

President Madison, of the appointment of Mr. Worthington, a Senator, and Mr. Morrow, a Representative, from Ohio, to negotiate with the Indians. In each of these cases, the individuals referred to executed the trust confided to them, still retained their seats in Congress; and in the Senate, passed upon their own acts. The committee content themselves with these instances, without enumerating others, as affording a clear exposition of this clause in the constitution.

The act of Congress, which it is supposed has been violated by permitting Mr. Thomas to examine the land offices, was passed the 21st April, 1808, and is entitled "An act concerning contracts."

The first section provides that, from and after the passage of this act, no member of Congress shall, directly or indirectly, himself, or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy, in the whole or in part, any contract or agreement hereafter to be made or entered into with any officer of the United States, in their behalf, or with any person authorized to make contracts on the part of the United States; and further, imposes a penalty on any member of Congress so offending.

The act further provides, "that if any officer of the United States, on behalf of the United States, shall, directly or indirectly, make or enter into any contract, bargain, or agreement, in writing or otherwise, other than those therein excepted, on conviction thereof shall be guilty of a high misdemeanor, and fined in the sum of three thousand dollars."

The 5th section provides, that "after the passing of this act, it shall be the duty of the Secretary of the Treasury, Secretary of War, Secretary of the Navy, and Postmaster General, annually, to lay before Congress a statement of all the contracts which have been made in their respective Departments during the year preceding such report," &c.

Without meaning to pronounce any opinion, whether a court of justice would so interpret the law as to be applicable to the case of the examination of the Land Offices by Mr. Thomas, the committee are aware that the words are extremely broad, and, if such could be supposed to be their true intent and meaning, would be capable of embracing every imaginable case in which a member of Congress could be called to perform any duty, or render any service in behalf of the United States, and which, by any possibility, could be termed "a contract, bargain, or agreement."

They could especially be extended to the appointment to negotiate treaties, whether the member should afterwards resign or not; to the appointment of printers to publish the laws of the United States; and to the employment of counsel in causes in which the United States have an interest—than none of which, it is apprehended, is the duty of examining the Land Offices more plainly within the scope of the words. But, by the cotemporary practice which occasioned the law, and which followed its enactment, among those who were liable to its provisions and always disposed to comply with its terms; who either aided in making, or lived and were familiar in the times and circumstances in which it was made, and were conversant with the men and their objects, by whom it was passed; it has received a different construction, and has never been considered as prohibiting any of the employments above enumerated.

From the organization of the government, down to the passing of the law in 1808, it had been usual to give such appointments to members of Congress, and though in the case of Mr. Tracy his demand for mileage was not deemed reasonable, neither the legality or policy of the usage had ever been questioned. But, in the years 1807 and 1808, John Smith, a Senator from Ohio, had entered largely into contracts with the War Department, for supplying the northwestern army; and Mathew Lyon, a Representative from Kentucky, had numerous contracts with the Postmaster General, for carrying the mail. These contracts had produced considerable excitement in Congress, where their influence had been manifested; and especially the former, under the supposition that John Smith had become connected with the schemes of A. Burr, and used his contract to subvert them. After a fruitless attempt to expel him from his seat in the Senate, the law in question was passed. From the date of this law, all contracts of the nature of the two last ceased to be given to members of Congress; while other trusts and agencies, as before referred to, continued to be given, and the returns from the different departments made accordingly, without serious complaint. [Remainder next week.]

AMERICAN MANUFACTURES.—The Boston Centinel announces for sale samples of printed silk Handkerchiefs, from the dyeing establishment of Messrs. Barretts, Tileston & Co. of this city, which, "in point of coloring, pattern and execution, have been pronounced equal, if not superior to any transatlantic fabrics of the kind."—N. Y. Com. Adv.

INTELLIGENCE.

He comes, the herald of a noisy world,
News from all nations lumbering at his back.

FOREIGN.

LATEST FROM ENGLAND.

