

CAUCUS.

The following able communication on the subject of caucusing, was originally addressed to the Editors of the National Intelligencer, and published in their paper.

Gentlemen: Early in the present month, I sent to you for publication, an extract from General Washington's valedictory address. It was sent under a deep conviction of its truth, and of its direct application to the caucus question. The first was admitted, but the latter, it seems, was not perceived. The people of the United States, however, cannot be at a loss to see the application to this important question, of the remark, that "the Constitution, which at any time exists, until changed by an explicit act of the whole People, is sacredly obligatory on all."

They will not think that this obligation is sacredly regarded, when,

1st. A caucus is held avowedly upon the ground that a clause of the constitution is vicious, and ought not to be permitted to come into operation, if a caucus can prevent it. In my humble opinion, this consideration alone presents an insurmountable objection.

Or when, 2dly, the very men expressly excluded by the Constitution from any participation in electoral power, assume the right to constitute this caucus, and to say how the electors ought to vote.

Or when, 3dly, instead of a proposition to amend the Constitution in a way prescribed by the Constitution itself, a remedy is sought for by the gratuitous application of a force totally unknown to the constitutional code directing the election of a President.

Or when, 4thly, a class of citizens to whom the election is devolved in the last resort, (and then merely from necessity,) change their position from the rear rank to the front: speak first instead of speaking last: exercise an original instead of an appellate power: and, in fact, instead of deciding, finally, after learning all that they can learn of the public opinion, undertake beforehand to tell the people what that opinion should be.

Or when, 5thly, instead of a real bona fide election, by the people, of a President, in a way prescribed by the Constitution, (no matter whether it be good or bad,) we are to be put off with a nomination by a caucus.

I did not, however, commence this note with a view to indicate to others that application of Gen. Washington's remark, which seems to have escaped your notice. My object was, and is, to call the attention of the good people of the United States, to another part of the same address, which will be found in the fifth volume of Marshall's Life of Washington, page 695.

The words are: "all obstructions to the execution of the laws, all combinations and associations whatsoever, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of the fundamental principle;" (meaning the principle stated in the first paragraph of this note.)

"However combinations or associations of the above description, may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion."

Let it be supposed that the arguments, hitherto advanced on this subject, shall be unavailing, and that a caucus is to be held; still several questions, the solutions of which will be attended with great difficulty, must be decided; questions of which some cannot, and others will not, occur in a caucus really held against an adversary party.

1. As to numbers. How many members of Congress will constitute a caucus? Will a minority act? Will a bare majority suffice? If not, what number beyond a majority will be required? By what criterion can that number be ascertained?

If the whole delegation of a State, either from conviction or instructions, shall refuse to attend, will the caucus act without them? Can it act without them? In all cases, to which the federal compact extends, with a few exceptions specially enumerated, the majority must decide, and have a right to decide, without regard to opposition or absence; but when a case exists, to which the compact does not extend, each State is sovereign and independent, and every thing done in opposition to its will is usurpation and tyranny.

If the majority of the delegation from a State shall refuse to attend, will the minority of that delegation be permitted to act?

2. As to political character. Who are to constitute the caucus? Republicans only? Are the Federalists, who set up no

*It is not unworthy of remark, that the late Mr. Lowndes was opposed to the caucus system in toto. He never attended a caucus; he could not be persuaded to attend one. Mr. L. pure and intelligent as he was, is not quoted as authority; but it will be admitted by all, that the grounds of an opinion which kept him back when his feelings would have led him forward, are worthy of being carefully explored.

candidate, to be told that, in the election of the chief magistracy of their country, they have no concern, and shall take no part? Can any representative of the people be found, so ignorant of the Constitution, or so regardless of its precepts, as to utter, or even to conceive, an opinion like this?

If it shall be decided that none but republicans shall attend, who shall judge of the qualification of the electors? I mean, of those who claim admission, in order to "direct" the electors.

