

Mr. Troup thought the petition was calculated to convey an imputation of impropriety on the speaker. If such an imputation were intended, an opportunity of explaining the reasons of the complaint of ought promptly to be afforded to the speaker. This course would always be deemed right and just in case of any honorable member of the house; and he did not suppose the personal consequence and dignity of the speaker of less importance than those of an individual member. He therefore moved a reference of the petition to a committee of the whole.

Mr. Wright was opposed to any reference of the petition at all. It was a subject belonging peculiarly to the speaker himself to decide on. The words of the rule of the house were, "The speaker, by admitting stenographers wishing to take debates," &c. The admission of them was a mere indulgence, which the speaker might extend to such persons as he thought proper. It could not be the right of every Editor in the United States to send a stenographer into this house; and he believed the honorable speaker would feel no hesitation in declaring the motives which induced him to exclude the petitioner. Mr. Wright felt himself warranted, on this occasion, in making one or two remarks in relation to the paper for which this application had been made. He said that it had been in the practice of publishing a report of speeches on one side only. Who were the Editors of this paper? It was not known. They did not appear on the face of the paper. In a N. B. to a letter of Cobbett to the Prince Regent, he had declared that these men were in British pay; that the Federal Republican was edited under British influence. They had not thought proper to institute a suit against Potcupine by this charge. A similar charge had been made by the papers in this country. They had instituted a suit against one of them, "The American;" but, as he had been informed, had discontinued it. Mr. Speaker I recollect a speech of yours, which ought to have been recorded in letters of gold. It was sought after with anxiety; but it was not to be found in the Federal Republican, for whom this M. Richards then reported. Was this fair or impartial conduct? Mr. Wright censured the publications in that paper with great severity. He particularly adverted to an article, in which the Editors had recommended any man, whose letters had been opened by the American agent for carrels at Annapolis, to horsewhip the President for it. He also read a part of an article which appeared in the Federal Republican of this morning, in relation to the defence of Baltimore, and reproached it in strong terms. The nation would applaud the decision of the speaker on excluding this stenographer from the house. Every reporter could not be admitted; and if any were excluded, the stenographer for this paper ought.

Mr. Grosvenor said the petition which had been presented from Mr. Richards was a respectful one. He presumed that the party considerations which had been introduced into this discussion by the gentleman from Maryland, would have no weight on any honorable mind in deciding on this petition. The fairness and impartiality of this reporter had not been objected to. The Federal Republican had an extensive circulation; perhaps more so than any other paper in the United States. He understood that Mr. Richards reported for other papers. He thought therefore that his exclusion would be peculiarly injurious. As to this paper being under British pay, the gentleman had made the charge on the authority of Peter Porcupine, whom he would hardly have admitted to be good authority some years ago, when perhaps Cobbett had charged the gentleman, certainly he had charged other gentlemen, with being under French influence. He said that he did not mean to be led into any warmth on this occasion.

Mr. Hanson rose to speak; but the remoteness of his station from the reporter, & the frequent fall of his voice, prevented all his remarks from being distinctly heard. He said that although he was incapable of much personal or intellectual exertion at present, he felt himself constrained to speak on this occasion. To remain silent, while other gentlemen were made to bear the whip, would subject him to the charge of something more than delicacy. He protested against the proceedings in this case as arbitrary and partial; partial as it related to the individual who had petitioned; unjust as it respected a great section of people, who were accustomed to look to the Federal Republican as the only channel of information. He contended that there was room in the hall for more than four stenographers. Last year there were seven. He adverted to the rule of the house which declares that the speaker may admit stenographers. He said that of the four reporters now in the house, one only was a federalist; and, however respectable the individual (Mr. Snowden) he was only a nominal reporter, as he did not pretend to take down the debate. Sir, said he, you may banish the stenographers to the Carribbees, you may shut up every door and crevice of this house; but you cannot shut out the light of truth from this people. You might as well attempt to stop the course of the Potomack, to alter the laws of gravitation, to cause lead to ascend, and the sparks to fly downward, as to extinguish the light of truth. He believed that in this body there yet existed no unwritten laws, to dry up the fountains of intelligence. He remembered the celebrated Roman usurper, who, after he had crossed the Rubicon, tricking his way to the capital, to empire and dominion, was met on his way by a stubborn tribune, who remonstrated against Caesar's conduct. The usurper intimated to him that he was at his disposal, &c.—Mr. Hanson compared the language and conduct of Caesar to those of the majority at the present day. He said that the minority did not come here to be trampled on, to lay bare their heads to the buffets of the storm, while the majority were protected in all their privileges. If he could so far forget himself as to reply to the gentlemen from Maryland, (Mr. Wright) he would tell him that he knew already who were the editors of the paper to which he had alluded; but if he desired it, he could repossess himself of the information. As to the charge made by Cobbett, he pronounced it a calumny.

