

the committee could now come to a decision as well, or better than at any other time—It is a question with some gentlemen whether residence shall be requisite to citizenship—this it appeared necessary to determine previous to any further discussion—as the question will continually occur, till the sense of the committee is known—several other questions which depend on this, may now be decided, in this way the mind of the committee may be known, after which the bill may be recommitted to a select committee who may arrange the several parts of the bill so as to meet the general idea more fully.

The motion for the committee's rising was carried in the affirmative.

It was then voted that the bill be recommitted to a select committee consisting of a member from every State.

The House resumed the consideration of the bill for the actual enumeration of the inhabitants of the United States.—It was moved to recommit the bill.

Mr. Sedgwick adverted to the present rate of representation of the several States in Congress, and in which there is, said he, the most palpable inequality—observed, that it was absolutely necessary that such an enumeration as would be competent to equalizing the representation should be made previous to the next election—this is expected by the people on the idea of right and justice—and the constitution has wisely provided for it—nor will the people who are not fully represented be easy without enjoying that weight and influence in the national legislature to which they are entitled—Mr. Sedgwick then read a proposition which he meant to offer as a clause to be incorporated in the bill when it shall be recommitted.

Mr. Jackson made some animadversions on this proposition, and reprobated its principles generally, more especially as it would not allow sufficient time to complete the enumeration, and particularly as it proposes that the President of the United States shall determine the number of inhabitants from the returns he shall receive from the Marshals, and the ratio of representation on those returns.

Mr. Smith (S. C.) objected to the proposition as not allowing sufficient time—he then went over the several periods which must probably elapse before the business of enumeration can be completed—from which it appeared that the object of the motion cannot be effected so as to make any alteration in the next election proper.

Mr. White made some observations on the proposition, and pointed out the difficulties that would attend the measure, as some of the States had passed laws regulating the time of elections—and presumed that the Legislature would never delegate to any man, or men, the power of determining the ratio of representation.

Mr. Lawrence was in favor of recommending the bill: He observed, that it appeared to him, that the rule or ratio of representation ought to be determined previous to ascertaining the number of inhabitants—as in all probability that rule would be agreed to with less prejudice and partiality, while the contingencies which may affect it, are unknown.

Mr. Jackson observed, that this suggestion is an artifice, covered however with too thin a veil not to be seen thro—it is too unsubstantial to support itself—the Constitution has settled the point already. He then recited those clauses which particularly point out the number of representatives which each State is entitled to elect, previous to any actual enumeration—the Constitution plainly directs an enumeration therefore, before the ratio of a future representation shall be settled.

Mr. Smith (S. C.) observed, that the ratio of representation is already proposed by Congress in the amendments sent out to the Legislatures: He hoped that nothing would be done to impede the progress and ratification of those amendments.

Mr. Sedgwick said, that when he came forward with the proposition, he supposed it founded in such fair and equal principles, that he did not anticipate the smallest objection would have been made by any gentlemen whatever.

It is a simple proposition that justice should be done—that a more equal representation should be attempted, and effected—If inequalities do exist, and that they do, is very evident—can any gentleman object to a remedy?

Some other observations were made, and then the motion for recommitting the bill to a committee of the whole House was put and carried in the affirmative.

FRIDAY, Feb. 5.

A memorial of Joseph Henderson, and John Carnes, executors to the estate of Edward Carnes, deceased, was read, and referred to the Secretary of the Treasury.

The report of the committee on the memorial of Roger Alden, was taken into consideration—this report after stating the services performed by Mr. Alden, in consequence of the charge which devolved on him by having the custody of the papers and records of the late Congress, proposes that he should be allowed a salary at the rate

of 1000 dollars per annum, during the time he has been employed as aforesaid, also necessary expences—and that the clerk which has been his assistant, be allowed at the rate of 500 dollars per annum.

This report was amended by adding these words after "per annum"—*Until the Secretary of State shall enter on the duties of his office*—and then accepted, and referred to the committee on appropriations.

