

THE STAR

And North-Carolina Gazette.

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CONGRESS.

SENATE.

Monday, Feb. 7.

The engrossed bill for the Suppression of Piracy in the West Indies...

Tuesday, Feb. 8.

ELECTION OF PRESIDENT, &c. The Committee on the part of the Senate...

Resolved, That the two Houses shall assemble in the Chamber of the House of Representatives...

Mr. Eaton then moved to add the following as an amendment: If any objection shall arise to the vote of any state...

The question was taken on his amendment and negatived without a division...

Mr. Taxewell was appointed Teller on the part of the Senate.

Thursday, Feb. 10.

JUDICIAL SYSTEM OF THE U. STATES. The Senate proceeded, as in committee of the whole...

Amendments were offered to the bill by Messrs. Barbour and Kelly...

On motion of Mr. Johnson, of Kentucky...

The further consideration of the bill was postponed until to-morrow.

Friday, Feb. 11.

Mr. Dickerson presented a petition from Thomas Cooper, of South Carolina...

The petition was, on motion of Mr. Dickerson, ordered to be referred to a select committee...

Resolved, That the President of the United States be requested to cause to be transmitted to John C. Calhoun...

It is known that the Senate and House of Representatives of the United States of America...

the United States, whereupon it appeared that John C. Calhoun of South Carolina had a majority of the votes...

And that the President of the Senate do cause the certificate aforesaid to be laid before the President of the United States...

On motion of Mr. King, of Alabama, the resolution was forthwith considered, and agreed to.

TOPOGRAPHICAL SURVEYS.

The Senate, on motion of Mr. Smith, took up the bill making appropriations for the Military Service for the year 1825.

The Committee of the Senate recommended striking out of the appropriation of 28,567 dollars to defray the expense of continuing surveys for Internal Improvements.

This motion gave rise to a debate of considerable duration, which ended in a rejection of the motion.

HOUSE OF REPRESENTATIVES.

Monday, Feb. 7.

Mr. Cooke, from the Committee on Indian Affairs, reported a bill for the preservation and civilization of the Indian tribes within the United States...

Mr. Stewart, from the Committee on Roads and Canals, reported a bill authorizing a subscription of stock in the Daniel Swamp Canal Company...

Mr. Poinsett of S. C. offered the following resolutions, which were ordered to lie on the table and be printed:

Resolved, That an immediate representation ought to be made to the Captain General of Cuba, setting forth the losses and injuries inflicted upon the property and persons of the citizens of the United States...

Resolved, That if the Captain General should refuse or delay to adopt such measures, the President of the U. States ought to concert with the maritime powers interested in the commerce of the West Indies...

ELECTION OF PRESIDENT.

The House then went into committee of the whole on the State of the Union, and resumed the consideration of the rules reported by a committee to be observed by the House in conducting the election of the President.

And the question being on striking out the last clause of the third rule, which provides that the galleries may be cleared at the request of the delegation of any one state...

Mr. Mangum, of North Carolina, who had the floor, (having suspended his remarks, when the committee rose on Thursday last), addressed the House in conclusion of his views on the subject.

He was followed by Mr. J. S. Barbour, in reply.

Mr. McLane, succeeded, in defence of his first position, &c.

Mr. Webster, alluding to the shortness of the time for making the arrangements for conducting the election of a President, and desirous to put an end to a debate which, in reality, had no relevancy to the question before the House...

The committee then rose, without opposition.

On motion of Mr. Cooke, the committee of the whole on the State of the Union were discharged from the further consideration of the rules referred to it; and they were laid on the table.

They were then taken up, and read in order. The first rule is in the following words: In the event of its appearing, on opening all the certificates, and counting the votes given by the Electors of the several states for President, that no person has a majority of the votes of the whole number of Electors appointed, and the result shall have been declared, the same shall be entered on the Journals of this House.

This rule, having been read, was agreed to.

The second rule, on motion of Mr. Bassett, was amended, by inserting, after the word House, the words "by states," and, thus amended, it reads as follows:

2d. The roll of the House, by States, shall then be called, and, on its appearing that a member or members form two-thirds of the state were present, the House shall immediately proceed, by ballot, to choose a President, from the persons having the highest numbers, not exceeding three, in the list of those voted for as President, and to cause neither

of those persons shall receive the votes of a majority of all the states on the first ballot, the House shall continue to ballot for a President, without interruption by other business, until a President be chosen.

And thus amended, it was agreed to. The third rule having been read, a motion was made to strike out the last clause, which orders the galleries to be cleared at the request of the delegation of any one state.

On this question Mr. McDuffie rose, and had proceeded some time in replying to observations made in committee of the whole—when he was called to order by Mr. Webster, in a friendly manner, on the ground that it was not in order to reply, in the House, to speeches made in committee of the whole.

The Speaker decided that the observations of Mr. McDuffie were not in order, on the ground stated, and that they were not in order for another reason, viz. that the whole scope of the Debate was irrelevant to the question actually before the House.

