

Wednesday, March 29.

The Senate proceeded to the consideration of the bill from the House, to provide for "the employment of an additional Naval force," (which had been reported this day, by the committee of Naval Affairs, without amendment.) After a short debate, the bill was passed to its third reading.

Thursday, March 30.

On motion of Mr. Branch, the Senate then proceeded to the consideration of the resolution submitted by him, protesting against the competency of the President of the United States to have appointed Ministers to the Congress of Panama, without the advice and consent of the Senate.

Mr. Branch delivered his reasons at large in support of the resolution; and Mr. Randolph addressed the Senate nearly two hours on the subject; after which, Mr. Branch varied his motion to the following form:

The President of the United States, in his opening Message at the commencement of the present session, informed Congress that invitations to this Government to attend and take part in the deliberations at the Congress of Panama had been given and accepted, and that Ministers on the part of the United States would be commissioned: And, having further, in his Executive communication to the Senate of the 25th of December last, accompanying the nomination of Richard C. Anderson, of Kentucky, and John Sergeant, of Pennsylvania, to be Envoys Extraordinary and Ministers Plenipotentiary to the assembly of American Nations at Panama, and William B. Rochester, of New York, to be Secretary of the Mission, thus expressed himself: "Although this measure was deemed to be within the constitutional competency of this Executive, I have not thought proper to take any step in it before ascertaining that my opinion of its expediency will concur with both branches of the Legislature," &c. Therefore:

Resolved, That, in the opinion of the Senate, the proposed measure was not within the constitutional competency of the Executive. And, also, Resolved, As the opinion of the Senate, that, inasmuch as the claim of power thus set up by the Executive, might, if suffered to pass unnoticed by the Senate, be hereafter relied upon to justify the exercise of a similar power, they owe it to themselves, and to the States they represent, to protest and they do hereby, solemnly but respectfully protest against the same.

On motion of Mr. Mills, the resolution was postponed to, and made the order of the day for Monday next.

The bill from the House of Representatives to provide for the employment of an additional Naval force, was read the third time, passed, and returned to the other House.

The engrossed joint resolution proposing to amend the Constitution of the United States so as to render any person ineligible for the Presidency after a second term, was read the third time, and postponed until to-morrow.

Friday, March 31.

The Senate, at an early hour, proceeded to the consideration of Executive business, and remained with closed doors till four o'clock; and then adjourned to Monday.

HOUSE OF REPRESENTATIVES.

Friday, March 24.

Mr. McLane, from the committee of Ways & Means, reported a bill "making appropriations for carrying into effect the appointment of a Mission at the Congress of Panama;" which was twice read, and committed to a committee of the whole on the state of the Union.

Mr. Crowninshield, from the Committee on Foreign Relations, made a report on the message of the President of the United States, of the 15th inst. in relation to the invitations given to the United States, from the Republics of Colombia and Central America, and Mexico to be represented at the Congress about to be held at Panama. The Report concludes with the following resolution:

Resolved, That, in the opinion of the House, it is expedient to appropriate the funds necessary to enable the President of the United States to send Ministers to the Congress of Panama.

The report was committed to a committee of the whole on the state of the Union.

Mr. Wickliffe, of Kentucky, moved the following:

Resolved, That the Committee on Foreign Relations be instructed to inquire, and report to this House, upon what authority, if any, the Minister of the United States to the Mexican Republic, in his official character, declared to the Plenipotentiary of that Government that "the United States have pledged themselves not to permit any other Power (than Spain) to interfere either with their (the South American Republics) independence, or form of Government; and that, in the event of such an attempt being made by the Powers of Europe, we (the United States) would be compelled to take the most efficient and active part, and to bear the brunt of the contest."

