioners under the treaty of Guent, in establishing the boundary line between the U. S. and the Canada; whether any part of the boundary line is settled; whether the commissioners of the U. S. and G. Britain have met during the present year; and how much money has been drawn from the treasury, for the purpose aforesaid; and how much each commissioner, agent, or any person on their account has drawn; the names of each person employed by the said commissioners & agents, in their respective sections; the purposes for which each person was employed, the length of time employed, and the compensation each person has received for his service. A statement of all the items of accounts rendered by each of said Commissioners and Agents, and the particular purposes for which the moneys drawn by them have been expended; the amount of compensation each Commissioner and Agent has received since his appointment; and whether any money has been allowed to, or retained by said Commissioners and Agents, except the sum of \$4444 44 cents per annum.

The resolution was agreed to nem con, and a committee was appointed to present it to the President.

On motion of Mr. Abbot, it was Resolved, That the committee on the judiciary be instructed to enquire into the expediency of passing a law defining under what circumstances, and by what means, private property may be taken for public use, under the emergency of war, and providing that just compensation shall be made for the same.—Also, of prescribing the manner in which soldiers may be quartered in any house without the consent of the owner in time of war.

On motion of Mr. Smith, of Md. it was Resolved, That the committee of Commerce be instructed to enquire into the expediency of admitting British vessels arriving from the Cape of Good Hope, and the Mauritius, into the ports of the United States, on the same terms and conditions as if they had sailed from a port in Great Britain, so long as those ports are open to the vessels of the United States, on the same terms and conditions as to their own vessels.

And the House adjourned.

Wednesday, Nov. 22.

After the presentation and reference of petitions, mostly of a private nature, but some of them relating to the proposed alteration in the Tariff, &c.

On motion of Mr. Fuller, of Massachusetts, without debate, it was Resolved, That the President of the United States be requested to inform this House what naval force has been stationed for the protection of the commerce of our citizens in the West India Islands and parts adjacent, during the present year, and whether any depredations by pirates or others, upon the property of citizens of the United States, engaged in such commerce, have been reported to our government.

And a committee was ordered to be appointed to present the same to the President.

Mr. Linn moved to proceed to the consideration of his motion, directing the committee of Ways & Means to enquire into the expediency of reducing the compensation of members of Congress and of the officers of Government generally, to the rates at which they stood in 1809, but the House refused to consider the same.

Mr. Foot, of Connecticut, remarked that several propositions had been already made, looking to a reduction of the expenditures of the government, none of which exactly corresponded with his views; to exhibit which he offered for consideration the following resolution:

Resolved, That the Committee on Public Expenditures be instructed to prepare and report a system of retrenchment in the expenditures of the various departments of the government, (not inconsistent with the public interest,) which will restore that rigid economy and simplicity becoming our republican institutions, and which the present stagnation of Commerce, and the embarrassment attending every branch

of domestic industry, imperiously demand.

And the question being put, that the House do now proceed to consider the said resolve, it was decided in the negative.

Mr. Cobb, of Georgia, presented to the chair the following series of propositions:

1. Resolved, That it is expedient that the annual expenses of the government should be reduced; that, for the accomplishment of this object, it is further

2. Resolved, That all such offices as are not immediately necessary for the transaction of public business, and the abolition of which would not be detrimental to the public interests, shall be abolished.

3. Resolved, That the salaries of all civil officers whose compensation has been increased since the year 1809, shall be reduced to what they were at that period.

4. Resolved, That it is expedient to reduce the army to the number of 6900 non-commissioned officers, musicians and privates, preserving such part of the corps of engineers, without regard to that number as may be required by the public interest, and including such reduction of the general staff as may be required by the state of the army when reduced as herein proposed.

5. Resolved, That it is expedient that the appropriations for the erection of fortifications shall be so made as to require a less sum annually, by extending the time within which they shall be completed.

6. Resolved, That the act making an appropriation of one million of dollars per annum for the increase of the navy be so amended as to extend the time within which such increase shall be made, and to reduce the annual appropriation to the sum of five hundred thousand dollars.

7. Resolved, That it is expedient to recal from active service, one half of the naval force now employed, and to place the same in ordinary.

8th Resolution refers the subjects of the preceding resolves to the proper standing and select committees, to bring in bills pursuant thereto.