The question was then put on the amendment, and carried.

Mr. Wright moved further to amend the rule, by inserting, after the word "Senators," the word "Senators," which was carried.

And the rule, as amended, was adopted, and read, as follows:

3d. The doors of the Hall shall be closed during the balloting, except against Members of the Senate, Stenographers, and the Officers of the House.

The fourth rule was then read, and adopted, as follows:

4th. From the commencement of the balloting until an election is made, no proposition to adjourn shall be received, unless, on the motion of one state, seconded by another state, and the question shall be decided by states. The same rule shall be observed in regard to any motion to change the usual hour for the meeting of the House.

The fifth rule was then read, in the words following:

5th. In balloting, the following mode shall be observed, to wit:

The Representatives of each shall be arranged and seated together, beginning with the seats at the right hand of the Speaker's Chair, with the Members from the state of Maine; thence, proceeding with the Members from the states in the order the states are usually named for receiving petitions, around the Hall of the House, until all are seated.

A ballot box shall be provided for each State;

The Representatives of each state shall, in the first instance, ballot among themselves, in order to ascertain the vote of their state, and they may, if necessary, appoint tellers of their ballots;

After the vote of each State is ascertained, duplicates thereof shall be made out, and, in case any one of the persons from whom the choice is to be made, shall receive a majority of the votes given, on any one balloting, by the Representatives of a State, the name of that person shall be written on each of the duplicates; and, in case the votes so given shall be divided, so that neither of said persons shall have a majority of the whole number of votes given by such state on any one balloting, then the word "divided" shall be written on each duplicate;

After the delegation from each State shall have ascertained the vote of their State, the Clerk shall name the States in the order they are usually named for receiving petitions; and, as the name of each is called, the Sergeant-at-Arms shall present to the Delegation of each two ballot boxes, in each of which shall be deposited, by some representative of the State, one of the duplicates made as aforesaid, of the vote of said state, in the presence, and subject to the examination, of all the members from said State then present; and, where there is more than one Representative from a State, the duplicates shall not both be deposited by the same person.

When the votes of the states are thus all taken in, the Sergeant-at-Arms shall carry one of the said ballot boxes to one table, and the other to a separate and distinct table.

One person from each state, represented in the balloting, shall be appointed by its Representatives to tell off said ballots; but, in case the Representatives fail to appoint a teller, the Speaker shall appoint.

The said Tellers shall divide themselves into two sets, as nearly equal in number as can be, and one of the said sets of Tellers shall proceed to count the votes in one of said boxes, and the other set the votes in the other box.

When the votes are counted by the different sets of Tellers, the result shall be reported to the House, and if the Reports agree, the same shall be accepted as the true votes of the states; but, if

the reports disagree, the states shall proceed, in the same manner as before, to a new ballot.

Mr. Hamilton offered an amendment to this rule, which was rejected.

And the rule, as above stated, was agreed to.

The remaining rules were then successively read, and adopted, as follows:

6th. All questions arising after the balloting commences, requiring the decision of the House, which shall be decided by the House voting per capita, to be incidental to the power of choosing a President, shall be decided by States, without debate; and, in case of an equal division of the votes of States, the question shall be lost.

7th. When either of the persons from whom the choice is to be made, shall have received a majority of all the States, the speaker shall declare the same; and that that person is elected President of the United States.

8th. The result shall be immediately communicated to the Senate by Message; and a Committee of three persons shall be appointed to inform the President of the United States, and the President elect, of said election.

Tuesday, Feb. 8.

Mr. Taylor, from the Joint Committee appointed to consider the mode of counting the votes for President and Vice President of the United States, made a report, in part, which was read.

[The report is the same as that stated above in the Senate Proceedings.]

The House agreed to the resolutions reported, and Mr. P. P. Barbour and Mr. Taylor, were appointed Tellers according thereto.

On motion of Mr. McLane, of Delaware, the House went into committee of the whole, Mr. A. Stevenson in the chair, on the bill making additional appropriations for the military service of the United States for the year 1825—the bill for the erection of Fortifications—and for the purchase of books for the Library of Congress.

After considerable discussion, those bills were severally ordered to be engrossed for a third reading.

A bill from the Senate for the suppression of Piracy in the West Indies, was twice read, and referred to a committee of the whole.

Wednesday, Feb. 9.

On motion of Mr. Outlaw, of N. C. it was Resolved, That the committee on the Post Office and Post Roads be directed to inquire into the expediency of establishing a post route from Windsor to Newbern, in the state of North Carolina.

Mr. Bartlett, of N. H. offered the following: Resolved, That it is expedient to furnish merchant vessels in the West India trade with arms and accoutrements for the employment of officers and marines on board the same, for the destruction or capture of pirates.

On motion of Mr. Bartlett, the resolution was referred to a committee of the whole.

