

Continued from 1st page.

Resolved, That the Judges of the court of appeals and of the inferior courts shall receive fixed and adequate salaries, which shall not be diminished during their continuance in office.

The 5th resolution which is as follows, was next considered.

Resolved, That on the creation of any new county, justices of the peace shall be appointed in the first instance as may be prescribed by law. When vacancies shall occur in any county, or if shall, for any cause, be deemed necessary to increase their number, appointments shall be made by the Governor, by and with the advice and consent of the Senate on the recommendation of their respective county courts.

Mr. CAMPBELL proposed the following amendment, as a substitute for the 5th resolution.

Resolved, That the counties, cities and boroughs shall be divided into wards for the apportionment of justices of the peace among the people; and the persons authorized to vote for members of the General Assembly in each ward shall elect the justices of the peace therein, who shall be continued in office for the term of years, but removable for any bribery, corruption, or other high crime or misdemeanor, by indictment or information, in any court holding jurisdiction thereof.

Resolved, That the constables shall in like manner be elected annually in said wards.

Mr. LEIGH enquired whether that proposition was not before decided upon.

Mr. FITZGERALD said it was rejected, but it might be offered as a substitute.

Mr. CAMPBELL said it was not submitted in proper form to the committee at any time. He stated his indifference in deciding on the resolution till the basis of representation is settled.

The amendment was negatived.

Mr. CLAYTON proposed to amend by striking out the following clause, "When vacancies shall occur in any county, or if shall, for any cause, be deemed necessary to increase their number, appointments shall be made by the Governor, by and with the advice and consent of the Senate, on the recommendation of their respective County Courts."

Mr. LEIGH said, this was a proposition to leave the appointment of the most important officers to the discretion of the Legislature.

Mr. CLAYTON replied in the affirmative, and proposed to make some remarks, of which we could not hear a word.

Mr. FITZGERALD would vote to strike out the last clause, but not to fill up with the proposition of Mr. Clayton. He was opposed to the present mode of electing. He hoped a better mode would be devised.

Mr. LEIGH said, he despaired of devising a better mode. The question now is, will you leave the appointing power to a future legislature or not. There would be no necessity for striking out this clause.

The question on striking out was carried in the negative, yeas 44, nays 48.

Mr. MARSHALL said, that the vote which has been given manifests the preference of the Committee for filling up vacancies from nominations made by the County Courts.

It appeared to him better to make the Senate and Executive act upon the whole nomination of the County Courts. The Magistrates being dispersed over the country, were better adapted to furnish proper nominations or instructions to the Executive. Suppose the Executive retains some and rejects others of the nominations. It was impossible that his knowledge would enable him to select those most competent and who were nominated to him. He must have some information, and from whom can he better receive it than the Magistrates? There may be some exception to a particular individual; in that case, let the nomination go back to the County Courts. This is better than any other mode; unless gentlemen prefer elections by the people. That question was not now before us. The Senate must receive its information from the member who represents the district in the Senate. The Senate must have information, and who can they derive it from but the member? Considerations may influence that member which would not influence the Magistrates of the County Courts.

He proposed to amend the 5th resolution by inserting the following:—"but the whole number recommended at any time shall be appointed or rejected."

Mr. LEIGH made some observations in opposition to the amendment, and entered at length into the inconveniences which would result in the details, for the adoption of the mode proposed. He preferred the present plan.

Mr. CAMPBELL said the amendment proposed by Mr. MARSHALL, and the remarks of the gentleman from Chesterfield convinced him that the Senate and Executive should have nothing to do with the matter.

Mr. GILES doubted the propriety of adopting the amendment of the gentleman from Richmond, (Mr. MARSHALL.) He said the County Courts in general, recommended well, and for the very reason stated by Mr. MARSHALL, that they had the best information on the matter. The proposition will have a material bearing on the Executive, not as regards principle but practice. He commended the present system. He was inclined to vote for the proposition to make it imperative on the Executive to nominate or reject the whole.