Mr. Wright said he had stated that the paper appeared to have no Editors; that Cobbett had told the Prince Regent that its putative Editors were in British pay. He had stated that he had been informed the "American" had charged them with being under British influence; that they had instituted a suit against the Editors of that paper, but had discontinued it. The gentleman (Mr. Hanson) could tell

whether the information was true or not. He had thought it his duty to state. If he had doubted the feelings of any gentleman, he knew where to seek the remedy. [The speaker called to order] He had not said whether he believed the charge; but he would now tell the gentleman that he did believe the Editors of the Federal Republican were under British influence; that the paper was corruptly published; and what he conscientiously believed, he was prepared to seal with his blood.

Mr. Hanson again rose, and applying some poetical lines to the gentleman from Maryland, accused him of dogmatical ignorance and sophistry. He said he had never read Cobbett's productions. The charge of British influence was false. It had been publicly retracted in Boston. He should never think of traveling to England or Baltimore for justice. This was the first and the last time he should have occasion to answer any thing that should fall from that gentleman (pointing to Mr. Wright).

On motion of Mr. Grundy, resolved into a committee of the whole, Mr. Nelson in the chair, on the petition of George Richards this day presented and referred.

The petition having been again read, Mr. Grosvenor moved the following resolution: "Resolved, That George Richards be admitted on the floor of this house as a stenographer, and that the speaker be requested to assign him a place thereon."

Mr. Clay (Speaker) after observing that, in his opinion, an importance had been given to this petition which did not well comport with the dignity of the house, stated the ground on which the decision had been made by him of which the petitioner complained; which was simply this: that in consequence of the recent alterations in the house, seats had been arranged for but four stenographers—and to those places he had assigned the applicants according to seniority; all of whom having been of longer standing than Mr. R. he had by this arrangement been excluded. If the house should deem it proper to admit others than those now on the floor, he hoped they would designate the stations they should occupy, &c.

Mr. Gaston said, he was one of those who had voted for a reference of Mr. Richards's petition to a committee of the whole. He deemed the subject deserving of every attention, because it was intimately connected with the first principles of a republican government, freedom of discussion and publicity of proceedings. He had also been desirous to afford the speaker an opportunity of explaining the motives which had governed his decision. He had not believed that these motives were of the kind which had been confidently anticipated by a political friend of the speaker's, in his vehement opposition to the reference. He had not supposed it possible, that the speaker of the House of Representatives could lend himself, in his official capacity, to the suppression of an obnoxious paper. He rejoiced to find that his opinion in this respect was well founded.

The speaker has explicitly informed us, that his determination was influenced solely by a regard for the convenience of the house. The motive was assuredly correct, and if the opinion to which it led varied from that of the committee, this variance should excite no surprise, nor should a decision on their part favorable to Mr. Richards, be viewed as overruling or implicating the decision of the chair. Charged with the responsibility of superintending the convenience of the house, it was natural for the speaker to lean, he ought to lean, to the side of those whose accommodation it was his province to consult. But when a direct application is made to the members themselves, a scrupulous apprehension of possible inconvenience cannot operate. In the chair, it is a proper and becoming sentiment—in the members themselves it would evince an overbearing selfishness, neither liberal nor dignified. An objection had been intimated by the gentleman from South Carolina, (Mr. Calhoun) though it had not been pressed, that the applicant in the technical sense of the word, was not a stenographer. Mr. G. understood that Mr. Richards did not write short hand. He made brief notes of the remarks of gentlemen, which enabled him afterwards, by the assistance of his memory to write out their speeches entire. In this he had shown an accuracy which gentlemen on all sides had highly commended. But Mr. Richards comes as completely within the letter of the rule, as three out of four of the reporters already on the floor, for but one of them it is understood writes short hand; and as completely within the spirit of the rule as any of them.