3. Proceeding after organization. It is manifested that some arrangements must be concerted, and agreed on, before the ballot is taken. The caucus will be totally unavailing, unless the members pledge themselves to pursue a particular course, and to acquiesce in the result. Here a difficulty immediately occurs. Can this pledge be given by all? Some are instructed, and others feel bound by the known sentiments of those whom they represent in Congress. If the pledge cannot be given by all, it would be absurd to exact it from any.

But what motives can lead to these arrangements? What consideration is to induce a member, supposing him to be unshackled, to abandon the hero or the statesman whom he honestly prefers, and to recommend another candidate; the very candidate, perhaps, whom, of all the candidates, he least approves?

I can form no conception of any justifiable motive, except one; and that is, a conviction that the candidate preferred cannot possibly be chosen. How is this conviction to be produced? By regarding the votes in the caucus as evidence of the public opinion? Experience has proved the absurdity. I repeat, how is this conviction to be produced? Can any man be really convinced that his friend may not be one of the three highest on the election list, and that he will not be selected by the House of Representatives, voting by States? Can he be convinced that his friend, though last in the estimation of the caucus, may not be the first, or among the first, in the estimation of the people? An honest man cannot, easily, be so convinced; and a man zealous and able, as well as honest, will turn from the caucus to the people, and endeavour to convince them that his friend is the man whom they ought to prefer.

It is true, that the caucus theory furnishes a motive, which, the advocates of that theory must contend, will justify, where there are several candidates, several consecutive surrenders of judgment and feeling, on the part of the friends of those whom this self-created oligarchy may reject. They must contend, and they do contend, that the Constitution, in relation to the ulterior and contingent powers of the House of Representatives, is so radically vicious, that a remedy ought to be applied: that this remedy is not by an amendment, as the Constitution itself prescribes, but by a caucus! A caucus! a nocturnal assembly, convoked at a short notice, after long preparation, bound by no rule, acting without authority, without the obligation of an oath, within the immediate reach of every sort of influence, calculated, if exerted, to mislead, to deceive or to corrupt, guarding the people of these United States from the mischief threatened by their own Constitution!!!

It may be, but it ought not to be, supposed, that these considerations evince too much distrust. Power will always be abused, unless its exercise be watched with unceasing vigilance. The history of the world is little else than one continued and mournful illustration of this truth. It is the great basis of the Constitution, and, surely there is no power which ought to be watched with more care, or viewed with more distrust, than that which is assumed by "any association" of men, "however plausible the pretence," in relation to a subject so important and interesting as the election of a Chief Magistrate of this Union.

A few words more. At a very early period of the struggle between the two great parties of the United States, I took an active part, and continued to maintain it with unabated zeal, not only until the termination of that struggle in 1801, but until the present day. My great object was, and always has been, to sustain the constitution, on the ground on which I was convinced the people meant to place it. I believed at the time, and still believe, after the lapse of more than five and twenty years, that I was right; and I now look back, with a sentiment of pleasure and confidence, which at this late day, would be little affected by praise or condemnation. Yet there is one circumstance—one change in the political movement of this country, which, I confess, would deeply affect my best and strongest feelings. If any one part of the Constitution of this country, "sacredly obligatory on all" while it stands, is to be removed from its place, or kept out of view, or debarred from operation, by means of the machinery of a caucus; if, instead of election by the people, the main pillar of free government, we are to have a caucus nomination; if the people of this country, instead of acting for themselves on the great subject, on which they have reserved the power of acting by their immediate deputies appointed for the special purpose, are to be led by self appointed agents; then

indeed, I shall indulge the mournful conviction, that my time and my labors, such as they were, have been thrown away; and my only consolation will be, that my concerns on this subject, however deeply felt, must necessarily, like all other concerns, whether of pain or pleasure for me, be of a very short duration. FROCTOR. Virginia, Nov. 23, 1823.

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FOREIGN NEWS.

NEW YORK, DEC. 10.

The ship Florida, Wilson, and the packet ship Meior, Gardner, arrived yesterday in short passages from Liverpool. The former sailed on the 7th, and the latter on the 8th ult. to which date we are furnished with Liverpool papers, and London dates to the 7th, inclusive.

