

this vote, and thus absolved themselves of the wrong they had done. If they went on in this way...

Mr. Smith made some observations favorable to the motion of Mr. Macon. He thought the purity of the representative body was essential to the existence of the government...

The motion of Mr. Rhea was negatived, ayes 12.

Mr. Bacon suggested some amendment in the phraseology of the resolution; and, doubts existing on the subject...

On motion, the committee rose, and the resolution was, on the suggestion of Mr. Sheffey, referred to a select committee, with directions to report their opinion thereon.

The resolution was then, referred to a select committee composed of Messrs. Macon, Burwell, Bacon, Sheffey and Mitchill.

DEBATE

On the Bill to regulate the representation in Congress.

Mr. MITCHILL said he was in favor of the largest number proposed; and not having been able to obtain that, he should vote for the largest on which a majority could agree.

Another consideration in favor of a large ratio, Mr. M. said, was this: that this body was now in his judgement quite as numerous as was consistent with a distinct performance of the public business.

Congress, Mr. M. said, did not convene here to legislate on all the subjects of the rights of citizens. Our government is, he contended, a peculiar piece of machinery, an imperium in imperio.

could not have accomplished. And if I wished to cite an instance of the evils to be dreaded from a numerous assembly, I should quote the national convention of France, where Representatives, assembling in great numbers, exhibited such a spectacle of disorder as I hope we shall never, by a multitude of counsellors, run the risk of imitating.

Under the impression which he entertained on this subject, Mr. M. hoped, before the question was taken on the number 40,000, that gentlemen would reflect on the serious consequence of rejecting this number and taking a smaller.

The question on 40,000 was taken and carried, ayes 78. The committee of the whole rose and reported the bill, and the question occurred of concurring with the report of the committee.

Mr. PITKIN said that he had not expected that a bill of so much importance would have progressed so far and gone through the committee of the whole in so rapid a manner as this had. What he asked of the house, was settled by the passage of this bill?

With respect to the number by which the people of the United States should be represented for the ensuing ten years, Mr. P. said, he would agree that there was a considerable diversity of opinion, not only this house in but in the nation; but he had been not a little astonished to hear the arguments of some gentlemen, evidently inconsistent with the principles of the constitution.

each other, sacrificed a part of their rights, agreeing to be represented in general congress, but in a certain way. I do apprehend, as respects fixing the ratio, it will be at least most for the interest of the United States, and our best policy, so to arrange it as that no state of the union should be deprived of its part of its representation on this floor.

As to the expense of an additional representation, Mr. P. said, it ought not to be thought of a single moment. Whilst we have a representative government, expense will attend it. In the State Legislatures, some of whose branches contain from two to five hundred members, no inconvenience of this kind had been found which had induced them to change the representation.

The question was taken on postponing the bill to the third Monday in February and carried.

Documents

Accompanying the President's Message.

Mr. Pinkney to Mr. Smith, London, August 23, 1810.

Sir—I dined yesterday with lord Wellesley, and found that he had only returned to town in the morning. He still complained of indisposition; but it certainly could not be considered as unfitting him for business.

As far as the opportunity permitted I urged promptitude on all these subjects as indispensable, and expressed my confidence that they would be disposed of in season for the approaching meeting of congress.

You perceive that notwithstanding past promises nothing has yet been done; and that there is no security that we shall have any thing but promises. I am truly disgusted with this, and would, if I followed my own inclination, put a speedy end to it.

Extracts of a letter from Mr. Champagny to Gen. Armstrong dated Paris, Feb. 14th 1810.

The undersigned has rendered an account to his Majesty the Emperor and King, of the communication in his Majesty's name to the plenipotentiary of the United States of America. His Majesty authorized him to give the following answer:

His Majesty should consider his decrees of Berlin and Milan as violating the principles of eternal justice, if they were not the compelled consequence of the British orders in council, and above all, of those of November, 1807.

His Majesty distinguishes the search (recherche) from recognition (reconnaissance) of the vessel. The recognition has no other end than to ascertain the reality of the flag. The search is an interior inquest held, although the reality of the flag be ascertained, and of which the result is either the imprisonment of individuals, or the confiscation of merchandise, or the application of arbitrary laws or regulations.