The Secretary at war having reported on sundry petitions and memorials referred to him—the reports were read, and laid on the table.

In committee of the whole on the bill for the remission, or mitigation of fines, forfeitures and penalties in certain cases.—The bill was read and discussed in paragraphs. A motion was made that the following words, viz. "*Offering to confess judgment for the same*" previous to relief being granted, should be struck out.

Mr. Ames said he was indifferent whether the words were retained or struck out—he wished however that the principles of the bill should be well understood—he conceived that a strict adherence to rule even if it should sometimes be attended with some degree of rigor, was a less evil than a lax mode of executing the laws; that it may be considered as a great grievance to have frequent recourse to qualified interpretations of the laws—with regard to the revenue laws, it must strike every person that a certainty in the rule should be maintained in all possible cases—still fines, penalties and forfeitures may be incurred in such a way as may entitle to relief.—The object of the bill is to grant such relief with the least risque to the revenue, and in such way as that the person may receive it as soon as possible.

Mr. Sedgwick was in favor of the motion, and pointed out the injustice of requiring a confession previous to granting relief, as it would violate the feelings of a person not conscious of guilt—besides subjecting him inevitably to the loss of one half his property.

Mr. Burke wished the whole clause should be erased, he said it was like making a man confess murder and then hanging him for his confession.

Mr. Wadsworth stated a case to shew that this law would make the situation of persons designed to be relieved by it, much worse than it now is—and will eventually destroy the coasting trade.

Mr. Lawrence stated the process by the law as it now stands, by which persons absolutely violating the laws intentionally or through ignorance, are precluded from all relief—he therefore insisted that it is necessary that this confession of judgment should accompany the application for relief, in cases designed to be provided for by the bill—without this confession the application appears to be absurd—he was therefore opposed to the motion for striking out the words.

Mr. Smith was in favor of striking out the words.

Mr. Sturges observed, that he did not conceive the relief proposed to be administered, ought to be considered in the light of mercy, but of justice. The mode of relief pointed out by this bill, let the circumstances be as they will, leaves the sufferer in a situation that no person ought to be liable to, who is not guilty of intentional and wilful violation of the laws—for at any rate he is to lose one half his property. He thought the case, stated by the gentleman from South Carolina, very pertinent to the present.

Mr. Fitzsimons said, he hoped if these words are struck out, that the whole clause would be erased, and that there would be a more equitable mode pointed out. He adverted to the practice in England, where the application for relief is made to the Commissioners after trial.

Mr. White followed Mr. Fitzsimons in similar observations.

Mr. Ames entered into a full discussion of the principles of the bill—and observed, that he doubted not when the committee had possessed themselves of a more perfect knowledge of its operation and tendency, it would meet with approbation. With respect to the offender's losing his whole property on confession, he observed, that this inconvenience may be prevented, by the person's filing his petition previous to the entry's being made by the persons seizing the property—and this he will always have it in his power to do.

Mr. Burke said that the bill so far from affording the relief proposed, would prove a snare to the citizens, for a confession of guilt would inevitably involve the loss of one half of his property whether he merits punishment or not.

Mr. Sedgwick, Mr. Stone, and Mr. Scott spoke on the subject.

The motion for striking out the words being put was carried in the affirmative.

Mr. Fitzsimons then moved that the committee should rise—the committee rose, and the House agreed to the amendment.

It was then moved that the bill should be recommitted.—This motion was adopted.

The report of the Secretary at War on the petition of Ezra Smith was taken into consideration.

This report went into a general consideration of the cases of sundry officers of the late army, whose particular circumstances appear to call for

the interposition of government in their favor.

It was moved that this report should be referred to a select committee, who should be instructed to bring in a bill pursuant thereto.

This motion was opposed as establishing an improper precedent—it was contended that it ought to be previously discussed in a committee of the whole, and the result of their deliberations should be the basis of the bill that may be thought necessary.