The object is to report correctly the debates of the house, and it cannot be material whether that object be effected by an abridgment of each word, or by an abridgment of the sentences of the speaker. Did the illustrious Dr. Johnson, report the debates of the British parliament with less ability or less correctness, because he did not write short hand? Would we refuse to him, if now an applicant, the permission granted to those we see in the boxes, because he was not a stenographer?

Mr. G. hoped that the session would commence with an act of liberality on the part of the majority, which he could not but believe would have an auspicious effect on the future proceedings of the house. Majorities are frequently tempted to exercise their power with a high hand. Minorities always suspect them of a disposition to oppress. A jealousy on this head will exist, often an unfounded jealousy. Let it be removed early by a course of conciliation, and a different sentiment is inspired. Forbearance on one hand, will inspire courtesy on the other, and although differences and important differences would yet remain, yet a spirit of generous contest will forbid all unnecessary altercation or wretched opposition. On his feelings he was certain such an impression would be made, and he could not but believe it would also be made on those of the gentlemen with whom he was accustomed to act.

Mr. Roberts regretted that this subject should have been agitated as it would produce irritation.—The necessity for limitation was apparent. Gentlemen wished to resort to the fire in the winter time, which was the ordinary time of their session; for many of their seats were not tenable by the most robust constitutions when the weather was intense. Their conversations there would be overheard by the reporter, and they might expect to see it published the next day in the Gazette. The convenience of the house had to be consulted. This required that there should be a limitation. His opinion was, that the reporters should be confined to the galleries altogether; this was the practice in England, where their privileges were so limited as to prevent them from using pen and ink. That

reporters were still admitted within the area of the house was a matter of courtesy and indulgence.

Mr. Eppes was willing to extend the same privileges to Mr. Richards that others enjoyed, and if there was not sufficient room he was disposed to make a provision for his accommodation. But if we proceeded according to the resolution of the gentleman from New-York, the house might be called up every day to decide on the case of a second Mr. Richards. His wish in favor of a general extension of this privilege. He did not wish to reveal his sentiments and opinions from the world, he would rather court investigation than shrink from it, and so he presumed would every honest man.—He therefore moved the following:

Resolved, That accommodation be made for additional stenographers on the floor of this house.

Mr. Grosvenor acquiesced in this resolution.

Mr. Ingersoll did not suppose this morning that the present subject would have taken the defeated course it has taken. He had not therefore paid much attention to the discussion. His indisposition to inculcate the decision of the speaker on the one hand, and to impair the claim of the petitioner or the minority on the other, induced him to wish the subject to be postponed for consideration. He moved that it lie on the table.—Negatived.

Mr. Grosvenor moved its indefinite postponement.

Mr. Grosvenor opposed it warmly.—Negatived.

Mr. Roberts moved that the house adjourn.—Lost, 63 to 93.

The question to lie on the table was put and lost, 66.

The question to postpone it indefinitely was put and lost, 71 to 91.

The question to adjoin was renewed and lost—Ayes 66.

The question then recurred upon the amendment to insert two, which was lost.

Mr. Bibb moved to amend the resolution by making it to read two additional reporters on the floor or elsewhere. This would be complying with the language of the rules of the house.

Mr. Gaston wished the gentleman would withdraw or modify his motion so as not to prescribe the place.

Mr. Bibb modified by striking out the words "on the floor or elsewhere," but he said he felt it necessary to state he should vote against the resolution in any shape; but if it passed he wished it made as perfect as possible.

Mr. Roberts moved to amend by inserting in the galleries.

Mr. Mason opposed this amendment as it would make a difference between the stenographers; some would be admitted within the area of the hall while others would be placed in the gallery.—He wished them all to be placed on the same footing.

Mr. Roberts explained this to be his intention, &c. Mr. Calhoun moved to adjourn.—Carried 84 to 82—3 o'clock.

Tuesday, June 1.

The case of George Richards was again brought up. Mr. Bibb's amendment was put and lost, 70 to 75.

Mr. Stockton of (New Jersey) moved to strike out "additional stenographers" and insert "additional accommodation be made in the gallery for stenographers."

Mr. Bibb moved to strike out the whole of the resolution from the word resolved, and insert "that the prayer of the petitioner ought not to be granted."