He expressed his concurrence in the sentiment of Mr. MARSHALL, that the Magistrates could furnish the best information—they had the best means of procuring it.

He said that the majority of the Council differed with him in policy yet he never found any inconvenience arising from it.

Mr. MARSHALL wished the gentleman had moved to strike out the words "by and with the advice and consent of the Senate," if he had any doubts upon it, the arguments urged, convinced him of the propriety of it. He wished to withdraw his former amendment, and to strike out the words referred to.

Mr. COLEMAN suggested to Mr. MARSHALL to strike out only the word "Senate," so that it may read "by and with the advice and consent of" and that if an advisory Council be established it may be inserted in the blank.

The motion to strike out as Mr. M. proposed, was carried in the affirmative.

Mr. MACRAE approved of giving to the Governor more extensive negative power, over the recommendation of the County Courts. He moved the following amendment: "Provided however, that if any person so recommended to fill any such vacancy or new appointment, shall be disapproved by the Governor, such person shall not be again recommended to fill the same vacancy or new appointment."

Mr. MARSHALL said this proviso would disqualify a man forever, for the most trivial accusation.

Mr. MACRAE explained, that his intention was not to disqualify them forever.

The question on the amendment to the amendment was negatived.

The question on Mr. Marshall's amendment was carried in the negative.

Mr. MARSHALL moved a verbal amendment—to insert the words, "in such manner," after the word instance.

The amendment was agreed to.

Mr. MACRAE moved the following amendment to the 5th resolution:

Resolved, That on the creation of any new county, justices of the peace shall be appointed in the first instance, as may be prescribed by law. When vacancies shall occur in any county, or if shall, for any cause, be deemed necessary to increase their number, appointments shall be made by the Governor, on the recommendation of their respective county courts provided, however, that if any person so recommended to fill any such vacancy, or new appointment, shall be disapproved by the Governor, by and with the advice and consent of the Senate, such person shall not be again recommended to fill the same vacancy, or new appointment. Justices of the Peace shall be commissioned during good behavior, but may be removed in the manner which shall be prescribed by law, for misbehavior in office, crime, neglect of duty, removal from their respective counties, or insolvency.

He remarked on the necessity of making insolvency a disqualification of a man for a seat on the judicial bench.

Mr. DONOVAN said, all the other causes removal specified in the resolution, are at present in operation, except insolvency.

Mr. JONES moved to amend the amendment by striking out the words "or insolvency."

The amendment to the amendment was carried in the affirmative.

Mr. CLAYTON moved to amend by adding the words, "for incapacity to discharge the duties of their office."

The amendment to the amendment was negatived.

The original amendment was also rejected.

The 6th resolution was read and agreed to. It is as follows:

Resolved, That the clerks of the several courts shall be appointed by their respective courts, and their tenure of office be determined by the Senate.

The 7th resolution was read and agreed to, and is as follows:

Resolved, That the judges of the court of appeals and of the inferior courts, offending against the State, either by maladministration, corruption, or neglect of duty, or by any other high crime or misdemeanor, shall be impeachable by the House of Delegates, such impeachment to be prosecuted before the Senate. If found guilty by two thirds of the whole Senate, such persons shall be removed from office. And any judge so impeached shall be suspended from exercising the functions of his office until his acquittal, or until the impeachment shall be discontinued or withdrawn.

The 8th resolution was read, and was also agreed to. It is as follows:

Resolved, That judges may be removed from office by a vote of the General Assembly; but two thirds of the whole number of each House must concur in such vote, and the cause of removal shall be entered on the journals of each House. The judge against whom the Legislature is about to proceed, shall receive notice thereof, accompanied with a copy of the charges alleged for his removal, at least twenty days before the day on which either House of the General Assembly shall act thereupon.

On the motion of Mr. CAMPBELL, the Convention adjourned to meet at 11 o'clock to-morrow, at the old Baptist Church.

DEBATE ON THE BASIS OF REPRESENTATION.

WEDNESDAY, NOV. 11.

SUBSTANCE OF MR. CHAPMAN JOHN-SON'S SPEECH.