The House having agreed to consider these resolutions, Mr. Cobb said, he had no intention to bring on the discussion of them at this time, having presented them by way of notice to members, that they might be prepared to discuss and decide on them when called up.

He was not even himself prepared at this moment to give his views of the subjects embraced in these resolutions; nor did he know that the House ought to proceed to act on them until it should have received first, the annual report of the Secretary of the Treasury, and secondly, a report from the Secretary of War, required by a resolution of the House at the last session of a plan whereupon a reduction of the army might be advantageously made.

To place these resolves in a situation which would enable him to call them up at any time, he moved their reference to a committee of the whole on the state of the Union—which motion was agreed to, and the house adjourned.

Thursday, Nov. 23.

Mr. Lowndes from the select committee, to whom was referred the Constitution formed for their government by the people of the state of Missouri, delivered the following report:

The Committee to whom has been referred the Constitution of the state of Missouri respectfully report:

That they have not supposed themselves bound to inquire whether the provisions of the constitution referred to them be wise or liberal. The grave and difficult question as to the restraints which should be imposed upon the power of Missouri to form a constitution for itself was decided by the act of the last session, and the committee have had only to examine whether the provisions of that act have been complied with. In the opinion of the committee, they have been. The propositions, too, which were offered in the same act to the free acceptance or rejection of the people of Missouri, have all been accepted by them. But there remains a question too important to be overlooked.

We know that cases must often arise which there may be a doubt whether the laws or constitution of a state do not transcend the line (sometimes the obscure line) which separates the powers of the different governments of our complex

system. It appears to the committee, that in general, it must be unwise in Congress to anticipate judicial decisions by the exposition of equivocal phrase, and that it would be yet more objectionable, by deciding on the powers of a state just emerged from territorial dependence, that it should give the weight of its authority to an opinion which might condemn the laws and constitutions of old, as well as sovereign states.

The committee are not unaware that a part of the twenty fifth section of the third article of the constitution of Missouri, by which the legislature of the state has been directed to pass laws "to prevent free negroes and mulattoes from coming to, and settling in, the state," has been construed to apply to such of that class as are citizens of the U. States, and that their exclusion has been deemed repugnant to the federal constitution. The words which are objected to are to be found in the laws of at least one of the middle states, (Delaware) and a careful examination of the clause might perhaps countenance the opinion that it applies to the large class of free negroes and mulattoes who cannot be considered as the citizens of any state.

But, of all the articles in our constitution, there is probably not one more difficult to construe well than that which gives to the citizens of each state the privileges and immunities of citizens of the several states—there is not one, an attention to whose spirit is more necessary to the convenient and beneficial connection of the states—nor one of which too large a construction would more completely break down their defensive power, and lead more directly to their consolidation.

This much, indeed, seems to be settled by the established constitutions of states in every section of our Union; that a state has a right to discriminate between the white and the black man, both in respect to political and civil privileges, tho' both be citizens of another state, to give to the one, for instance, the right of voting and of serving on juries, which it refuses to the other.

How far this discrimination may be carried, is obviously a matter of nice and difficult inquiry. The committee do not propose to engage in it. They believe it best, whenever a case occurs which must necessarily involve the decision of it, that it should be remitted to the judicial cognizance.

In this view (which narrows their enquiries and duties) the committee are confirmed, by a consideration of the embarrassments and disasters which a different course of proceeding might sometimes produce. When a people are authorized to form a state, & do so, the trammels of their territorial condition fall off. They have performed the act which makes them sovereign and independent.—If they pass an unconstitutional law, and we leave it, as we should that of another state, to the decision of a judicial tribunal, the illegal act is divested of its force by the operation of a system with which we are familiar.

The control of the general government is exercised in each particular case, in support of individual right, and the state retains the condition which it has just acquired, and would not easily renounce. But a decision by Congress against the constitutionality of a law passed by a state of which it had authorized the establishment, could not operate directly by vacating the law; nor is it believed that it could reduce the state to the dependence of a territory.

