

From the Globe.
CORRESPONDENCE OF MR. FOX
AND MR. WEBSTER.

We publish, to-day, this very interesting correspondence. It is singularly characteristic of the respective parties represented, and of the individual diplomatists representing them.

Mr. Fox's letter is peremptory, positive, and pointed. The demand for the release of McLeod is not dressed in the usual circumlocution of diplomacy, when it is intended to veil the enforcement of an humiliating concession under a candy deal of courtesy." On the contrary, Mr. Fox, in the first paragraph, refers to his correspondence with Mr. Forsyth, in which he asserted the right of his Government to invade our jurisdiction, to burn the Caroline, and murder our citizens as pirates—simply to tell Mr. Webster that his Government "entirely approves of the course" which he took, and which Mr. Forsyth so promptly repelled. The next paragraph follows this up by saying that he is instructed "to demand from the Government of the United States, formally, in the name of the British Government, the immediate release of Mr. Alexander McLeod."

This is in the true spirit of John Bull, when addressing those who he understands are ready to submit. Always fully armed and prepared to cut down the weak, or intimidate those who want the courage, or are not in a condition to encounter him, he never hesitates a moment to strike such as are too feeble to resist, or to bully the timid authorities of a nation which he dares not rouse to action.

Mr. Webster's reply to Mr. Fox, taken in connection with his instructions to Mr. Crittenden—which the letter itself was so laboriously prepared to palliate—is in perfect keeping with his character, and the spirit of subserviency to England and her policy, which has so long distinguished the party of which he is the head.

It will be seen that while Mr. Webster displays his usual skill and ability in arguing a minor point, so as to gain a little of "the law's delay," in complying with Mr. Fox's demand for "the immediate release" of McLeod; yet he at once concedes the main matter, viz: that England, by assuming the responsibility of the atrocity committed, has the right to shield from punishment a body of men, who, with fire and sword, invaded our country, and trampled under foot its laws—who butchered at least one of our unresisting citizens, on our own shores, and sent other unoffending men headlong over the cataract of Niagara, in the midst of a conflagration.

The pretence under which the British justify this outrage upon our Government, and the property and persons of our citizens, is the right of self-defence. This is nothing more than to say that we have no Government to which it could appeal for protection against, or the punishment of, wrongs perpetrated by American citizens. We must admit that we have no Government that foreign nations should respect, to afford the least countenance to the justification insisted upon by Mr. Fox in the name of his Government, and Mr. Webster, in assenting to the position assumed, that a foreign Government can send in time of profound peace, a body of men, to commit offences against our laws, without rendering themselves amenable to them, concedes the point that the foreign authorities can suspend the laws and supersede the established tribunals of justice. If this be so, do we not yield our own means of self-defence, touching the most vital and sacred concerns within our own dominions, in favor of the foreign pretension, which, not content with defending itself against attacks at home, calls an invasion of another nation and an attack upon its sleeping citizens, self-defence. The same doctrine might be applied between citizen and citizen, and it would follow that the laws would no longer be looked to for protection. One citizen entering the domicile of another, slaying him while sleeping, might plead as justification that he had reason to expect an assault from him, and that, in self-defence, he took that way of prevention instead of appealing to the constituted authorities for security. Mr. Webster's admission that the British Government can justify, by taking on itself the responsibility, violations of our laws, is a concession which that high-handed sovereignty dare not assume for itself at home. Suppose her Britannic Majesty, and her privy council, had sent Mr. McLeod, and his followers, to cut the throat of Lord Wellington or Sir Robert Peel, or even of the humblest British subject, while sleeping, as self-defence, could it be pretended that the avowal of such an act as the act of the Executive Government would supersede the laws of the nation, and prevent a trial of the criminals? We think not. It was once a prerogative of the British crown to suspend the laws of the kingdom, but the spirit of the nation has long since abrogated it and shall we for one moment countenance the idea that there is any thing in the law of nations to sanction the arrogant pretension, that our civil code can be suspended in a time of profound peace by the declaration of a foreign Government, that it thought fit to command its violation?