The following engrossed bills—An act making an appropriation for the purchase of books for the Library of Congress, and for other purposes; an act making an appropriation for certain fortifications of the United States for the year 1825; an act to authorize the sale of a section of land therein mentioned; were read a third time, passed, and sent to the Senate.

THE INVESTIGATING COMMITTEE.

Mr. P. P. Barbour, from the select committee on that subject, made the following report:

The select committee, to which was referred the communication of the Speaker, of the 3d inst. report:

That upon their first meeting, with a view to execute the duty imposed upon them by the House, they directed their chairman to address a letter to the Hon. George Kremer, informing him that they would be ready, at a particular time, therein stated, to receive any evidence or explanation he might have to offer, touching the charges referred to in the communication of the Speaker, of the 3d inst. Their chairman, in conformity with this instruction, did address such a letter to Mr. Kremer, who replied that he would make a communication to the committee; accordingly, he did send to them, through their chairman, a communication, which accompanies this report, marked A, in which he declines to appear before them, for either of the purposes mentioned in their letter, alleging that he could not do so, without appearing either as an accuser or a witness, both of which he protests against. In this posture of the case, the committee can take no further steps. They are aware that it is competent to the House to invest them with power to send for persons and papers, and by that means, to enable them to make any investigation which might be thought necessary; and if they knew any reason for such investigation, they would have asked to be clothed with the proper power; but not having themselves any such knowledge, they have declined to be their duty only to lay before the House, the communication which they have received,

A—GEO. KREMER'S LETTER.

GEORGE KREMER. I have received your letter of yesterday, in which you inform me that you will meet at 10 o'clock this morning, and will then be ready to receive any evidence, or explanation, I may have to offer, touching the charges referred to in the communication of the Speaker, of the 3d inst. Placed under circumstances unprecedented, and which I believe not only interesting to myself, but important, as connected with the fundamental principles of our Government, I have reflected, with much deliberation, on the course which duty to myself, and my constituents, required me to adopt. The result of this reflection is, that I cannot, consistently with a proper regard to those duties, assent to place myself before your committee, in either of the attitudes indicated in your note. The object of the committee does not distinctly appear from your note, but I may infer from its contents, connected with the extraordinary and unprecedented proceedings in this case, that it is to hold me responsible, through a committee of the House of Representatives, for a letter, dated 25th January last, addressed to the Editor of the Columbian Observer, and published in his paper of the 28th, which was intended to communicate through that channel, information which I deemed interesting to my constituents, and very important to be known to the whole American people at this peculiar crisis. Thus viewing the subject, I cannot perceive any principle of power in the Constitution, which can give the House of Representatives, and, consequently, a committee created by it, jurisdiction over me as the writer of that letter; it neither involves a question of contempt of the House, nor an impeachment of an officer of the Government under the Constitution; and I can discern no authority by which the House can assume jurisdiction in such a case. As the authority of the House extended to acts of this kind, no limitation could be prescribed to its power, and it may reach the publisher as well as the writer, and extend to every member of the Government, as well as the Speaker of the House of Representatives. But it is not only the constitutionality of the power which forbids me from appearing before you, placed as I am, I cannot but perceive the dangerous consequences, as well as its unconstitutional character.

Should I yield to such authority, I would be made amenable to a tribunal, which, thus constituted, has no prescribed limitation to its rules of proceeding, and which is alike unlimited in the nature and extent of the punishment it may inflict;—nor can I be ignorant of the fact, that this body, thus unlimited in its rules, and in the extent of its powers, is at all times, but more especially at a crisis like the present, subject by its very constitution and the nature of its functions, to be acted upon by some of the most powerful passions that actuate the human breast, which unfit it to perform in that cool and deliberate manner, the duties which properly belong to a court and jury. If it should be considered as proper that members be held responsible here for the communication of their opinions on the House, on public men and public Affairs, it would be much more safe that they should be placed at once under the operation of the strict law, and, so far as the members of the House are concerned, the repeal of that famous law might be considered as a calamity, rather than a blessing. Thus regarding the constitutional power of the House, and the nature of that which is proposed to be exercised in my case, I have determined, under a deep sense of duty to myself and my constituents, not to submit to a procedure fraught with such dangerous consequences. I therefore protest most solemnly against the assumption of jurisdiction, either by the committee of the House of Representatives, or that shall jeopardize my right to communicate freely to my constituents whatever I may believe necessary for the public good. It is not my intention, in the slightest degree, to impeach the character either of the Committee or the House, for which I have the greatest respect, and which I have the authority of which, within its constitutional sphere, I regard it my duty and my duty to sustain. In refusing to submit to the authority of the House, as the writer of the letter before alluded to, it may be proper to remark, in explanation of the admission which I may seem to have made of its jurisdiction. Whatever would I may have given, was done privately, relying on the common rectitude of my conduct, and regarding my constituents without having reflected duly on the constitutional principles involved in the proceeding, and caring little for the consequences as a writer of the said communication which they have received,