Mr. Wickliffe said that he should at present do no more than explain the object of the resolution he had submitted; he would do it without reference to any question before the House touching the condition of the South American Republics; he would do it at any other time as readily as at the present; but he thought the Representatives of the People were now called upon to say whether any such authority had been given to our Ministers abroad, and, if it had not, whether it ought to be given. The Members of the House must have observed, from the documents laid on their tables, that our Minister near the Government of Mexico had said, in his diplomatic intercourse with that Government, that the Government of the U. States was pledged to make common cause with that Republic if any other

power than Spain should attempt to interfere in the question of its independence. Mr. W. considered this declaration as involving a question of weighty import to the People of the United States; and Mr. W. said that he, as one of that People, wished that question not to be decided upon before the crisis to which it alluded should actually arrive. In the mean time he did not wish that the declaration of an official organ of this Government should induce others to believe that such pledges had been given, unless that was actually the fact. That such an opinion had gone abroad, and that it was held by some of the South American Governments, the documents conclusively proved. During the last year a call was made by the Mexican Government upon that of the United States, to be prepared to redeem its pledge, a French fleet having then recently entered the West India seas. It is said, by others, that the declaration of our Minister is an assurance of the Cabinet here. If such is the fact, it is high time it should be known and understood in this country. The only authority for this suggestion with which he was acquainted, Mr. W. observed, was a passage in a message of the late President of the United States to Congress—but he did not conceive that that communication would warrant our Minister to say that any pledge had been given by the United States. He recollected that, at the same session, a resolution was introduced by a distinguished member of this House, (now no longer a member) which seemed to respond to the sentiments of the Executive; but he believed the resolution was never called up, nor acted on, by the Congress of the United States. If there existed any other evidence of such a pledge as that referred to by our Minister to Mexico, Mr. W. said he was unapprised of it, and he should like that the State Department should let the House know what was the true state of the case.

Before the resolution was disposed of, the House proceeded to the unfinished business on the table.

Monday, March 27.

The resolution offered by Mr. Wickliffe, came up for consideration as the unfinished business of Saturday morning. The resolution was amended so as to read as follows, and adopted:

Resolved, That the President of the United States be requested to transmit to this House a copy of such parts of the answer of the Secretary of State to Mr. Poinsett's letter to Mr. Clay, dated Mexico, 28th September, 1825, and numbered 22, as relate to the pledge of the U. States, therein mentioned; and also to inform this House whether the U. States have, in any manner, made any pledge to the Governments of Mexico and South America, that the United States would not permit the interference of any foreign power with the independence or form of government of those nations; and, if so, when, in what manner, and to what extent?

And also to communicate to this House a copy of the communication from our Minister at Mexico, in which he informed the Government of the United States that the Mexican Government called upon this Government to fulfil the memorable pledge, &c.

The only other subject of interest which occupied the attention of the House to day, was the bill to provide for the maintenance of an additional naval force, with a view to the protection of our commerce in the Brazilian and Buenos Ayrean War; which after a short debate, was ordered to be engrossed for a third reading.

Tuesday, March 28.

Mr. Mercer, from the committee on the Suppression of the Slave Trade, submitted the following:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the act of Congress, entitled "An act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," as to extend the punishment of forgery to all cases wherein any attempt shall be made by counterfeiting, or falsely making any power of attorney, or authority in writing, to transfer or institute a suit in any United States' Court for the recovery of any African negroes brought into the Territory by the ships of war of the U. States, or imported therein in violation of the laws thereof. The resolution was agreed to.

On motion of Mr. Mercer,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of augmenting the punishment annexed, by the laws of the United States, to forgery and perjury, committed with intent to deprive any individual of life or liberty.

An engrossed bill to provide for the employment of an additional naval force was read a third time, passed and sent to the Senate for concurrence.

On motion of M'Duffie of S. C. the House resolve itself into a Committee of the Whole on the state of the Union, to take into consideration the proposed amendment to the Constitution, in relation to the election of President and Vice President.

The Committee was addressed in succession, by Messrs. Whipple, Garnsey, Worthington and Miner; when Mr. Houston moved that the Committee rise; on this motion the yeas were 52, the noes 40;—a quorum not having voted, the question was again taken and decided in the negative—yeas 56, noes 57.

The discussion was then resumed, and Mr. Kellogg of New-York, having delivered his sentiments, Mr. Hoffman of New-York rose, and was about to address the Committee, when the Committee rose, and the House adjourned.

Wednesday, March 29.

The House went into Committee of the Whole on the state of the Union,

and, on motion of Mr. M'Duffie, took up the proposition to amend the Constitution of the United States, in relation to the election of President.