In a time of war the civil code is supplanted between the belligerent nations by the laws of war. If we had been at war with Great Britain, the malefactors who burned the Caroline and murdered part of the crew, would not have been considered as breaking the peace of the country or its laws. Their acts would have been judged by the laws of war, then alone subsisting, and if the actors had fallen into our hands, they would have been treated accordingly. But while the relations of peace prevail between nations, their civil codes have direct application to those who violate them,

no matter under whose authority the wrong is perpetrated.

So in a state of war, the assumption by superiors of an act committed against the laws of war by an inferior, is no exoneration of the active offender, from the consequences of his crime. The case of Major Andre is a memorable exemplification of this. When he was on trial as a spy, the British Commander-in-chief endeavored to save him, by insisting that the crime was not his, but that of the authority under which he acted. It was insisted that he was not only commanded to do the act by General Clinton, who commanded the British forces, for which he held responsible, but that he had the authority of the American General (Arnold) for entering the lines within which he commanded. It was urged that he was but the instrument of others in violating the laws of war, as it was urged that McLeod is but the instrument of others, in violating the laws of peace. But Gen. Washington did not admit, as Mr. Webster does now, that any superior power can give impunity to an inferior violating the laws which reigned over the jurisdiction of which he was the Executive officer. The gallant and chivalrous Andre suffered death under the gallows, amidst the tears of friends and foes, and while threats of retribution were thundered in the ears of Washington by the British power, which commanded in the emporium of our country.

From the Globe, of June 11.
SENATE.

The resolution of Mr. Sevier of Arkansas, asking information in regard to the causes which required the taking of Gen. Arbutckle from his station and command on the frontiers of Arkansas, to a place where there was no command—separating him, in effect, from the military service, and sending him into a disgraceful exile from it—came up as the morning's business. Gen. Arbutckle is a General by brevet—he is the Colonel of a regiment in Florida. If on his withdrawal from his post, guarding the frontiers of Arkansas, Gen. Arbutckle had been restored to his regiment in Florida, he would have had chief command there as the elder officer in that service. The inquiry of Mr. Sevier proposed to ascertain from what causes Gen. Arbutckle, who had given so much satisfaction to the people of the frontier of Arkansas, whose safety he guarded, was, without the deprivation of his commission, banished from the public service, or rather from the post which he held, and the regiment which it was his duty to command. It must be admitted that the head of the Department had the rightful power to put Gen. Arbutckle out of service, and not put him out of commission by striking him from the rolls; but it is insisted that the people, through their representatives, had the right to ask information as to the causes for an act which, on its face, has the appearance of oppression and tyranny. Mr. Benton united with Mr. Sevier in insisting that the whole army and navy, and the dispositions made by the Government of any portion of it, was a proper subject of Congressional inquiry, either to ascertain whether it was in a condition to render the best service of the country, or any portion of it was unjustly suffering under any improper order of the Government of the country. Mr. Sevier instanced the resolution of inquiry submitted by Mr. Preston, chairman of the Military Committee, asking information as to the causes which brot home the Mediterranean fleet recently, and so unexpectedly. The inquiry for this purpose was not looked upon by the friends of the Administration as an inadmissible call for information on the head of the Navy Department. Mr. Sevier reiterated the declaration of his conviction that the removal of the veteran General was at instance of John Ross, the Indian, under whose influence, if not direct orders, the shocking assassination of the friendly chiefs, to whom we were indebted for the success of the negotiations with the Cherokee, was perpetrated. The hostility of this crafty half-breed to Gen. Arbutckle is well known, and the intimate relations which have subsisted between him and the present Secretary of War, is also well known. If, therefore, communications from Ross to Mr. Bell, had been employed to induce the removal of Gen. Arbutckle from his post, is it not due to the people of Arkansas, who wished him to remain, that they should be informed what representations from Ross, or others, had induced the course which they considered repugnant to their interests? Messrs. Preston, Clay, Barrow, and some others, opposed the call for information, & it was voted down by a party vote.

After this matter was disposed of, the debate on the correspondence between Messrs. Fox and Webster, was resumed. Mr. Choate, who we supposed sought an adjournment to consult Mr. Webster on the aspect which the question had assumed, made the best defence of which the case was susceptible. He argued that the attack on the Caroline, now assumed to have been under the authority of the British Government, was an act of war, for which the Government should be held to account, and not the individuals engaged in it.