Mr. Chairman: The question under consideration, has occupied much time, in the discussion, and no doubt much more, in the deep deliberations of the committee. It's great importance and exceeding delicacy, entitle it verily, to all the aid, which temper, forbearance, conciliation, free, frank and full interchange of opinion, laborious investigation and candid argument, can afford. It has on the one hand encouraged the most anxious hopes, and, on the other, alarmed the most anxious fears. The whole country looks to it, with a keen interest, convinced that on its issue depends much of our well or woe.

We are engaged, Mr. C., in a contest for power;—disguise it as you will,—call it a discussion of the rights of man, natural or social,—call it an enquiry into political expediency,—imagine your self, if you please, presiding over a school of philosophy, discoursing on the doctrine of political law, for the instruction of mankind, and the improvement of all human institutions,—bring the question to the test of principle, or of practical utility,—still, all our metaphysical reasoning and our practical rules, all our scholastic learning and political wisdom, are but the arms employed in a contest, which involves the great and agitating question, whether the sceptre shall pass away from Judah, or a law giver from between his feet.

In this contest, I feel a peculiar interest,—because I stand towards the parties in a relation of some delicacy.—With the one, are my present residence, the land of my nativity, almost all the friends of my youth, and most of those to whom my affections are bound, by the ties of affinity and blood;—with the other are my property and my constituents,—those who are endeared to me, by a residence among them of more than twenty years, by many a proof of collected kindness and friendship, by gratitude for early patronage, and for political confidence, bestowed before it had been earned, and continued after every claim I could have pretended to, it had been lost by my removal from them. In this state of divided allegiance I ought perhaps to have taken counsel from prudence, and have chosen the part of neutrality. But I had been long in the habit of considering both parties to this controversy as children of the same family, constituent & inseparable parts of the same community,—somewhat diversified it is true, in their possessions, their pursuits, their manners and their character, having minor interests perhaps not altogether in accordance;—nevertheless identified in the leading characteristics of a plain agricultural, republican people—having the same great interests, and one common object, the integrity, freedom, happiness, and glory of a common country.—I had long too, cherished the fond, perhaps the delusive hope, that it was possible to reconcile all differences, to appease all angry feelings, to remove all causes of jealousy, and to unite all parts of the community in harmonious action, in common labor for the common weal;—and to realize this hope, I had often exerted to the utmost my humble power.—I could not therefore, at this most interesting crisis in public affairs, when heated if not angry controversy was expected by all, when serious, if not fatal disunion was feared, by many, when all might be lost by maturation or imprudence, or all might be saved by care and pains,—I could not decline the honorable call to duty, from my old constituents.—I could not refuse the trust, when well knowing my opinion, they confided their great interests here in part to me, and left me at full liberty, without pledge and without instruction, to profit by the experience and wisdom of those around me, and following the dictates of my own judgment, to shape my course, with a single view to the public good.

After listening attentively to every thing that has been said,—and much has been ably and eloquently said, I am satisfied, that by advocating the resolution of the select committee, and resisting the proposed amendment, I shall best discharge my duty to my constituents, and my country.