BOSTON, MAY 5.—On Saturday evening, the British ship Mary Catherine, captain Pace, arrived at this port in the short passage of 25 days from Liverpool. We have been favored by Mr. Topliff with London papers to April 6. Their contents begin to assume more interest and importance than those brought by former and recent arrivals. From the article dated London, 5th, given below, it appears, that the negotiations between Turkey and Russia will not terminate so favorably to peace as had been before anticipated. We have never seen any previous language of the Courier, upon this subject, which had so decidedly a warlike character. It would seem also to have been prompted by authentic information, as but two days before the same paper had said, in decided terms, there could be no doubt that peace would be preserved.

The subject of opening the West India trade has been brought before parliament, and, from the manner in which it was brought forward, it seems highly probable that this measure, recommended by the ministry, and supported with its influence, will receive the approbation of parliament. Patriot.

BRITISH WEST INDIA TRADE.

On the 1st. of April, the president of the board of trade, Mr. F. Robinson, brought forward, in the house of commons, two resolutions, which were agreed to and reported, and leave was given to bring in two bills, founded upon these resolutions; the one for regulating the trade between the British West Indies and the United States; the second to regulate the trade between the former and other parts of the world. By the first of these bills, as Mr. Robinson explained himself in his speech to the house, preparatory to moving his resolutions, is intended to open the West India Islands to a direct trade with this country, subjecting such of our exports as are also produced in Great Britain and in the British North American colonies, viz: corn, flour, and timber, to a small discriminating duty. The second bill contemplates to provide for a direct trade between the West India Islands and the other parts of the world. The probability of the complete independence of South America seems to have been among the principal inducements to this measure.

On account of the holidays, parliament adjourned on the 3d of April for a fortnight.

The Courier of the 3d ult. contains a series of official papers relative to the African slave trade, printed by the order of the House of Commons, which present melancholy evidence of the increase of this execrable traffic. A report upon the agricultural distresses of the country had also been made to the House of Commons, but not acted upon. The Courier praises it as an able "expose" of the state of the country, while the opposition papers are loud in condemning it as fallacious and unsatisfactory. It recommends no measures for the permanent relief of the agricultural distresses, but proposes some temporary expedients.

The disturbances, outrages, and murders, continued in Ireland. Executions of the discontented were constantly taking place, under the protection of a powerful military escort. The discontented appear to be well supplied with arms and ammunition.

In the county of Sussex, England, the system of burning in the night corn stacks, and destroying other produce, was extending itself.

The English private bankers have been making great profits by discounting at 4 per cent. while the bank of England has asked the old rate of 5 per cent. The Courier expresses its belief, that the Bank of England would also shortly discount at 4 per cent.

LONDON, APRIL 5.—The contents of the French papers received this morning, as might be expected, are of a most warlike character; and it can be no longer doubted, we apprehend, that the pacific hopes which were so strongly entertained a week ago, are now, if not at an end, at least considerably diminished. The cause of this sudden change in the temper of the Turkish government has not transpired; and in the absence of positive facts, conjecture, as usual, is very active. Some say that the divan have been all along cajoling the European Ministers at Constantinople, in order to gain time; others, that the fate of Ali Pacha has inspired this fatal energy; while a third class of reasoners maintain, that the dread of provoking the Janissaries has induced the Sultan to abandon his pacific policy. It may be that all these various motives are among the ingredients of that resolution which appears to have been decisively taken at last; but, on the other hand, it is just as likely that mere barbarian caprice is the solitary cause. The political consequences to which a war will lead, we shall not even glance at, till the fact that war will ensue is more certain. [Courier.]

THREE DAYS LATER FROM ENGLAND.

NEW-YORK, MAY 11.

By the arrival last evening of the elegant ship Florida, Capt. Matlack, in 30 days from Liverpool, the Editors of the Commercial Advertiser have received regular files of London papers to the evening of the 5th, Liverpool of the 9th, and Lloyd's List of the 5th April.