The war in Spain was nearly ended, and part of the French army was on its return to France. An armistice had been agreed upon for the surrender of Barcelona, the terms of which were not known; but it is said Maria had sworn allegiance to Ferdinand. It appears to be believed that the King of Spain had been induced to agree to modify his rigorous decrees against the Constitutionalists.

A messenger had arrived in London with despatches from Sir Wm. A'Court, announcing that Ferdinand had consented to ratify the Convention of March last, made by the constitutional government, to indemnify British merchants for captures made by Spanish (Porto Rico) privateers. The blockade of Cadiz, and other Spanish ports occupied by French garrisons, was formally raised on the 5th of October.

The circumstance of the removal of the Spanish governor, Donnay, from Cadiz, was not yet known at Madrid. The London Courier says—"We learn, by private advices from Paris, that the French government meet with no inconsiderable difficulties in making Ferdinand act with moderation. We are even assured, that when it was hinted to him how desirable it would be to remove from about his person his minister and confessor, Saenz, he peremptorily refused to do so. The death of San Miguel is announced. A Paris paper states that he committed suicide.

The fate of Riego was not yet decided. The Fiscal, in act of accusation, requires that Riego should be punished as follows: That he shall be drawn by the feet from the prison to the scaffold, there hanged, then quartered, and that one limb should be sent to Las Caberas, one to La Isla, one to Malaga, and one to Madrid; that the rest of the body should be burnt, and the ashes cast into the air by the hands of the hangman.

The wife of Riego was in London, in indigent circumstances.

The freedom of the Borough of Plymouth was presented to Mr. Canning on the 30th October. In his speech of thanks, Mr. C. declared the policy of his country was peace, and that any interference in the late struggle in Spain "would have been one to be characterized only by the term Quixotic—an enterprize romantic in its origin and thankless in its end!"

Gibraltar, October 16.—We are crowded with the unfortunate Spaniards who have taken refuge here, to escape the miseries of a dungeon, or the tortures of the bloody Inquisition. Among them are upwards of sixty Deputies of the Cortes, of the most distinguished, as Valdes, Alava, and Infantas; Quiroga, Yardiola, Manzanares, and Calatrava, are also here. There is a warm feeling among the inhabitants of the Rock in favour of these unsuccessful patriots. Sir Robert Wilson arrived here a few days since from Cadiz and Tarifa; he was at first undecided as to his future destination, but has determined at last to return to England, in the first packet.

A noble Child.—While the frigate United States was drawing near the Macedonian, a child on board said to Decatur: "Commodore, I wish you would put my name on the muster-roll!" "What for?" "That I may get a share of the prize money." "It was done. After the capture, the commodore said, "Well, Ned, she is ours, and your prize money will be about 200 dollars. What will you do with it?" "I'll send a hundred to my mother, and the other shall send me to school." This boy is now a gallant midshipman.

Some gentlemen of a Bible Association lately calling upon an old woman to see if she had a Bible, were severely reproved by a spirited reply, "Do you think, gentlemen, that I am a heathen, that you should ask me such a question?" Then addressing a little girl, she said, "Run and fetch the Bible out of my drawer, that I may show it to the gentlemen." The gentlemen declined giving her the trouble, but she insisted upon giving them ocular demonstration that she was no heathen. Accordingly the bible was brought, nicely covered, on opening it she exclaimed, "Well, how glad I am that you have come; here are my spectacles, that I have been looking for these three years, and didn't know where to find 'em."

CONGRESS. SENATE.

Friday, Dec. 12.—Mr. Noble presented the petition of Eliza Dill, one of the heirs of Gen. Arthur St. Clair, stating that the Government is indebted to her late father for military services, and praying for the relief of Congress.

HOUSE OF REPRESENTATIVES.

Thursday, Dec. 11.—The resolution moved by Mr. Gazlay, of Ohio, was then taken up, in the following words:

Resolved, That the Postmaster General be directed to lay before this House the amount of defalcations in his Department, which occurred previous to July, 1822, and which were not sued for, as directed by the 22d section of the act regulating the Post Office Establishment, designating the years when each occurred, and not to extend beyond sixteen years.