Mr. Chairman: I am no friend to change.—I have been no advocate for the call of this Convention.—True, I have thought the old Constitution, in some respects, imperfect, in theory, and defective in practice. I have thought its principal defect, that very inequality in representation, which the resolution of the select committee proposes in part to remedy. I thought it also a defect in the Constitution, that it contained no provision, for a just apportionment of taxes, or just distribution of the burdens of the Government among the people of the Commonwealth. I had been, for some years a member of that branch of the Legislature, in which the inequality of representation was most glaring. I represented, in the Senate, a district composed of six counties, in the Valley, containing then perhaps, about one eighth of the white population of the State, and I with only three others, represented the whole country West of the Blue Ridge, containing about one third of the white population. I thought I perceived the injurious operation of this inequality. On questions of local concern, I had often seen the interests of the East trampled upon those of the West, and controversies arising, attended with much excitement, and sometimes with great asperity and angry feeling. It had occasionally been my good fortune to interpose between the contending parties, and reconcile their differences. But I was satisfied that a settled discontent was arising, that jealousies were daily increasing, which threatened to foment discord, to alienate brother from brother, and to countenance the opinion, that there were important differences of interest in the different parts of the State, which the same Government would not equally protect. When the Western people complained, that they had not a just participation in the power of the government, they were often reproached with their poverty, and almost always reminded, that they did not contribute their just proportion of its revenue. The act of 1792, made for equalizing the land tax, had thrown the State into four great districts, the counties in each, were divided and fixed a standard, in each class, of the average value of the land per acre. The first class comprised all the tide water counties, and the standard value of the large midland counties, and the standard value of its lands per acre, was ten shillings; the second class comprised the other midland counties, except Friesylvania and Frederick and Berkeley, and its standard per acre was 7s. 6d.; the third contained Pittsylvania and Henry, with the Valley counties, not included in the second, and the standard value of its lands was 5s. 6d.;—the fourth belonged the trans Alleghany counties, rated at the standard value at 3s. per acre. This standard probably just and fair at the time when it was adopted, had in process of time become unjust

and operated injuriously. The relative value of land in the several districts had essentially changed, those of the Western districts having risen, and approached much more nearly to equality with those of the Eastern. But the taxes continued to be imposed according to the same standard, in consequence whereof, the tide water district was unduly burdened, and the other districts, especially the third and fourth, paid less than they ought. These inequalities, in the imposition of taxes, and in the representation, in the Senate, had been the subject of frequent discussion, and I was informed that several ineffectual attempts had been made to correct them, by an ordinary act of legislation. These fruitless efforts served only to increase the general discontent, to inflame animosities, and by giving to the discontented a solid reason for objecting to the organization of the government, enabled them with more success to seize on all occasions of public distress, or popular excitement, & turn them to the purpose of rousing a spirit of headless reform. Thus it happened, that in 1818, the people of the large districts being disappointed in some favor, the measure, and much dissatisfied with the proceedings of the Legislature, they were persuaded that they had been grossly injured, that the cause of their wrongs was to be found in the unequal distribution of the power of the government, and that their remedy was to be sought in a general Convention to reform this, and many other fancied or real defects of the Constitution. Under the excitement of this occasion, that meeting in Staunton was held, which has been denominated the Staunton Convention. The county of Augusta did not participate in the feverish excitement which then prevailed, and while it was willing to seek by temperate and prudent measures, substantial relief from acknowledged evils, it was unwilling to encounter the hazards of general reform. It therefore deputed to the meeting two members, of whom I was one, and charged them with the duty of endeavoring to infuse into the proceedings as much of temper and prudence as possible, and to restrain them to a respectful memorial, asking of the Legislature that proper measures might be adopted for organizing a Convention to amend the Constitution of the State, but with powers limited to the objects of equalizing the representation and taxes, and of providing under proper cautions, for future amendments. The deliberations of this meeting resulted in a memorial to the Legislature, asking a general Convention; and in a protest by a small minority, to which the Augusta deputies belonged, the object whereof was to limit the powers of the Convention to the three subjects which I have mentioned. The memorial and protest were laid before the legislature at their session of 1816, and a bill passed the House of Delegates, providing that the voice of the people should be taken on the question, whether a Convention should be called, with powers limited to these three objects and one other only, the extension of the right of suffrage. This bill was amended in the Senate, so as to limit the powers of the Convention to taxes and representation only, and was laid on the table to await the coming of a bill then in progress, for reforming the Senatorial Districts, and for a reassessment of the lands. This bill came to the Senate, and passed by a majority, I think, of one; the bill for the Convention having been rejected by a majority of two.—Both were very objectionable to the western members, and were opposed by them.—both were acceptable to me, and advocated by me. I preferred the Convention bill, because I thought it would give more adequate and more permanent relief; but when it was lost, I espoused the other, though its operation was inconvenient and harsh, and its relief temporary.—The Convention bill was in truth preferred to its rival, by a large majority of the Senate, and would have passed, but for one of those amusing incidents in legislation, by which false calculations of majorities sometimes cheat us of our votes. [Here Mr. J. related an anecdote, showing that one of the Senators, being deceived in his calculations, had been induced to give a vote, which secured the passage of the bill, which he most desired to defeat.]