Mr. Hoffman, of N. Y. addressed the committee in support of both branches of Mr. M'Duffie's amendment.

He was followed by Mr. Cook, of Illinois, who was in favor of taking the Presidential election from the House of Representatives, but was opposed to the district system. He concluded a short speech, by offering the following, to be added to the first branch of Mr. M'Duffie's amendment:

And as will authorize the voters qualified to vote for members of the House of Representatives of the United States, in each State, to vote directly, in such manner as the Legislature thereof shall direct, for the aforesaid officers, reserving to each State, after the failure to make a choice of either of the aforesaid officers in the primary election, on the principle that such primary election is now made, an equal vote in such election; and that a convention be authorized in each State to act on the aforesaid amendments."

Mr. Barbour concluded his speech in support of both branches of Mr. M'Duffie's amendment.

The Committee then rose, and the House adjourned.

Thursday, March 30.

On motion of Mr. M'Duffie, the House then went into committee of the whole on the state of the Union.

Mr. Bartlett, of New Hampshire, delivered his sentiments in opposition to both branches of the amendment to the Constitution proposed by Mr. M'Duffie.

Some conversation took place between Messrs. Bartlett, M'Duffie, and Webster, the result of which was, that an effort should be made to close this discussion to-morrow.

Mr. Cook, of Illinois, then addressed the committee in favor of taking the Presidential Election from the House of Representatives, and of the adoption of the resolution. Mr. Cook concluded his remarks about 3 o'clock; when the committee rose.

A message was received from the President of the United States, in compliance with a resolution of the House of the 27th inst. requesting him to inform the House whether the United States have, in any manner, made any pledge to the Governments of Mexico, and South America, that the United States would not permit the interference of any foreign Power with the independence or form of government of these Nations.

Accompanying the Message, was a Report of the Secretary of State; from which we make the following extract:

That the United States have contracted no engagement, nor made any pledge to the Governments of Mexico and South America, or to either of them, that the United States would not permit the interference of any foreign Power with the independence or form of government of those Nations, nor have any instructions been issued, authorizing any such engagement or pledge. It will be seen that the message of the late President of the U. States, of the 2d December, 1825, is adverted to in the extracts now furnished from the instructions to Mr. Poinsett, and that he is directed to impress its principles upon the Government of the United Mexican States. All apprehensions of the danger, to which Mr. Monroe alludes, of an interference, by the Allied Powers of Europe, to introduce their political systems into this Hemisphere, have ceased. If, indeed, an attempt by force had been made by Allied Europe to subvert the liberties of the Southern Nations on this Continent, and to erect, upon the ruins of their free institutions, monarchical systems, the People of the United States would have stood pledged, in the opinion of their Executive, not to any foreign State, but to themselves and to their posterity, by their dearest interests and highest duties, to resist, to the utmost, such attempt; and it is a pledge of that character that Mr. Poinsett alone refers.

The message was ordered to lie on the table, and, with the accompanying documents, was ordered to be printed.

Friday, March 31.

A great part of the day was occupied in Debate on the proposed amendment to the Constitution in reference to the election of President and Vice President of the United States—and Mr. M'Duffie addressed the House at great length on the subject. After some explanatory observations by Mr. Everett, and Mr. Trimble having obtained the floor for to-morrow, the house adjourned.

RALEIGH.

FRIDAY MORNING, APRIL 7, 1826.

Hamilton Fulton, Esq. late Civil Engineer of this State, has been appointed to the same office by the state of Georgia, with a salary of 5,000 dollars.

We invite the attention of our readers to the able Report of the Committee of Foreign Relations on the subject of the Panama Mission; the publication of which is commenced in this day's paper, and will be completed in our next.

Mr. Marmaduke Slade, formerly of this city, has purchased part of the establishment of the 'Georgia Messenger,' printed at Macon, and entered into co-partnership with Mr. S. Rose in the management of that paper.