Mr. Calhoun, in reply, with his usual originality, encountered this position by sifting the whole question, and reducing it to its naked elements. He showed that if it was an act of war, then there existed no right in the British Government to demand the release of McLeod, for it made him a prisoner of war. The development of the whole subject in Mr. Calhoun's generalizing and succinct way, imparted new interest to the discussion. Mr. Huntington followed Mr. Calhoun, in reply to Mr. Buchanan; at the close of his remarks Mr. Pres-

ton took the floor, on whose motion the Senate adjourned.

From the Globe, of June 12, 1841.
SENATE.

The remarks of Mr. Clay of Alabama yesterday, on Mr. Sevier's resolution of inquiry, in which he insisted that the rejection of the proposed call for information, would be a denial of the subordination of the military to the civil authority of the nation, were more than justified by the proceedings of the Senate this morning. Mr. Clay of Kentucky introduced a proposition, designed to defeat a rule, and the constant practice of the Senate for the last fifty years, for the purpose of gagging and disarming the minority, and excluding them from bringing before the country such matters appertaining to the Administration of its affairs, as might expose the ruling powers to the action of public opinion. Mr. Clay expressly alluded to the Arbutckle resolution, (as he called it,) as an example of the sort of proceeding which he sought to suppress. That the public may understand his movement, we will explain the rule which Mr. Clay sought to rescind.

An hour in the morning is set apart for the introduction of petitions, memorials, resolutions, &c. The reason for this provision is obvious. The public well know the great public measures which are debated, not less to lay before the country all the information to which their Representatives in Congress may obtain access, than to influence the action of the legislative bodies, occupy long periods of time. While these debates are going on for months, which has always been the case when vital measures involving the destiny of the Government are under discussion, if some portion of the day were not set apart for petitions and resolutions, both would be excluded during the whole debate. Individuals could not be heard in Congress at all, nor could their Representatives press a solitary inquiry on the Departments during such protracted debates. To shield the Executive department from all calls during the present session, Mr. Clay proposed to repeal the rule so far as it set apart the morning hour for the admission of resolutions, and proposed that the unfinished debate of one day should be resumed on the next, to the exclusion of resolutions, although there might be matters of the highest importance going on in the Executive administration on which the Congress should be called to act, and the country be informed. These resolutions, which are indispensable to a minority, who have no other access to the information in the hands of the Administration opposed, or the committees constituted by Congress, of which the majority have the control, Mr. Clay resolved to stifle under the measures, which he has laid down in his protocol, and which he could make fill every moment of Congress hours, until his caucusing majority should be ready to vote an adjournment sine die.

When we entered the Senate this morning, Mr. Benton was resisting this innovation, this fatal invasion upon the rights of the minority, and of the country, as secured by the sacred rule which has existed from the foundation of the Government.—What he said was enough to shock the determination of any but the most hardened partisan, under the control of the most inexorable party leader. Mr. Clay threw it off as mere factious opposition to a very salutary reform. Mr. King of Alabama, and Mr. Buchanan, severally appealed to the majority to weigh the hazard of such an attack upon the long guaranteed rights, which were so much more important to a minority than their opponents—because the majority, having every thing in their hands, had no necessity for the power to call, in the imposing shape of resolutions, backed by the authority of public opinion, for what they could obtain by courtesy from those in power, in the Executive and Legislative departments. Mr. Clay was deaf to all expostulation, and demanded the "question," "question." Mr. Calhoun then entered his solemn protest against this high-handed attempt to gag a large body of the Representatives of sovereign States of the Union, and disarm them of the most efficient means of protecting the rights of the august constituency they represented. He pronounced that it was a more fatal suppression of the freedom of public scrutiny, than that which led on the despotic career of the elder Adams; and that being done at a moment when every dangerous, every monstrous scheme which Federalism had devised from the beginning, to crush and extinguish the Democratic principles inherent in our institutions, he looked upon the proposition as one of most gloomy augury. Mr. Clay answered by calling the "question, question."