In these circumstances, to refuse admission into the Union to such a state, is to refuse to extend over it that judicial authority which might vacate the obnoxious law, and to expose all the interests of the government within the territory of that state, to a legislature and a judiciary, the only checks on which have been abandoned. On the other hand, if Congress shall determine neither to expound clauses which are obscure, nor to decide constitutional questions which must be difficult and perplexing, equally interresting to old states, whom construction could not, as to the new whom it ought not to coerce, the rights and duties of Missouri will be left to the determination of the same temperate and impartial tribunal which has decided the conflicting claims, and received the acquiescence of the other states.

The committee recommend the adoption of the following resolution:

Resolved, That the committee be and they are authorized to report to the House, and to the Senate, that the Constitution of the state of Missouri is not repugnant to the Constitution of the United States, and that it is the duty of Congress to admit the same into the Union on an equal footing with the original states, in all respects whatever.

The resolution was then read a second time.

Mr. Lowndes moved to refer the resolution to a committee of the whole, on the state of the Union, which put it in the power of the House to act upon it at any time, though proper. He need not say that there was no disposition upon this subject without full notice to all parties concerned; and if other persons did, he should himself when proposing to call for the consideration of the report, give a day or two notice of his intention to do so.

Whilst up, he took occasion to say, that this report, as indeed reports of committees, must be considered as the act of a majority of the committee and not as expressing the sentiment on every individual of the committee. The reference was agreed to.

South River Bridge Company.

Notice is hereby given to the stockholders in the South River Bridge Company, that an instalment of four dollars on each share of stock by the respectively held, is required to be paid to the treasurer of the said company at the Farmers Bank of Maryland, on Monday the first day of January next.

By the act of incorporation, a stockholder who shall fail to pay an instalment which shall at any time be called for, for the space of one month, shall forfeit the sum or sums before paid by him, on his stock, to the use of the said corporation, and shall also forfeit his right to said stock on account of which he shall be delinquent, and the president and directors shall have power to sell said stock for the use of the said corporation; and if any officer share or shares of stock shall not produce on sale a sum sufficient to discharge the balance due thereon, and the expenses of sale, the said delinquent stockholder or stockholders shall remain liable for the balance due.

By order of the President and Directors,
Thos. Franklin, Treasurer.
Nov. 30

The subscriber will sell on Saturday 23d Dec next, at Mr. J. N. Stockell's farm, in South River Neck, one mare and colt, and some household furniture, consisting of beds and bedding &c. The terms of sale, for all sums above Ten Dollars a credit of six months will be given, and all sums under that to be cash.

Edward Jones, Admr. of Wm. Union. 3rd. Nov. 30

NOTICE.

Was taken up yesterday on Sandy Point, some rigging; the owner is requested to prove his property, take it away, and pay for this advertisement.

Henry Mayer. Nov. 24

Taken up adrift.

By the subscribers, between Hacketh's and Sandy Point, on Friday the 24th instant, a schooner, whose name, from their papers, appears to be the Blossom, of Baltimore, Capt. Samuel Scott, master, her mainmast gone, neither sails, anchor, cable, or boat on board.

The following articles were found on board to wit:
Six barrels of Whiskey and Rum.
Two do flour.
One gun, a Camboose, a saddle and bridle, a coil of rope, sundry bedding and wearing apparel, and several small articles also \$71 84 in cash.

The owner is requested to come forward, prove his property, pay charges and take his way.
Spidder & Robert Willing. Nov. 30

PHILADELPHIA, (OFFICIAL.) Part-au-Prince, Oct. 20. The Death of Abd Tyrant, of Yraouha.

S. K. the President of the Republic, ordered St. Marc, on the 9 o'clock in the morning, was received with a perfect allegiance. The called us their liberators, saviours of their country, one perceives, in that appearance of misery, and of the degradation, tracks, a No-tyranny has more cruel, nor more than was exercised the inhabitants of the the Artibonite. The were committed by too innumerable and too told.

Every where, where has passed, we have in the habitations, of old men. The population of the Island was denuded to end for war. S. E. received a letter from the Capes, chiefs, who are at the revolution. These Richard Montpoint, brun and Charles Pieport that, the 8th, the phe had dispatched his military forces, opposing, had units who had raised the berry; that Joachim worthy friend of his commanded the corps self abandoned, a flight; and finally, fell into the power cans.

