



CONGRESS.

PHILADELPHIA.

HOUSE OF REPRESENTATIVES,
TUESDAY NOVEMBER 15, 1791.

IN COMMITTEE OF THE WHOLE.
Debate on the Ratio of Representation.
(CONTINUED.)

MR. HILLHOUSE said he had ever been a friend to a republican form of government, and God forbid, added he, that I should ever give my vote for any measure that should endanger the liberties of my country. He said he was in favor of an energetic government, as that alone can secure the blessings of liberty—As to the dread of corruption in this House, which some gentlemen appeared to entertain, he thought there was no foundation for such an apprehension; at least, said he, as the idea refers to one or two hundred representatives—two hundred he contended were as easily corrupted as one—But the corruption contemplated was a meer matter of opinion; no facts, he presumed, existed in this country to justify a positive assertion, and as to foreign countries, it seems to be conceded that a larger number than any that has been mentioned is susceptible of undue influence.—He then adverted to the restrictions on the President of the United States, and the Senate, in respect to the means of corrupting the legislature—The Constitution has also made provision to secure the independence of the members, &c. He then urged some difficulties which would be occasioned by a small ratio.—He observed that the population of some of the states was nearly stationary—if a small ratio is now established, the consequence will be when it is augmented, that the representation of those states must be diminished—this he conceived, would be a measure that would be greatly disliked. With respect to the proposed amendment, he thought it was entirely out of the question, till it was ratified by three fourths of the states. A very numerous representation, he further observed, would tend to weaken if not destroy the state governments, and that in the issue would destroy the general government—For, said he, they mutually depend on each other for support.

Mr. Sedgwick rose for enquiry, whether if the word *thirty* should be struck out, it can be restored? For though he wished for an increase of the ratio, yet he thought it ought to stop short of 40,000. He was in favor of making the proposed amendment to the Constitution, the rule to guide the House. He said he had no idea that the liberties of this country depended on the difference in the representation between 100 and 113 members. With more than 1800 watchmen, in the state legislatures, he conceived that the liberties of this country were perfectly safe—and he never could believe that the people of the United States would ever be slaves; he was sure they never would so long as they were just to themselves and deserve to be free.

Mr. Heister was in favor of retaining the ratio of one to 30,000—He stated sundry particulars respecting the very distant local situations of the representatives of the United States, which rendered it almost impossible for the present number to do complete justice to their respective districts.

Mr. Kitchell was in favor of a numerous representation—He thought the amendment proposed to the Constitution ought to be the guide to the House on this occasion. He did not draw his ideas of what should constitute a proper representation, from the examples cited from foreign countries—nor was he actuated by an apprehension of corruption, as more applicable to a small number than to a large one; but when he considered the various objects, views, denominations, professions, callings and interests of the citizens of the United States, he was fully convinced that a large representation was necessary to embrace the wishes and answer the expectations of the people.—He should therefore vote against the motion for striking out 30,000.

Mr. Findley rose to explain certain expressions which he said had been misunderstood—he defended the opinion he had before advanced, respecting a large representation. In reply to Mr. Clarke, he observed, that the information to which he alluded when he said that a larger number would enable the representatives to adapt the laws and proceedings of government, to the circumstances of the country, was that species of knowledge which arises from a more perfect representation of the wants, wishes, and interests of the people.

Mr. Gerry closed the debate this day—He took a general survey of the arguments against the

proposed ratio of one to 30,000.—In noticing the objection from the instability of the state legislatures, he said it was not owing to their numbers, but to the mode in which they are elected—were the Senates and executives of the several states chosen as those of the general government, there would have been as much stability and consistency in their transactions, as in those of the government of the Union. A gentleman had said that the proposed amendments to the Constitution, had been adopted with reluctance by some of the states which had accepted them—He called on the gentleman to produce his authorities for this assertion.—A relative proportion between the members of the House and the Senate had been suggested; this idea, he said, had no foundation in the Constitution—and he further observed, that the Constitution has so completely guarded and secured the rights and independence of the Senate, that he could not conceive of the apprehensions of gentlemen, who appear to think that an increase of the members of this House will overwhelm that branch of the legislature—In all events the privileges of that body will remain the same. The States it is said have reduced their representative assemblies—This, he said, so far from being an argument against the proposed ratio, was directly in favor of it—The diminution of the state legislatures has been occasioned by the idea which the people entertain of the increasing importance of the general government—The objects of legislation to both governments are nearly similar; they relate to those important concerns which interest the feelings of every citizen of the United States—all the difference lies in the magnitude of their respective spheres of action—hence it must evidently be the wish and expectation of the people, that their interests in every point of view, should be fully and adequately represented in this House.

The gentleman from North-Carolina, has said, that extending the sphere of Representation will lead to a choice of more competent characters; but he observed, that the larger the sphere, the less knowledge of the merits of candidates—and the electors will be obliged to vote on trust.

The mode of election in Great-Britain, and not the number of the members of the House of Commons is the source of that corruption which has been so frequently alluded to; the mode of election in that country admits of an executive influence in the election of a majority of the members; this is the rotten part of their constitution which requires amputation.

He did not apprehend any danger from undue attempts to influence or corrupt the members of the house—but though he admitted that the government may be untainted at the present time—yet he conceived it the best policy to prevent the evil, rather than to wait for a corrupt administration and then to seek for a remedy.