This bill reforming the districts upon the basis of white population as ascertained, by the census of 1810, gave to the country beyond the Blue Ridge, nine Senators. That country had then about its due share in the representation of the House of Delegates, upon the same basis;—and an adequate provision was made, for a just apportionment of the taxes.

Believing that the Legislature would follow this precedent,—would preserve something like a practical equality of representation, in both Houses, by occasional reforms of the Districts, and by the division of Counties, I was content to submit to the remaining imperfections, in the Constitution, rather than put to hazard every thing valuable that it contained. I did think there was much in it, worth preserving. I thought it suited to our genius and character, calculated to protect our rights, and promote our interests,—taking it "all in all," comparing it with every constitution of which I had any knowledge, and especially with those which our extensive confederacy affords, I preferred it to any of them;—and I venerated it, because it was the work of our wise and virtuous ancestors,—a child of the Revolution, born with the State, and consecrated by all the associations, which make us proud of our Country.—I have therefore, ever since the session of 1816, opposed the call of a Convention, whether limited or general, and have labored much to prevent it. Step by step have I followed the march of my friend from Chesterfield, in the campaigns he has made, in defence of the Constitution, and though I have not emulated the gallantry or prowess of my leader, he will bear me witness that I have been a faithful soldier, and that I never laid down my arms, till the victory was fairly won from holders had desired the call of a Convention, that my opposition to it ceased. From that time, my friend from Chesterfield, and all our other wise men, I believe, united in opinion, that the will of the people should be obeyed, that the Convention should be organized, without delay, and that all the subjects of complaint should be considered, and as far as possible adjusted.

I have detained you Mr. Chairman, with these explanations, because I thought, them due to myself, if they were not strictly due to the Committee. I need not expect nor desire, that they should recommend to your favorable attention, the poor remarks I have to offer, on the great question in debate. These remarks I shall submit, with a consciousness, that they are but little worth, though with an humble trust, that if they have any value, it will not be lost on the candor and intelligence of the Committee.

The first duty, perhaps, which I owe to the Committee, is to acknowledge an error, into which it seems I had fallen, at an early stage of your proceedings, in not approving the order of debate which was proposed by the gentleman from Norfolk, (Mr. TAYLOR) who no longer holds a seat among us. I had been weak enough to suppose, that we had already learned the rudiments of political science,—that we had not come here to be taught the horn book of politics, to be schooled and lectured on the elements of government,—that a great proportion of this Convention, at least, had been selected for their presumed knowledge of its doctrines, and their long experience in public affairs. But my friends tell me I was wrong, and I am compelled to acknowledge it, by the course of argument, which some of our adversaries have pursued. It was the misfortune of my friend from Frederick, (Mr. COOK) falling into a similar error,—to suppose that there were settled principles, in our government at least,—that they were clearly and fully enunciated, in our declaration of rights, and that he had succeeded in proving all that was necessary, when he had shown that the proposition which he advocated was sustained by their principles, and that they condemned that which he opposed. This opinion and the argument founded upon it, had furnished the apology for a discursive enquiry into the natural rights of man. The very eloquent gentleman from Northampton, (Mr. UPHUR) condemning abstract doctrines and metaphysical reasoning, as misplaced here, had indulged himself, in a very elaborate course of metaphysical reasoning, and refined abstraction, has cast his eye through all time, appealed to all history, vainly endeavoring to imagine unimagined