Mr. Allen of Ohio went more elaborately into the matter, and in the strongest manner portrayed the design which prompted, and means employed to effect this radical change, subverting the most indubitable and most inalienable rights of a legislative minority, and wounding, through them, the party out of power, all over the continent. He showed, what was afterwards very apparent, that it was the despotic will of one man which was thus fettering the free action of a body, never palsied before by the disabling process now for the first time proposed by a majority in any deliberative body. Mr. Clay answered Mr. Allen's strong appeal by calling "question! question!" Mr. Calhoun then proposed that the resolution should be laid on the table. He wished a breathing given, that the majority might consider the consequences.—Mr. Clay demanded "the question" on this motion; but the sense of right began to operate on men who could not venture to vote their own will against Mr. Clay's. Mr. Bayard proposed to modify the rule

proposed, so as not to prevent motions for inquiry upon the subjects which should be kept under debate from day to day. Mr. Calhoun's proposition to put by the matter, so suddenly sprung up on them by Mr. Clay, was voted on, and a count made.—We saw some friendly to Mr. Clay standing up and voting for Mr. Calhoun's suggestion; but the yeas and nays being called, they all, to a man, of his party, instantly yielded, and voted with Mr. Clay. Mr. Clay of Alabama then proposed that it should be passed informally, to be taken up again, and urging the great importance of the change on such sudden action. Mr. Clay of Kentucky would not consent. Notwithstanding this, Mr. Clay had the skill to perceive that he was pressing willing and devoted friends too far. He accepted a modification proposed by Mr. Clay of Ala. to Mr. Bayard's amendment, and perceiving that every thing could be brought to have relation to the great measures which he presses to revolutionize the Government, he waived his proposition to exclude resolutions from the morning hour, and in effect gave up his gag law, after exposing the most tyrannical and persisting disposition to put the chain and ball upon the minority of the Senate, with a padlock on their mouths.

After this was gone through with, Mr. Ewing's report of a Fiscal Bank of the United States, was introduced and read from the Clerk's table. Mr. Walker had preceded it by resolutions contemplating a Fiscal Agency, divested of banking powers, and putting the public treasure under the immediate custody of Congress, both parties in the body being secure of an equal participation in its care and custody by the mode of electing the custodians.

But the monster which Mr. Clay has called forth from the Treasury, shows how utterly hypocritical have been all the Federal pretences against concentrating power, in its fiscal agent. That now proposed by Mr. Ewing covertly consolidates all the power of every fatal measure, which it has been predicted by the Democracy would make a part of the Federal policy to enslave the country. On the very face of the scheme every body must see that the bribery and corruption of the States makes the most striking feature in the project.—The United States are to make a national debt, to give nine millions of deposits to the States as a part of their capital in the bank. The public domain is to be distributed to form another fund for the States in the capital of the bank; this is to take in such States as would stand out on their principles. This bank capital for the States is to be a provision for paying interest on State debts to effect an assumption of these debts, and bribe them and all the holders of State stocks to make common cause in subverting the Constitution of the country. But we give the measure proposed, having only time to listen to it, not to read it. Our impression is that it will be found the most gigantic scheme of consolidation and corruption ever suggested in this country. The report, we take it, is Mr. Clay's, called out by him, through the Secretary, to connect it in some sort with the Administration.

From the Richmond Eng., of June 15.
National Bank.—A Correspondent writes us from Washington on the 11th: "The President was asked by a distinguished member from South Carolina, whether he would veto a bill chartering a Bank of the U. S. of discount and circulation, and he said unequivocally that he would."

Since the date of this letter, the Secretary of the Treasury has submitted to the Senate his 'plan of a Bank and Fiscal Agent'—in which he 'endeavors to free it from the Constitutional objections which have been urged against those heretofore created by Congress.' We now lay his plan before our readers—and they will judge, how far he has succeeded in stripping it of constitutional objections. The question comes back to us, can Congress establish a Bank indirectly in the States, which they cannot constitutionally establish directly? Can they establish a Bank in the District, with power to establish branches or offices of discount and deposit in the several States with the assent of the States? This question was settled by Mr. Madison, on high principles, in his celebrated Veto to the Bonus Bill of March 3, 1817—in which he maintains the following doctrine: 'If a general power to construct roads and canals and to improve the navigation of water courses, with the train of powers incident thereto, be not possessed by Congress, the assent of the States, in the mode provided in the bill, cannot confer the power. THE ONLY CASES in which the consent and cession of particular States can extend the power of Congress, are those specified and provided for in the Constitution.'