The idea which had been suggested, that increasing the federal representation, would tend to diminish the importance of the State governments in the estimation of the people, he conceived had no foundation; it supposed a want of wisdom in the community at large, which supposition had nothing to support it. The people know that their happiness depends on preserving the balance between the State governments and that of the Union.

The government of the union has been justly compared to a pyramid; he wished that the base which was constituted by the representative body might be broad in order to give it stability—and therefore hoped that the original motion of one representative to every thirty thousand persons would be adopted.

FRIDAY, NOVEMBER 25.

Resolutions of the House respecting the contested election of Anthony Wayne, member from Georgia.

RESOLVED, That the first Monday of February next be assigned for the trial of the articles alleged in the petition against the said return.

Resolved, That the evidence which may be offered on the part of the petitioner, shall be confined to the proof of the articles of charge exhibited in the said petition, against the validity of the return of the said election.

Resolved, That on the trial, the deposition of a witness shall be received, which shall have been taken more than 25 days prior to the day assigned for the trial, before any justice or judge of the courts of the United States, or before any chancellor, justice or judge of a supreme or superior court, mayor or chief magistrate of a city, or judge of a county court of common pleas of any of the United States, not being of counsel or attorney to either the said Anthony Wayne or the petitioner: provided, that a notification from the magistrate before whom the deposition is to be taken, to the adverse party to be present at the taking of the same, and to put interrogatories, if he think fit, shall have been first made out and served on the adverse party, or his attorney specially authorized for the purpose, as either may be nearest, if either is within one hundred miles of the place of such caption, allowing time for their attendance, after notified, not less than at the rate of one day, Sundays exclusive, for every

twenty miles travel. And every person deposing shall be carefully examined and cautioned, and sworn or affirmed to testify the whole truth, and shall subscribe the testimony by him or her given, after the same shall be reduced to writing, which shall be done only by the magistrate taking the deposition, or by the deponent in his presence. And the depositions so taken, together with a certificate of the notice, if any, given to the adverse party, or his attorney, shall be sealed up by the said magistrate and directed to the Speaker.—Provided nevertheless, That no *ex parte* deposition shall be used on the trial of the said petition, which shall have been taken at any time before the 26th day of December next. Provided also, That evidence, taken in any other manner than is herein before directed, and not objected to by the parties, may, with the approbation of the house, be produced on the trial.

MONDAY, NOVEMBER 28.

The bill for the relief of David Cook was read a second time, and referred to a committee of the whole house to-morrow.

Mr. Sedgwick presented the petition of Samuel Negus, which was read and referred to the Secretary at War.

Sundry petitions, praying for the settlement of accounts, and the renewal of lost or destroyed certificates—were read and referred to the Secretary of the Treasury.

Mr. Thatcher presented the petition of Samuel Proctor, which was read and referred to the Secretary at War.

The memorial of James Simpson, a surveyor under the late geographer general of the United States, was presented—read and referred to the Secretary of the Treasury.

Mr. Muhlenberg presented the petition of Nicholas Schultz, which was read and referred to the Secretary at War.

Mr. Clarke presented the petition of Joel Phelps, praying the benefit of a pension in consequence of disability incurred while in the service of the United States. The report of the Secretary at War on the petition of said Phelps, referred to him at the last session, was called for, which being read, the following resolution was moved, and agreed to by the house—That the reports of the Secretary at War on the petitions of Joel Phelps and others, whose claims appear to be precluded by the resolve of Congress of 11th of March, 1773, and have not yet been acted upon, be referred to a committee of the whole house on the state of the Union, and that the reference be the order of the day for Monday next.

Mr. Ames presented the petition of Samuel Breck, and others, proprietors of the Sail-Cloth Manufactory in Boston, praying that they may have the exclusive privilege of affixing certain marks to their Sail-Cloth, and that measures be adopted for preventing the said marks from being used by others—read and referred to the Secretary of State.

Agreeably to the order of the day, the house resolved itself into a committee of the whole, Mr. Muhlenberg in the chair, to take into consideration the bill making compensation to widows, orphans and invalids, in certain cases.

The committee reported progress, and are to sit again to-morrow. Adjourned.

TUESDAY, NOVEMBER 29.

Sundry petitions praying compensations, pensions, &c. were read, and referred to the Secretary of war.

Mr. Livermore reported a bill to establish the post-office, and post-roads in the United States—read the first and second times, and referred to the committee of the whole House on Monday next—Ordered that the bill be printed in the interim.

Mr. Dayton presented the petition of sundry persons, refugees from Canada during the late war—read, and referred to a select committee, consisting of Messrs. Dayton, Bourne, (R. I.) and Murray.

A message was received from the Senate, by Mr. Secretary Otis, informing the House that they have passed a bill respecting Consuls and Vice-Consuls.

The House went into a committee of the whole on the bill making compensation to widows, orphans, and invalids in certain cases—the discussion of the bill was finished—the committee agreed to sundry amendments—they then rose and reported.—And the House adjourned.

PORTLAND, (Mass.) Nov. 10.

Tuesday last arrived here the snow Eliza, Capt. Jackson, belonging to Portsmouth (N.H.) in 30 days from Cape-Francois, in Hispaniola.—Capt. Jackson has brought back the cargo he carried out from Portsmouth, which was lumber.

By Capt. Jackson we learn, that the white inhabitants are in a most deplorable situation. The whites do not consist of more than 3000 strong, exclusive of Americans and others detained there by the embargo. The negroes consist of more than 20,000, and it was daily expected that they would attack the town.