Mr. Calhoun spoke with some warmth against the petition, urging that the speaker was not to be reduced to the level of the petitioner—that he claimed a seat as a matter of right—whence these high pretensions—he had been excluded by an arrangement of the speaker, as if he had a right to be admitted, he denied the qualifications of Mr. Richards as a stenographer, upon the score of ability and impartiality.

Mr. Gaston said he rose with reluctance, to claim the attention of the house. He was sensible that the discussion had been prolonged until it became fatiguing. He was unwilling also to be necessary in bringing down upon the house a repetition of the sentence, which a self-created censor had pronounced against them, of having "lost a day." But he was disposed to examine the train of argument which had been pursued by the gentleman from South Carolina, with an ingenuity and a plausibility which rendered it deserving of notice. He had listened to the gentleman with attention, with freedom from bias—but certainly not conviction. A fallacy pervaded the whole of his argument. It was to be found in every of his premises, and necessarily led to error in his conclusion.

It is assumed by the gentleman, as a first principle, that the speaker of this House is irresponsible except for wrongs done to the members of this house. This is not the gentleman's language, but it is clearly his meaning. Whence is this position derived? That the speaker is not accountable to any other tribunal than this house for wrongs committed as speaker, is indeed true. But where is the principle to be found, which restricts his accountability to wrongs committed on the members? If in the exercise of a discretionary authority confided to him by the house, the speaker errs, and the consequence is inconvenience or injury to any individual of the nation, high or low, private or public, it is an obvious dictate of justice, that if the house should hasten to redress the injury to remove the inconvenience resulting from this error. The speaker is their agent—their organ. His acts are to be deemed theirs. Whenever those acts are disapproved of, the house will, and ought, to disavow them. But how is it become necessary to enquire into this doctrine? There is nothing in the resolution now before us, and which the gentleman from Georgia proposes to amend, that calls for such a discussion. Without enquiring whether the decision of the speaker be right or wrong, without pronouncing an opinion on the individual case of Mr. Richards, it directs that arrangements shall be made for the accommodation of additional stenographers. By such a resolution the difficulties of the speaker will be removed and the case of Mr. Richards again submitted to him, after the removal of those difficulties.

But, says the hon. gentleman, this resolution, growing out of the petition of Mr. Richards, is substantially a compliance with that petition, and an adherence that the speaker has done him wrong as he complains. Here, it seems to me, the gentleman errs in point of fact. Mr. Richards states the facts of his case, simply and truly, without the allegation of a wrong being committed by the speaker. The mistake of the gentleman in this respect, seems to be entirely founded on an over-strained and erroneous construction of the word "exclude." Surely the gentleman has not exercised in this particular his usual critical acumen. Neither in common language, nor in strict etymology does the word exclude, imply the idea of previous possession. Are not strangers excluded from the floor of this hall? Yet is it thence to be inferred that they ever had possession of it? No, sir, we exclude, when we inhibit entrance,—when we shut out,—when we refuse admittance. We expel when we drive out of possession. Nor does Mr. Richards represent the use of this floor as a right to which he is entitled, but expressly as a privilege, which was accorded at the last session, and which he prays may be renewed at this. There is not, sir, to my apprehension, any thing in the petition of Mr. Richards, which can shock the most fastidious delicacy—the most scrupulous regard for the dignity of the chair.—These are the simple facts of the case. Under an or-

* Alluding to a remark in the National Intelligencer that Congress in discussing this question "had lost a day."

der of the house directing stenographers to be admitted by the speaker which can be done without inconvenience, the petitioner made application to be received as such. This application was rejected because, as the speaker informs us, the boxes erected could accommodate but four, and the four admitted had prior claims. The committee of the whole recommended additional boxes that more might be accommodated; and in this we must not accede, because it will inaugurate a doubt, whether the speaker was right in the opinion, that the boxes erected could accommodate but four! This inference may with some appearance be fairly deduced, but in my judgment it is any thing but logical.

After a long debate the question to strike out was put and carried 83 to 75.

The question to insert Mr. Bibb's amendment was then put and carried, 88 to 72.

On motion of Mr. Robertson, Resolved, That a committee be appointed to enquire into the expediency of establishing a district court in the Mississippi territory, and that the said committee have leave to report by bill or otherwise.