things, conjectured a state of nature, which he supposed never to have existed, endeavored to ascertain its laws, and finding not even light enough respecting them, to guide him in a simple enumeration of whole numbers, or in counting a majority, has at last arrived at the bold conclusion,—bold he himself seemed to consider it,—that there were no principles in government. We cannot Mr. Chairman, understand the gentleman from Northampton according to the literal import of his phrase. His own principles are too well settled,—his character and talents are too well known, and too highly esteemed, to allow us for a moment to believe, that he would deny to the science of government those elementary truths, which constitute its principles, without which all reasoning concerning it is destitute of foundation, and incapable of conducting us to any conclusions. He was betrayed into the language he has used, by an over anxiety to withdraw from his adversaries the aid of those settled doctrines, on which they have rested their argument, to persuade us that those doctrines are in re abstractions, and to bring the question in discussion to the test of expediency. Indeed he has told us, that every question of government, is a question of expediency,—and that every government should be constructed, not with reference to original principles, but with a sole view to the character and circumstances of the people, for whom it is ordained. Admit this doctrine of expediency, admit the propriety of conforming the government to the character and circumstances of the people,—and no one admits it more readily than I do,—yet it does not follow that there are no principles, by which to decide the question of expediency, none to aid in constructing the government,—so as to make it desirable to the people.—The plan of every building for the use of man, presents a question of expediency, on which the purposes for which it is destined, and the circumstances of the tenant, are to be duly considered;—but no wise man would disregard in its structure those principles of architecture, which belong to the humblest cottage, as well as to the loftiest temple. Is it more wise, by representing the principles of our government as metaphysical abstractions, furnishing no aid to the deliberations of the statesman, no safe guards to his conduct, to disparage those principles in our estimation, endanger disloyalty to the government which rests upon them, and confound all our political reasoning? This has not been the wisdom of ancient or of modern times. From the days of Plato, down to the period of the last Southern review, wise men have labored to establish the principles of government, to inculcate political truths to recommend them to the respect of mankind, and to place them in the hands of statesmen as guides to direct their measures, and as weapons to defend them. The author of Publicus, who had profoundly studied the principles and understood these truths, commenced his third number with the postulates, that "in discussions of every kind, there are certain primary truths, or first principles, on which all subsequent reasonings must depend."

For the primary truths, which b long to this discussion we can look no where, with so much propriety, as to that solemn act, which announces the doctrines of our revolution,—that "declaration of rights," which proclaims the principles pertaining to the government of a free people, and is made the "basis and foundation" of our laws.—This declaration Mr. Chairman, faithfully embodies the doctrines, which we venerate, which Mr. Jay has sworn to martyrdom, and to John Locke's imperishable fame. These distinguished men, inspired by the spirit of freedom, which the history of the English Government had infused into the people, and emboldened by the accessions which the rights of the people had gradually gained from the power of the crown, openly assailed the slavish doctrines by which the parasites of power had endeavored to defend the tyranny of the Stuarts, discerned and confuted the dogma of Sir Robert Filmer, which asserted the divine right of Kings, and traced the origin of government to its legitimate foundation, the will of the people, guided by the experience of their own government, enlightened by the history of all others, and above all, examining with the sagacity of wise men, the natural and unvarying relations, between the Governors and the governed,—they maintained those doctrines, which the Whigs in England partially recognised in their constitution, at the revolution of 1688, and which the American Statesmen made the basis of their Government, at the revolution of 1776.—Ought these doctrines to be treated as vain abstractions, metaphysical subtleties, visionary theories?—Ought they not to be acknowledged as solemn truths, confessed as the articles of our political faith,—made the standard of our political conduct?—Ought we not, as we regard the permanency of our institutions, to recommend them to the respect and veneration of the present generation, to the love and veneration of posterity? "To recall men to original maxims is generally recalling them to virtue,"—this is the language of a distinguished political orator, and is the language of truth, which does not require the support of authority.—The advocates for liberty, the friends of good government in all time, have endeavored to inculcate respect and reverence for principles, and have thought it wise to hold up high standards of excellence for the emulation of the people.—Plato's republic was not written with the vain hope that its perfection would be realized; but with a view to inspire a love of excellence, and create emulation. Cicero's work *De Republica* was written for the purpose, of recalling the Roman people to the fundamental principles of their government, and of recommending them to their affections and their reverence.—But it came too late to reform the degeneracy of the age, or to preserve the freedom or the glory of Rome. The celebrated Edmund Burke, who dreaded the contagion of French principles, and the leveling hand of French equality quite as much as any good republican can do,—who with so much eloquence and ability and prophetic talent, he traced the causes of the French revolution, deplored its unnecessary excesses, pointed out its errors, and indicated its dangerous tendencies, when he endeavored to lay the evil spirit of reform which was rising in England, and to warn his countrymen against the ruinous example which they seem disposed to imitate,—what did he appeal to, as most dear to Englishmen?—he appealed to "the word and spirit of that immortal law," the English declaration of right. It is to the word and spirit of our declaration of rights, to that law, which we should desire to make immortal, that in my humble judgment we should, at all times not only appeal, not only to guard us against the danger of headless reform, but to guard us in making a wholesome amendment.