We have at last, by this conveyance, something which can be relied on respecting the famous ultimatum of which the world has heard so much for upwards of a year back. The Turkish Divan has finally rejected all proposals made by the Russian Government. It has even refused to send Commissioners to the frontiers to negotiate with those of Alexander.—This information is contained in the official note presented by the Ottoman Reis Effendi to the English and Austrian Ambassadors, on the 3d of March, the substance of which will be found in our extracts. From this document it appears that the affairs of the Greeks were the principal obstacle to an adjustment. The Porte loudly complains of the secret influence of the emissaries of Alexander, and of the protection which, in the face of his solemn protestations to the contrary, he openly gave to the Greeks, who had fled to Russia for protection. This the Divan resents in a lofty tone, and adds that, "if some Christian temple has been unlawfully demolished, it shall be restored after tranquility shall have been completely re-established. His Highness will grant an amnesty to his Greek subjects of the Archipelago and Morea, when they shall have laid down their arms."

We are glad to observe that, independently altogether of the aid of Russia, the Greeks bid fair to dictate terms to these haughty Mussulmen, without being compelled either to lay down their arms, or to submit to conditions which would impose upon them their former chains. The accounts previously received of the victory recently obtained by the Greek fleet over that of Turkey, are now fully confirmed. The engagement, it appears, continued during the whole of the night of the 3d of March. The Greeks captured twenty-five ships, drove five ashore, and blew up two Algerines. The Ottomans had also seven vessels sunk, among which was that of the Vice Admiral, who perished. The victors were in pursuit of the shattered remains of the enemy's fleet when the last accounts came away.

The British government is said to have determined on uniting Upper and Lower Canada, with a view, as it is given out, to save the expenditure incurred by the present double administration.

AUGSBURG, MARCH 29.

The news from Warsaw, to day, positively announce war. It seems the Russians will shortly enter Wallachia and Moldavia.

A new Turkish army is assembling in the environs of Nyssa, and another on the frontiers of Bosnia. The troops in the environs of Sophia have set out for the Danube. It is expected that the Turks will shortly enter Servia, and the situation of Prince Milosch, when hostilities break out, may become very critical.

AIX LA CHAPELLE, MARCH 31.

The rejection of the ultimatum has given a decisive blow to the Austrian paper currency. From the 22d to the 25th, the great banking and commercial houses at Vienna sent numerous expresses to their correspondents in the commercial cities in the west of Europe. On the other hand the Office of Foreign Affairs, and the British Minister at Vienna, have dispatched courier upon courier to London.

FRANKFORT, MARCH 30.

It appears the note of the Reis Effendi is, unfortunately, of such a nature as to render useless the mediation of the three powers, and that notwithstanding all their efforts to preserve peace, the obstinacy and the infatuation of the Sublime Porte will render war inevitable. But even in case it should take place, it will be carried on, like that of Naples, in full concert with the Allied Powers; and even before it is undertaken, they will previously arrange together the results of the different chances which the war may have. Thus we see that the mission of M. de Tatischeff is near its termination.

Sir T. S. Raffles has sent to England several skeletons of animals from Sumatra; among them is the Dugong. This creature grazes at the bottom of the sea without legs; and is of the figure and form of the whale; the position and structure of its mouth enables it to browse upon the fuci and submarine algae like a cow in a meadow, and the whole structure of the masticating and digestive organs, shews it to be truly herbivorous. It never visits land, or fresh water, but lives in shallow inlets, where the water is two or three fathoms deep. Their usual length is 8 or 9 feet. But a curious, and to some, perhaps, the most interesting part of the detail of the history of this animal is, that the flesh resembles young beef, being very delicate and juicy.

Patent Plate Window Glass, without cross bars, is advertised in London papers. The squares are so well fitted and neatly joined, as to give the window the appearance of one entire plate. [Courier.]

DOMESTIC.

SLAVE TRADE.