We are much gratified, and our readers will be equally so, (says the Nat. Journal of Saturday last,) to understand that a supplemental article to the treaty with the Creek Indians, was yesterday

sent to the Senate for confirmation, which, it is expected, will entirely remove the objections which existed to the treaty in its original form. The arrangement of this difficulty, which threatened not only to produce a stormy discussion in both Houses of Congress, but also to protract a Session already likely to be extended too far, we are informed, is to be attributed in a great degree to the exertions of Mr. Benton, of the Senate.

We copied into our last paper, from the Milton Gazette, a paragraph announcing the death of Mrs. Carnel, of Person county; which is contradicted by the last Gazette, on the authority of a note from the husband of that lady, stating that she is alive.

This shows the necessity of the rule, which we have adopted, of not publishing notices of marriages or deaths, unless communicated by responsible persons under their proper signatures.

It appears from the following paragraph, contained in the last Fayetteville Sentinel, that we were mistaken, when we stated that that paper had been purchased by Maj. John A. Cameron:

"Mr. Cameron has not purchased the office, but has engaged to become the editor of the 'North-Carolina Journal,' of which paper the present proprietor of the Sentinel will be the owner."

At a large meeting of the citizens of Baltimore, held on the 25th ultimo, resolutions were unanimously adopted, to "contribute to raise a fund to be subject to the disposition of Thomas Jefferson, late President of the United States."

Captain Chapman of the British navy, was tried at Portsmouth, England, on the 24th of January, on the charge of having purchased a female slave on the coast of Africa for thirteen dollars; which slave, after she had been on board of his ship a fortnight, made her escape by swimming from the vessel at Mombas. The charge was fully proved, and the Court Martial ordered that the Captain be dismissed from his Majesty's service.

On the 28th ultimo, Mr. Wm. B. Lawton, Jailor of Norfolk, Va. in attempting to mount his horse, accidentally struck the animal on the head with his stick, which so alarmed him that he ran off at full speed, and before Mr. L. could place himself in the saddle, he was thrown with such violence against the pavement as to cause his almost immediate death.

As much excitement seems to have been produced by the late appointment of a Postmaster at Nashville, Tennessee, we deem it our duty to lay before our readers the subjoined documents, for the purpose of affording them a correct view of the subject. The first is the remonstrance of a Senator and Representative in Congress from Tennessee, and the second, the reply of the President thereto, through the Postmaster General.

The course pursued, and the language adopted, by the President in this affair will be viewed by the American people with both regret and disapprobation. For our own part, we much doubt the propriety of his interfering with an appointment of the kind, having always understood that the selection of Postmasters was vested solely in the Postmaster General; and, even if such interference was proper, we are of opinion that the recommendation of the citizens of Nashville (who were principally, and almost solely, interested in the appointment) and nearly the entire Representation of Tennessee in Congress should have had weight with the President; and that it ill became him to insult the Representatives of a State, by telling them that their remonstrance was "a paper not proper for him to receive." This, we believe, is the first case in which it has been denied to the humblest individual the right of petitioning our government for redress of grievances; and supreme, indeed, must be our Chief Magistrate, when even the Representatives of the people are not allowed to communicate to him the grievances of their constituents!

Washington City, 20 March, 1826.

To the Presidents of the United States: Sir: With feelings of regret we have learned that you are inclined to confer the appointment of Postmaster at Nashville, on one who has not been presented to you by

the Representatives from Tennessee; and opposition to one who has been recommended, not merely by every member of the State, (with a single exception, who has given no opinion upon the subject,) but likewise by the almost entire population of Nashville.