We have been taught also, that the education of a people should also be conducted with reference to the principles of their government, in order that sentiments of loyalty may be sown in their early affections.—The same wisdom instructs us to mould the subordinate laws, in conformity to the fundamental law of the country. It is in the spirit of these lessons, that having adopted the republican form of government we have constantly inculcated the love of liberty, of virtue, of simple, unostentatious manners, and that, to prevent an injurious inequality in the fortunes and conditions of men, the laws have been passed which abolish entails, and the rights of primogeniture. The abolishing entails, which is coeval with our government, and prescribing the law of descent, which very quickly succeeded the state of the revolution, were not founded on any supposed injustice or intrinsic impropriety, in limiting the estate of the parent to his remotest descendants, or making the first born son, the exclusive heir, but were founded on reasons purely political, reasons which induced our ancestors to believe that however wise, however necessary in England, for the preservation of their government it might be, to preserve family distinctions and perpetual family wealth, such distinctions and such wealth were unsuited to a republican government, and that he laws for promoting them, would be, here, not less impracticable than unwise.

It is submitted to this committee whether all these considerations do not recommend to their most respectful attention, the principles which lie at the foundation of our government.—If they think so, I am hopeful they will not deem the time mispent, which shall be employed in further consideration of the bill of rights, where these principles are declared.—In performing

this duty I shall not follow the example of the judge who condemned Zedek to death, upon the evidence of the two fragments of his manuscript;—I shall not surrender the different parts of the same instrument, the text from the contemporaneous commentary, the declaration of rights, from the constitution based upon it at the same time, and by the same hands.

[TO BE CONTINUED.]

RICHMOND, VIRGINIA.
FRIDAY MORNING, DEC. 11, 1820.

The Convention met yesterday at the usual hour, and after having resolved on changing its place of sitting for the future to the Old Baptist church, went into a committee of the whole. Mr. Gordon in the chair. The report of the committee on the judiciary was taken under consideration, and the resolutions were discussed seriatim. Some amendments were offered which were rejected and some were accepted, as will be seen by a reference to the condensed report we publish of the proceedings. Thus the legislative, executive and judicial reports have been so far disposed of. Nothing now remains for consideration but the report of the committee on the bill of rights, the discussion of which, it is expected will not be much protracted,—except the all absorbing question of the basis of representation. Until this question shall have been settled, any thing said as to the termination of the proceedings of the Convention is mere speculation.

[We resume this day, after a suspension of nearly three weeks, (which has been unavoidable,) the Debate on the Basis of Representation. Mr. Johnson's speech will be concluded as soon as possible, and followed by Mr. Starnard's and Mr. Randolph's. We hope to give them in the regular order in which they were delivered.]

A letter received in this town yesterday, from Lieut. JOHN WHITE, at the Charleston Navy Yard, contains the following gratifying intelligence:—"I hasten to inform you, that I have just received a newspaper and slip from Mr. Green, editor of the New-England Gazette, in which he says he has just received a letter from his son Charles, a midshipman on board the Peacock at Pensacola, which says:—'The Peacock is going immediately to Tampico, to relieve the Hornet distressed.'—Balt. Rep.