Sir George Collier, commander of the British ships of war on the African station, in a late despatch says, "France has countenanced and encouraged the slave trade almost beyond estimation. In truth, she now supplies the foreign colonies north of the line with Africans. I exaggerate nothing in saying, that thirty vessels, bearing the colors of France, have nearly at the same time, and within two or three leagues distant, been employed in slaving; and in the last twelve months not less than 60,000 Africans have been forced from their country, principally under the colors of France. She has certainly issued her decrees against the traffic, but has done nothing to enforce them. On the contrary, she gives the trade all countenance short of public avowal."

An account from the river Bonny, on the west coast of Africa, states that during the period of six months preceding, 120 sail of French, Spanish and Portuguese vessels, had visited that river alone for slaves, each capable of carrying from 3 to 700. Another account states, that 200 sail of slave vessels were on the African coast at one time, all of them fast sailers, well manned and armed. All the accounts concur in stating that a great part of this barbarous traffic is now carried on under the French flag.

A British writer says, that the "efforts of the British ships of war in checking the slave trade, are frustrated by that clause in the treaty with France, which requires, to justify seizure, that the slaves should be actually on board. They are now kept in factories on shore, constructed for that purpose, the departure of the British vessel is watched, and a few hours suffice to carry the cargo into the open sea, beyond the fear of capture. So complete was the impunity, in consequence, possessed by the traders, that they would anchor almost within view of the British flag."

The attention of the christian world should be more seriously directed to this bloody commerce in the unhappy Africans, and every one possessing christian religion is bound to do every thing in his power to extinguish a traffic so revolting to humanity.—Salem Register.

COMMITMENT.

Yesterday afternoon, two young gentlemen, members of the bar, (Messrs. Biddle and Meredith) were committed to prison by his honor judge Hollowell, for contempt of court. They are to be confined until the 1st of June. We are not particularly acquainted with the merits of the case; but we are ready to presume that there was sufficient cause for his honor's proceeding in this manner; for we have often observed many of our professional gentlemen not only "travel out of the record," but transcend the bounds of decorum in their conduct to the court, the jurors and the witnesses.—Phil. Gaz.

NEW LONDON, APRIL 24.

Continued of New South Iceland.—We have been favored with interesting particulars respecting a Southern Continent, by Capt. Nathaniel B. Palmer, of the Sloop James Monroe, lately arrived at Stonington, from the South Shetlands.

Capt. Palmer proceeded in the James Monroe from the Shetland Isles to the continent, and coasted it, from abreast of the Isles, to the eastward, as far as 44 degrees West Longitude, keeping as near to the shore as the edge of firm ice would admit. At some places, he could coast along the shore; at other parts, he could not approach nearer the shore than from one to five or six leagues, owing to the firm and fast ice; although it was midsummer there at the time, being in November, December, and January.

In 61 deg. 41 min. South Latitude, 45 deg. 27 min. West Longitude from Greenwich, the coast was clear of firm ice, and here they discovered a fine harbour, lying about one mile within the entrance of Washington Strait, which harbour was named Palmer's Harbour, where he came to anchor. He found not the least appearance of vegetation on the land, excepting the winter moss. Neither did he here discover any animals, only a few Sea Leopards, beautifully spotted. Of birds, there were Penguins, Port Egmont, or Sea Hens, White Pigeons, and Gulls.

There is now no doubt that there exists a South Continent, and that Captain Cook's "Southern Thule" belongs to it. Captain Palmer could discern the mountains covered with snow, in the interior, as he sailed along the coast.—Gaz.

We are told that a woman in Chester county, some days since, having taken offence at a black servant girl, whipped her in a most shocking manner; and repeated it at intervals within two days, until her entrails appeared through her flesh. Nor was she satisfied with all this, but placed her on a hot stove and burned her severely, and it is said that she also burnt her tongue by applying a hot iron to it. In which situation she was turned out of doors, and ordered to go to her mother's house at a distance of about 20 miles, and threatened with further punishment in case she should stop on the road. We

forbear for the present to mention any names.