Wednesday, June 2.

A few petitions of a private nature were presented and referred. And the House adjourned after a few minutes sitting, no reports having been prepared by the committees now engaged in digesting and maturing business for the House.

Thursday, June 3.

The speaker laid before the house a letter from Wm. Jones, Acting Secretary of the Treasury, transmitting the Treasury Report. The report was read and referred to the committee of Ways and Means. [Report in our next.]

THE JUDICIARY.

Mr. John G. Jackson called up the resolution which he submitted for consideration a day or two ago, in the following words:

Resolved, That the following be added to the standing rules and orders of the House: An additional standing committee shall be appointed, at the commencement of each session, viz. a committee on the judiciary, to consist of seven members. It shall be the duty of the said committee to take into consideration all such petitions and matters, or things, touching judicial proceedings, as shall be presented or may come in question and be referred to them by the House, and to report their opinion thereupon, together with such propositions relative thereto as to them shall seem expedient.

No opposition being made to the motion, it was adopted without a division.

Mr. Fisk, from the committee of Elections, made a report on the petition of Burwell Bassett, contesting the election of Thomas M. Bayley; concluding with the following resolution:

Resolved, That five weeks be allowed to the parties to procure testimony relative to the election, and that the committee of Election have power to examine testimony and make order relative thereto. Agreed to.

Mr. Nelson, after a few remarks, expressive of his expectation that some other gentleman would have offered a resolution to this effect, offered the following:

Resolved, That for disseminating information among the good people of the U. States, it is expedient to admit stenographers into the House of Representatives, and that the speaker of this House do cause other seats to be provided for such additional stenographers as may be admitted according to the standing rules and orders of this House.

After some conversation, this resolution was, on motion of Mr. Alston, referred to a select committee, with instructions to enquire into the expediency of amending the rules and orders of the House in this respect. And the House adjourned.

Friday, June 4.

Several petitions in the nature of claims, and others of a private nature, were presented and referred.

Mr. Fisk from the committee of Elections, made a report on the memorial of Wm. Kelly, contesting the election of Thomas K. Harris, a sitting member from Tennessee, which was referred to a committee of the whole.

COMPENSATION TO VOLUNTEERS, &c.

Mr. Sharp offered for consideration the following resolution:

Resolved, That a committee be appointed to enquire what provision ought to be made for the compensation of the mounted riflemen who were called into service from the state of Kentucky in 1812, and that the committee be authorized to report by bill or otherwise.

Mr. Grundy moved that this subject be referred to the Military Committee.

Mr. Sharp consented that his motion should take that course.

Mr. Goldsborough hoped the gentleman would so modify his motion as to make the enquiry general.

Mr. Sharp having declined to connect his motion with any other question, with the merits of which he was not acquainted—

Mr. Goldsborough moved to amend the motion by adding, after the words "1812" the following: "And also for defraying the expenses of the Militia called out under the same authorities for the defence of the country against the incursions of the enemy."

The amendment, proposed by Mr. Goldsborough was agreed to by the house; and also another amendment by Mr. Jennings to add the words "and the territorial before the word 'governments.'"

The resolution, as amended, was then adopted, *near* *con*

IN SENATE.

Tuesday, June 1.

Mr. Smith of Maryland, introduced a bill to amend the act to provide for calling forth the militia to execute the laws of the Union, &c. and the bill was twice read and referred to Messrs. Smith, Worthington, Varnum, Taylor and Dana.

Wednesday, June 2.

Mr. Lacock, from a select committee, reported a bill supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization, which was read and passed to a third reading.

Thursday, June 3.

The Senate were principally occupied to-day on Executive business.

Mr. Smith reported the militia bill with amendments. The amendatory naturalization law was read a second time.



Foreign.

LATEST FROM ENGLAND.

Newport, May 28.—Arrived at this port this morning the brig Brazilian, Capt. Hodgkinson, days from Liverpool, who has politely favored the editors of the Mercury with London papers to April 20, Liverpool to April 25d (fourteen days test) and Lloyd's lists to April 20, from which we have extracted every article of consequence. The expedition for America, with 2000 men on board, sailed from Plymouth about the 15th of April. The exchange of prisoners between this country and England had been entirely suspended by order from the British government. The following article on this subject is from the London Standard of April 12th.—"Saturday the American