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In the Episcopal Church, there are three orders of the ministry, Bishops, Priests and Deacons. They have each separate powers, and separate duties. A deacon in this church, like a licensed preacher, is authorized to preach, but cannot administer the sacraments; and yet nobody ever dreamed that a deacon in the Episcopal Church was eligible to a seat in the legislature; and if not, why should a licensed preacher in the Methodist Church be eligible when these powers and their duties are so similar, and if there exist any difference, it results from the nature and organization of the two Churches, in which the legislature has

THE MARYLAND GAZETTE. Baltimore, Thursday, Nov. 30.

The following persons have been appointed officers of the Fire Engine and Hose Company for the ensuing year, to wit:

Director, Lewin Duval;
Director, Jeremiah Hughes,
Director, Saml. Maynard,
Capt. of Maryland Engine, Andrew T. Barber,
Capt. of the Victory and Hose, Capt. of the Conqueror, Henry C. Barber,
Capt. of the Maryland Hose, Dr. C. Barber,
Capt. of Buckets and Lanes, Rd. Howard, of Thos.
Capt. of Ladders and Axe-Men, H. H. Hobbs,
Capt. of Property-Men, Nicholas Secretary, John Brewer,
Treasurer, Joseph Sands, jr.
Collector, Isaac Holland.

For the Maryland Gazette.

A late number of your paper, copied from the Baltimore Patriot, a communication on the subject of the eligibility of one of the representatives of Queen-Anne's county. In late Easton Star, another democratic paper, a reply is attempted to this piece, in which the writer contends, that Mr. Moffat cannot be that sort of preacher which the constitution contemplates as being ineligible to a seat in the legislature, because "he is a licensed preacher in the Methodist Church, and has no authority to enforce discipline, to marry, to baptize, or to administer the sacrament or charge confirmations, or any other religious duties to his care." Such is the substance and force of this writer's argument, and I could not have decided to make greater concessions, had I been his most virulent adversary, and actuated by the most ardent zeal to defeat him. His admission, that Mr. Moffat is a licensed preacher, is sufficient. The constitution says, "no minister or preacher of the gospel shall be a member of the legislature." Mr. M. is a preacher of the gospel, and is therefore, by the constitution, ineligible. It matters not how far Mr. M.'s powers extend, whether he be or be not authorized to marry or baptize—he is authorized, and by ecclesiastical authority, to preach the gospel—he is therefore, in the language of the constitution, to all intents and purposes, a Preacher of the Gospel.

The framers of the constitution were well aware, that there existed a variety of denominations in the christian world; and they knew also that there existed a wide difference in the manner of appointing and ordaining ministers and preachers, among these various sects—they were therefore, for the purpose of excluding those of every denomination, made the constitution very explicit, and it declares, that not only no minister, but no preacher of the gospel, shall be eligible as a member of the legislature. If Mr. Moffat be not a minister of the gospel, that is, in the strict sense of the word, one who performs sacerdotal functions, such as administering the sacraments, &c. yet he is admitted to be a preacher of the gospel, a commissioned preacher, and deriving his authority or license, not from the civil, but from ecclesiastical authority. If all this be admitted, and it is admitted, what more can the legislature require to know? Is it necessary for them to inquire of the Methodist Society, why are not your licensed preachers permitted to baptize, &c? Surely not; with this they have nothing to do—all they have to ascertain is this, is Mr. Moffat a "Preacher of the Gospel"?

PHILADELPHIA, (OFFICIAL.) Part-au-Prince, Oct. 20. The Death of Abd Tyrant, of Yraouha.

S. K. the President of the Republic, ordered St. Marc, on the 9 o'clock in the morning, was received with a perfect allegiance. The called us their liberators, saviours of their country, one perceives, in that appearance of misery, and of the degradation, tracks, a No-tyranny has more cruel, nor more than was exercised the inhabitants of the the Artibonite. The were committed by too innumerable and too told.

Every where, where has passed, we have in the habitations, of old men. The population of the Island was denuded to end for war. S. E. received a letter from the Capes, chiefs, who are at the revolution. These Richard Montpoint, brun and Charles Pieport that, the 8th, the phe had dispatched his military forces, opposing, had units who had raised the berry; that Joachim worthy friend of his commanded the corps self abandoned, a flight; and finally, fell into the power cans.

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