The woman is of a respectable family, and the cause will doubtless undergo a judicial investigation. She has been had before a magistrate, but our informant could not say whether she had been committed or not.—Delaware Gaz.

At Halifax Superior Court, April Term, Jacob Pope was brought to the bar, charged with having murdered a female negro slave of his, by inflicting on her naked body and limbs, between two and three hundred lashes with a cow-skin.—Pope's overseer, (says the Halifax paper,) deposed, that the deceased received at least two hundred and sixty lashes, if not more; that finally, the strength of Pope was exhausted, and he (Pope) called upon him to proceed in lacerating the victim of his rage; he declined with entreaties that she had received enough. The witness described the woman to have received the fatal bruises and stripes from which blood gushed, thus: Her clothes were tied over or about her head in such a manner as to admit the suspension of her body by her arms, which were tied to the limb or limbs of an apple tree; then her feet were "lapped" around the body of the tree, and tied some inches from the ground. In this situation she received the whipping, which it is presumed caused her death within a day or two after she was released!

The Jury returned a verdict against the prisoner of MANSLAUGHTER, and the Court fined him in the sum of TWO HUNDRED DOLLARS, and Costs! Carolina Centinel.

FROM THE NEW LONDON ADVOCATE.

Serious Joke.—A gentleman from one of the back towns in this state, relates the following circumstances, which took place recently: A party of young people had collected together one evening for amusement, when it was proposed by some of them to couple themselves, and go to young justice and be married. This, it was thought, would be fine fun, and a clever joke on the young squire. All was ready in a twinkling, and the company marched off; some of the old damsels led off with great glee young beardless youths of fourteen—and all soon appeared before the squire. Though the justice was young, he understood his duty, and married them in due form. He immediately complained of himself to the proper authority for a breach of the law, which provides that the intention of the parties shall be published previous to the marriage. The consequence is, that the whole are legally married.

THE MODERN WHITEFIELD.

Extract of a letter to the Editor, dated Philadelphia, April 25, 1822.

"You have doubtless heard that the celebrated Methodist minister Mr. Somersfield is in this city, and has been preaching several times. I went to hear him on Sunday last; and I declare that I never before felt in its full measure the mighty power of eloquence. The discourses of this wonderful man are not formed upon the model of orators ancient or modern. They are not made up according to the prescriptions of rhetoricians of great or lesser name: they owe nothing to the magnificence of words, or to the studied graces of manner; but they are deeply imbued with the living spirit of thought, and are dependent for their influence alone upon the omnipotence of truth and the irresistible energy of genius. His gestures are without affectation; few but fearless and appropriate. His words spring free and spontaneous from his thoughts; and these gush on with one continued flow from the deep and unfailing fountain of a spirit whose source is in nature and God. It is difficult to characterize his eloquence, for it is neither florid, nor sterile, nor argumentative; but a happy combination of those qualities which captivate the fancy, convince the judgment and convict the heart. His sermons are not ushered in by a well worded exordium, nor are they closed by a corresponding peroration. There is nothing prepared or artificial about them. They are the workings of an affluent and vigorous mind, keenly alive to the awful truths it inculcates, and seeking the most direct and efficient means of enforcing and illustrating them. Hence he cannot be called a figurative speaker, for he does not seek for flowers and pluck them only when they obtrude upon his path. Yet sometimes he breaks forth into the most sublime and beautiful metaphors, transported out of himself, and carried as it were into the third heaven of eloquence. Once describing the value and the loss of an immortal soul, he burst into this magnificent apostrophe: 'What shall sing the dirge of the soul that is lost? What celebrate the obsequies of the entombed spirit? The sun hides his face—the stars lose their lustre—the heavens are clothed in sackcloth—the earth is convulsed throughout her whole circumference, and from mountain top to mountain top bursts forth the yell of despair and desolation.' These are something near his words; but his manner was beyond the pen or the pencil." [Wilington Watchman.]

Virtue is its own reward; and Vice punishes itself.