Notwithstanding the above information, we much fear the Hornet and her gallant crew have been lost. The last information from her, according to our recollection, informed her being distressed in a gale of wind, while lying off the bar of Tampico, and of her having been seen afterwards in Tampico bay, erecting jury masts, and declining assistance. She had specie on board, and was expected to proceed to Pensacola or Norfolk. On her passage there, she must probably foundered. Up to the 5th Nov., the date of the latest advices from Vera Cruz, no intelligence had been received from her.

The packet ship Manchester arrived at New York on Sunday from Liverpool, whence she sailed on the morning of the 3d ult. bringing Liverpool papers of the 2d, and London of the 1st,—only a few hours later than previously received. They contain no news, nor any later intelligence from the Continent. The sales of Cotton at Liverpool continued to be large and the imports small, and some advance had taken place on the Corn Exchange.

Richard Harrison, the patriarch of the New York Bar, died on Monday morning at his residence near Greenwich.

The Kentucky Gazette announces that the Hon. THOMAS B. REYN, Senator from the State of Mississippi, died in Lexington on the morning of the 26th November.

Two hundred and twenty five thousand dollars, in specie, were received on the 6th inst. at the U. S. Bank in Philadelphia, from New York.

The Mail.—The transportation of the Mail in coaches, as this time, amounts to 6,507,818 miles in one year; and on the 1st of January next it will be increased to 6,785,810 miles. The whole yearly transportation of the mail, in coaches, sulkes, and on horseback, amounts to about 13,700,000 miles.

Pensioners.—A statement from the Pension Office presents the number of 12,201 Revolutionary Pensioners, and 3,794 invalid Pensioners. Of the former 401, and of the latter 41, have died during the year.—Nat. Jour.

PENSACOLA, Nov. 21.

The U. S. Sloop Florida arrived in this port on Wednesday afternoon. The Florida is employed under the command of Lt. Tattnall in surveying the Tortugas Islands. The Florida has been driven by stress of weather among the Chandelier Islands, and has been ashore four different times. The officers and crew have all been sick.

Arrival of the Shark.—The U. S. Schooner Shark, Lt. Commandant, Thomas T. Webb, arrived at this port yesterday from a cruise on the South side of Cuba. The Shark sailed hence on the 23d of August, and has been engaged in giving conveyance between Cape Cruz and Cape Antonio. They have heard of no piracies. The Officers and crew are all well.

BALTIMORE, Dec. 9.

The President's Message reached this city yesterday, by express, in a much shorter time than ever the route between the two cities has been travelled. The express rider of our enterprising Mail Contractors, Messrs Stockton and Stokes, despatched with the copies of the Message transmitted by the Post Master General, left Washington precisely at twenty-five minutes before one o'clock P. M. yesterday, and at five minutes after two o'clock the same rider was before the City Hotel in Baltimore, having performed the distance over a heavy road, in the incredibly short period of only ONE HOUR AND A HALF, or at the rate of twenty four miles an hour!! In order to accomplish this most extraordinary speed, eight horses were stationed at intervals along the road, and successively used as the rider came to them.

ANOTHER MAIL ROBBERY.

Baltimore, Dec. 8.—The Cumberland Advocate states that the stage containing the U S mail was attacked on Tuesday night last, near Frossburg, in Allegany County, Md. the mail was taken therefrom and carried into the woods some distance from the road, where it was found next morning by some gentlemen who went in pursuit of the robbers.

There was a large hole cut in the leather bag, but the canvass which contained the packages was uninjured.

THE Steamer POCAHONTAS, Captain JAC. PIERCE, Son's, will in future arrive here on Friday Evening, and depart on Sunday Morning at the usual hour, for Baltimore, via Norfolk.

THE Steamer NORFOLK, Captain HENDERSON, will arrive every Tuesday Evening, and leave the following Morning.

Nov 21-24-30

L. LUDLAM, Agent.

SALAD—500 very large and clean sacks, on board schr Ariadne, in the Dock, for sale by JES. J. RAY.

D. TIMBERLAKE.