Whatever our individual opinions might be as to the person to be selected for this office, when it was brought to our view that six hundred respectable citizens, residing in and in the vicinity of the place, acquainted fully with the general conduct, character, and pretensions of the person by them recommended, and who were particularly interested in a proper execution of the duties of the office, had expressed decidedly their wishes and preferences, we could not hesitate as to the course it became our duty to pursue. Acting upon the principle, that the wishes of the people residing at the place, and of course had the first and greatest interest in the result, merited to be regarded, the undersigned adopted their expressions as a rule of conduct, and entertained a hope that a would equally have claimed regard before the Executive Magistrate: they were the more disposed to this belief, for the reason, that the individual presented by them was well qualified, had for ten years been acting deputy in the office, and in every point of view sustained an upright, moral, and irreproachable character. We pressed not to urge that there is any actual objection on the part of the President to regard the wishes of the Representatives of any particular State; yet in relation to local appointments, such as this is, we know that such heretofore has been recognized as a governing practice: the reason is obvious, it is because that they are presumed best to be acquainted with the qualifications of applicants, and with the wishes of the people, whose interests may be affected by the decision; and for the further and increased reason, that the Executive Magistrate on such subjects must necessarily need information, and hence should repose in confidence on the Representatives of the State. By what other rule can the President determine the pretensions and claims of applicants for office, than through the people themselves, or their Representatives certainly not through his Cabinet, or the member thereof, who, if they not, except in relation to the States whence they come, must do so without information—without responsibility—and apart from any influence, which reason or judgment may dictate. It was for this, that the undersigned, when proffering the individual they did, readily concluded there would be no objection to his appointment.

We repeat, it is with regret we are glad to understand, that in the particular case before us, an established practice is to be broken down, against a gentleman, every way qualified, and who, as a deputy, has officiated in the office for ten years; and this too in favor of one, who, being the editor of a paper, by the rule heretofore laid down, and yet a force at the Department, stands exempted from the number of those who have been considered eligible to the holding such appointments. What if he should be required to surrender that situation? And what, if he should comply with the condition annexed? How easily might it be rendered in violation of the rule and nothing more. It is not because that he is the Editor of a paper that we object; nor mean we to urge anything of personal consideration; our reasons already presented are deemed sufficient; it is sufficient that the Representatives of the State, and six hundred respectable citizens, and about the town, have presented one, against whom, or whose character and standing, no possible exception can be taken; and if so, then should their wishes be heard and regarded.

We would respectfully represent, then, the propriety of conferring this appointment on Mr. Curry, whom the great body of the citizens have selected and recommended. We do it upon a principle heretofore recognized, and which in a government constituted as ours is, should ever be held sacred, a regard and obedience to the recommendations & wishes of the people who are directly concerned and particularly interested in the result. Against a departure from this, we claim not to enter any formal protest; we prefer, in more respectful language, for and in behalf of those we represent, to remonstrate with the President, and to claim that he may not treat with disrespect and disregard, the citizens of a community, who having a direct interest in the appointment to be made, have expressed fully and warmly their desires upon the subject. We cannot adopt the belief, that in virtue of his nominating prerogative, the President will be disposed to place the citizens of Tennessee and her Representatives on ground different from what has been uniformly conceded to all in relation to appointments; or to practice towards them, a rule of conduct and decision, which is done in reference to no other State or even Territory of this Union. We claim to be entitled to equal rights with the other States of this confederacy; and hence, in virtue of acknowledged practice, to determine as to the fitness of applicants, and the appointment to local offices, of such as are shown to be most acceptable to the people. This we urge not indeed as a right but as a rule heretofore practised upon, and until now not departed from. It has been practised upon by the Executive; and even by the Senate of the United States. We maintain that this is an office of local tendency, inasmuch as the citizens of the place are principally to be affected; and because all and every interest pertaining to it, is theirs, save a strict accountability as it regards the moneys that may be received. We ask, then, for the appointment of Mr. Curry; we ask it because of his intrinsic worth, & good qualities; because he has been presented by every member of Tennessee, except one, and for the further & stronger reason, that six hundred of the citizens of Nashville and its vicinity, those immediately interested, have desired it to be done. We cannot perceive why it should be, that one thus presented and sustained—who is eminently qualified, and against whose standing and character, even a whisper has never breathed—who has been in the office actively engaged for 10 years, should under existing circumstances, be thrown aside, to make way for another, who is not thus recommended by the people—the parties interested. We claim it to be a departure from every thing of usage, of practice and right, and apart from a mere *sic volo*, is in no reasonable way to be accounted for. We have the honor to be,

Very respectfully,
JOHN H. EATON,
SAMUEL HOUSTON.

Post Office Depart. March 20, 1826.

GENTLEMEN: Agreeably to your request, Mr. Cooke, who (it is understood) gave no intimation of his wishes on this subject,