On the other hand, it was said, that the state of facts is before the House, on which they may form a judgment, that the going into a committee of the whole would not throw any new light on the subject and that the House is now prepared to refer it to a select committee as fully as they can be after the form is gone through.

The motion for referring the report to a select committee was withdrawn—It was then ordered that the report should lie on the table.

Adjourned till Monday 11 o'clock.

NEW-YORK, FEBRUARY 6.

Wednesday last the Supreme Court of the United States, met agreeable to adjournment. An order was read, appointing JOHN TUCKER, Esq. [late clerk to the Supreme Court of the Commonwealth of Massachusetts] their Clerk—who was accordingly qualified. Two other orders were also read, to wit.

Ordered that the seal of *this Court* shall be, the arms of the United States engraven on a circular piece of steel of the size of a dollar, with these words in the margin—*the seal of the Supreme Court of the United States*—Ordered that the Seals of the *Circuit Courts* shall be the arms of the United States engraven on circular pieces of silver of the size of half a dollar, with these words in the margin, viz. In the upper part—*The seal of the Circuit Court*—In the lower part—*the name of the District for which it is intended*—After which the court adjourned until one o'clock on Friday.

Yesterday the Supreme Court of the United States met pursuant to adjournment. Among other business transacted, we hear, that

The Hon. ELIAS BOUDINOT, of New-Jersey,

The Hon. THOMAS HARTLEY, of Pennsylvania,

The Hon. RICHARD HARRISON, of New-York,

were admitted Counsellors at the Supreme Court of the United States.

Ordered, That persons admitted as Counsellors shall not appear in the character of Attorneys, nor Attorneys in that of Counsellors at the Supreme Court of the United States.

Ordered, That no person shall be admitted as an Attorney at the Supreme Court of the United States, who shall not have practised three years in the Supreme Court of a particular State, and who shall not sustain a just and fair character.

Ordered, That the Title of all Writs and Processes from the Supreme Court of the United States, be in the name of THE PRESIDENT OF THE UNITED STATES.

The Court adjourned to Monday next.

Extract of a letter from Baltimore, dated Jan. 31.

"I received your letter in which you request information in what light the Secretary's Report is viewed here: It has not yet been so fully examined as to produce a decided opinion on the merits of the different propositions; but it has thus far made very favorable impressions—and I am confident it will be approved of in proportion as it is examined. The truths it contains are great and interesting, and will bear the test of the strictest scrutiny, while truth and justice are applauded by men.

"There are many considerations which give my mind perfect confidence and satisfaction on the subject of the public debt—some of them I will mention.

"1st. The security of property is one of the first objects for which government is instituted—and it would be a most flagrant infraction of the Constitution of the United States should Congress injure the property of a very numerous and respectable class of the citizens by a violation of public contracts.

"2d. It is found policy in government to be honest—They cannot otherwise be respected—and it would be in vain for them to pass laws to secure good morals and make subjects and citizens honest, should they themselves set an example of public injustice and fraud.

"3d. Those who know the characters which compose the Legislature of the Union are satisfied that they never will be influenced by the maxims and principles which have stamped infamy on the name of Rhode Island. Could no dependence be placed on the personal characters of the Gentlemen in Congress, the scorn, reproach, and misery, which Rhode Island has suffered by her dishonest policy would sufficiently warn them against the consequences of a violation of public faith.

"We rest assured that no law respecting the debt will pass both Houses, and have the sanction of the President, which is not founded in that righteousness which exalteth a nation. The Constitution—the characters which compose Congress—the resolution which was passed last session—the President's speech—and the answers to it—and the report of the Secretary of the Treasury, authorize the most perfect confidence in the measures of government."

ARRIVALS.—NEW-YORK.

Thursday, Ship St. James, Collins, Cadiz.

Friday, Schooner Sally, West, Boston, 7 days.