It was our fortune to express at that day, a similar opinion—and, among other things, to ask, with these sweeping clauses, thus interpreted, as that bill would have applied them, where is the institution which they might not have established by implication where is the State Right which might not have been swept away; where was the impediment to save us from the gulf of Consolidation? The assent of the States was a mere delusion to conceal the usurpation. It was a bonus; or rather a bribe offered to the States to connive at a breach of the Constitution. In Ewing's bill, there are *doctrines* enough to tempt the States from their 'propriety' and devotion to the Constitution—viz, the 4th instalment which Congress is not bound to pay; the distribution of the proceeds of the Public Lands, which Congress want themselves; and the introduction of more Banking capital into the States. But though the scheme presents *doctrines* enough in numbers, yet

we may firmly add, they are not enough to seduce Virginia from her principles. We have no time, however, to expatiate upon this plan. We shall only add for the present, the strictures of the Globe; and to call upon Mr. Tyler, and the Republicans in Congress, to revise this plan critically, and to save the Constitution. Can such be Mr. Tyler's scheme? Some Fiscal Agent may be contrived to conduct the Finances of the country; but we sincerely trust that they may adopt one, which is entirely free from all constitutional scruples, and adapted to the demands of the Government. Mr. Ewing is not our man, for constitutional principles, or constitutional language. We do not use the word 'facility' in carrying on the revenue. (The Constitution uses the strong word 'necessary;') nor do we use the word 'convenience of the Government.' We use the stronger language of 'wants,' 'demands,' &c.

The last Globe gives the history of Saturday's Proceedings of the Senate. Mr. Clay submitted at an early hour the following resolution:

Resolved, That when the Senate adjourn during the present session, leaving a subject under discussion and undecided, the consideration of the subject shall be resumed at the next meeting of the Senate, immediately after the journal is read, and petitions and reports are received, without waiting for the usual hour of one o'clock.

This measure was intended to force through all his dictatorial schemes, at once, and was calculated to cut off all motions, enquiries, and debates, on the part of the minority. It was denounced in indignant and eloquent terms by Messrs. Benton, Buchanan, Calhoun, Clay of Alabama, and Allen. At every pause in the Debate, Mr. Clay answered nothing—but merely cried out "Question, question!" Finally, he became started at the extremity of his own resolution, and Mr. Clay of Alabama, proposed a modification of the resolution, which was acceded to by Mr. Clay of Ky., and it passed in the following shape:

Resolved, That during the present session, at the expiration of one hour after the meeting of the Senate each day, the Senate will proceed to the consideration of the subject left unfinished the preceding day, unless otherwise ordered by the Senate.

"After this was gone through with, Mr. Ewing's report of a Fiscal Bank of the U. S., was introduced and read from the Clerk's table. Mr. Walker had preceded it by resolutions contemplating a Fiscal Agency, divested of banking powers, and putting the public treasure under the immediate custody of Congress, both parties in the body being secure of an equal participation in its care and custody by the mode of electing the custodians.

"But the monster which Mr. Clay has called forth from the Treasury, shows how utterly hypocritical have been all the Federal pretences against concentrating power, Government power, in its fiscal agent. That now proposed by Mr. Ewing covertly consolidates all the power of every fatal measure, which it has been predicted by the Democracy would make a part of the Federal policy to enslave the country. On the very face of the scheme every body must see, that the bribery and corruption of the States makes the most striking feature in the project. The U. S. are to make a National debt, to give nine millions of deposits to the States as a part of their capital in the Bank. The public domain is to be distributed to form another fund for the States in the capital of the Bank; this is to take in such States as would stand out on their principles. This bank capital for the States is to be a provision for paying interest on State debts to effect an assumption of these debts, and bribe them and all the holders of State stocks to make common cause in subverting the Constitution of the country. But we give the measure proposed, having only time to listen to it, not to read it. Our impression is that it will be found the most gigantic scheme of consolidation and corruption ever suggested in this country. The report, we take it, is Mr. Clay's called out by him, through the Secretary, to connect it in some sort with the administration."

A scheme thus calculated to corrupt the State Governments, to lead to Consolidation, and to prostrate the restrictions of the Constitution, cannot be tolerated by the States Rights Democrats. If we thus permit the District to be made the point on which the lever of Archimedes is to be planted, to move the whole Union, where is the end to the power of Congress, thus located, and thus affecting the rights and principles and interests of the States?