His Majesty could place no reliance on the proceedings of the United States, who having no ground of complaint against France comprised her in their acts of exclusion, and since the month of May have forbidden the entrance of their ports to French vessels, under the penalty of confiscation.

The undersigned avows with frankness, that France has every thing to gain from receiving well the Americans in her ports. Her commercial relations with neutrals are advantageous to her. She is in no way jealous of their prosperity; great, powerful and rich, she is satisfied when, by her own commerce, or by that of neutrals, her exportations give to her agriculture and her fabrics the proper development.

It is now thirty years since the United States of America founded, in the bosom of the new world, an independent country, at the price of the blood of so many immortal men, who perished on the field of battle to throw off the yoke of the English monarch.

If then the minister of America can enter into an engagement, that the American vessels will not submit to the orders in council of England of November, 1807, nor to any decree of blockade, unless this blockade should be real, the undersigned is authorized to conclude every species of convention tending to renew the treaty of commerce with America, and in which all the measures proper to consolidate the commerce and the prosperity of the Americans shall be provided for.

The undersigned has considered it his duty to answer the verbal overtures of the American minister by a note, in which he has expressed the friendly intentions of France towards the United States, and her favorable disposition to American commerce.

General Armstrong to the Duke of Cadore, Paris, September 7, 1810.

Sir—Your excellency will not think me impudent if I should employ the last moments of my stay in Paris, in seeking an explicit declaration on the following points:

1. Has the decree of his Majesty of the 23d of March last, enjoining acts of reprisal against the commerce of the United States on account of their late law of non-intercourse, been recalled?

2d. What will be the operation (on the vessels of the United States) of his Majesty's decree of July last, forbidding the departure of neutral ships from the ports of France, unless provided with imperial licenses? Are these licenses merely substitutes for clearances? or do they prescribe regulations to be observed by the holders of them within the jurisdiction of the United States?

Do they confine the permitted intercourse to two ports only of the said states, and do they enjoin that all shipments be made on French account exclusively?

Is it his Majesty's will, that the seizures made in the ports of Spain and other places, on the principle of reprisal, shall become a subject of present or future negotiation between the two governments? or, are the acts already taken by his Majesty to be regarded as conclusive against remuneration?

I need not suggest to your excellency the interest that both governments have in the answers that may be given to these questions, and how nearly connected they are with the good understanding which ought to exist between them. After the great step lately taken by his Majesty towards an accommodation of differences, we are not at liberty to suppose that any new consideration will arise, which shall either retard or prevent the adoption of measures necessary to a full restoration of the commercial intercourse and friendly relation of the two powers.

I cannot omit expressing, on this occasion, the sentiments which I carry with me of the many obligations I am personally under to your excellency, and of the very high consideration with which I have the honor to be.

(TRANSLATION)

The Duke of Cadore to General Armstrong, Paris, Sept. 12, 1810.

Sir—I have received your letter of the 7th September. That which I wrote to you the same day answered the first of the questions you put to me. I will add to what I have had the honor to write to you, that the decree of the 23d March, 1810, which ordered reprisals in consequence of the act of congress of the 1st March, 1809, was repealed as soon as we were informed of the repeal of the act of non-intercourse passed against France.

On your second question I hasten to declare to you, that American vessels loaded with merchandise, the growth of the American provinces, will be received without difficulty in the ports of France, provided they have not suffered their flag to lose its national character, by submitting to the acts of the British council; they may in like manner depart from the ports of France. The Emperor has given licenses to American vessels. It is the only flag which has obtained them. In this his Majesty has intended to give a proof of the respect he loves to show to the Americans. If he is somewhat dissatisfied (peu satisfait) that they have not as yet been able to succeed in causing their flag to be respected, at least he sees with pleasure that they are far from acknowledging the tyrannical principles of English legislation.

The American vessels which may be loaded on account of Frenchmen or on account of Americans, will be admitted into the ports of France. As to the merchandise confiscated, it having been confiscated as a measure of reprisal, the principles of reprisal must be the law in all affairs.