Can there be any rath in the following article from the New York Herald? Is there no exaggeration in it—no calumny?

From the Herald 31st May.
GLENTWORTH'S ESCAPE, &c.

This distinguished youth, the companion in morals and in money, of Messrs. Blackford, Bowen, and others "of that ilk," has escaped from the hands of a jury. This escape was made on Saturday night, with some haste, and after buttoning up his coat and breeches as fast as he could.

Yet the disagreement of the jury is a matter of little consequence. The evidence is before the country, and they have made up their opinion of the "pipe-layers" beyond the power of all petty or penny juries.

But have we not come to a pretty pass in these days? There is Eldridge in Philadelphia—he has also escaped on his third trial, by the disagreement of the jury.—Let Madame Restell at once go to trial.—She cannot be convicted—nor can any person be convicted in these halcyon days,

but the poor devils of loafers who steal a loaf to fill their bellies, or a pair of breeches to cover them. The administration of justice is corrupt to the foundation. Politics and banking have covered the whole land with immorality, heedlessness, crime, and venality of all kinds. The difference between the saint and the scoundrel is gone for ever—they are both equal—both fit for the State Prison or the State Legislature.

We propose James R. Glentworth for the next President—who's afraid?



THE REPUBLICAN.

LINCOLNTON,

WEDNESDAY, JUNE 23, 1841.

We are indebted to the politeness of our Representative, Hon. G. W. Caldwell, for a copy of the President's Message "with the accompanying documents."

Mr. Secretary Ewing has submitted to the Senate his plan of a "Fiscal Bank of the United States." We have no room for it this week, but will probably lay it before our readers in our next. The reader will find some remarks upon it, in another column, by the Globe and the Richmond Enquirer.

The people in electing Gen. Harrison did not declare in favor of a United States Bank.

It is boldly asserted by the advocates of a National Bank, that the late election for President turned upon the question of Bank or no Bank, and that the success of Gen. Harrison was a clear indication that the

people desire such an institution. Now, those who make these assertions must have short memories indeed, or they rely very much upon the gullibility of the people. Scarcely any where was that question seen in the discussions; and where it was seen the ground was generally taken by Gen. Harrison's friends, that he was opposed to a Bank. Especially was this case in Georgia and Virginia. In both these States, this ground was taken by the press and orators of the party. We have before us now, a short extract from the "ADDRESS OF THE WHIG CONVENTION FOR THE NOMINATION OF ELECTORS, TO THE PEOPLE OF VIRGINIA," in which Gen. Harrison's supporters declare, that, "as to the Bank, his unqualified declaration that it was unconstitutional is before you, and there is no reason to believe that he is in favor of a Bank in any form, for he is as fully opposed to a Government Bank. As far as we know or believe, fellow citizens, Gen. Harrison has but one opinion about the Bank, and that is against it; and we feel that we hazard nothing in saying that he would not consider any Bank Constitutional, which in his opinion would, if established, be both inexpedient and pernicious." Such was the ground taken in his support in Virginia. Now let us come a little nearer home: When a meeting of the Republican party of Lincoln County, in the early part of 1840, denounced the "Old Hero," in a resolution, as being in favor of a Bank, they were met by the Whig press of this place, if we recollect aright, with a flat denial; and a quotation was made from one of his old speeches to prove that he was opposed to such an institution!

In view of these facts, how can it be said that the late election turned upon the question of Bank or no Bank; or, that the people in electing Gen. Harrison had declared in favor of one? The truth is, the late election did not turn upon any question of policy; nor does the result prove that the people approved this, or condemned that measure.

Whigs of the South, behold one of the fruits of your "great victory!"

The passage of the amendment of Mr. John Quincy Adams, by which the 21st rule of the House, (the rule which prohibited the reception of Abolition petitions) was rescinded, is well calculated to starve men of all parties at the South, and to warn them to prepare for a storm which is fast gathering over their heads. The present House of Representatives is completely under the control of the Abolitionists! And we may now expect nothing but discord, long debates, and fearful agitations in the public councils. And what has brought about this state of things? We boldly assert our belief, that it was the "great anti-slavery victory" at Harrisburg in the nomination of Gen. Harri-