This resolution being under consideration—Mr. Gazlay rose and said, that, by a reference to the act of Congress of 1782, regulating the Post Office Department, it appeared that all the Postmasters of the United States were directed to settle their several accounts with the General Post Office every quarter; and, if they neglected to do so, the Postmaster General was required to sue within three months. In 1810, the act was so altered as to extend the period within which the Postmaster General must sue, from three months to six. Under such a regulation, expressly provided by the law, it was not to have been anticipated that so much defalcation should occur as the amount stated in the President's Message. From reports laid before this House by the late Postmaster General, it appeared that, in 1814 there was a balance due the Department, from Postmasters, of upwards of \$200,000. In 1822, this amount had increased to \$400,000; and it now stood as appeared by the President's Message, at upwards of \$300,000. The object of the resolution he had just offered, was to possess this house of the true state of these defalcations, in those particulars of which it was at present unadvised.

Mr. Storrs said, that, as he understood the fact, it was required by a certain act of Congress, that the amount of the deficiency of any Postmaster retained in office, should, after the lapse of a certain time, be charged to the Postmaster General. To ascertain whether that part of the law had been complied with, or not, Mr. S. moved to add the following: "and the amount of any such deficiencies as may have been charged against the Postmaster General of the United States."

Mr. Gazlay accepted this modification as a part of his motion; and, this modified, the resolution was agreed to without opposition.

On motion of Mr. Beck, it was Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of providing by law an uniform system of Bankruptcy throughout the United States.

On motion of Mr. Kilder, it was Resolved, That the Committee on Commerce be instructed to inquire into the expediency of imposing a specific duty on Potatoes imported from Nova Scotia, Ireland, and other foreign countries.

On motion of Mr. Richards, it was Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of constructing some works of defence, at some suitable point near the line dividing the United States from Canada, on the margin of Lake Champlain.

Mr. Trimble in offering to the House the following resolution, said it was well known that the decisions of the Supreme Court of the United States are sometimes not published until 12 or 15 months after rendition. He did not complain of this under the present system; but his object was to insure an earlier publication of the Reports. He thought that those who are interested in the principles decided should not be left so long ignorant of what those decisions were. To remedy this defect he proposed the following:

Resolved, That the Committee on the Judiciary be instructed to inquire whether any, and what, provision ought to be made by law, to insure a more speedy publication of the decisions of the Supreme Court of the United States.

The resolution was agreed to without opposition.

Friday, Dec. 12.—Mr. Fuller submitted the following:

Resolved, That the President of the United States be requested to communicate to this House a plan for a Peace Establishment of the Navy of the United States.

The resolution lies on the table one day of course.

ANECDOTE.

During the traitor General Arnold's predatory operations through Virginia, in 1781, he took an American captain prisoner. After some general conversation, he asked the captain "what he thought the Americans would do with him if they caught him." The captain declined at first giving an answer; but upon being repeatedly urged, he said, "Why sir, if I must answer your question, you must excuse my telling you the plain truth; if my countrymen should catch you, I believe they would first cut off that lame leg, which was wounded in the cause of freedom and virtue at Saratoga, and afterwards hang the remainder of your body on a gibbet."

Northern paper.

SALISBURY.

TUESDAY, DECEMBER 30, 1823.

THE GREEKS.

The long-continued enjoyment of blessings, or privileges of any sort, it is generally considered, renders man insensible of their value, and thus his rights and liberties become an unwilling but easy prey to designing and ambitious men. But the citizens of the United States seem to be an exception to this laxity of virtuous principle in human nature; the glorious struggle in which the Greeks are now engaged, to free themselves from a thralldom more galling and barbarous than the descendants of Joseph of old ever endured in Egypt, has furnished an illustration of this fact.

Since our venerable and patriotic President has introduced to the nation (in his late message) the sufferings of the Greek people in the cause of liberty, a sympathy and kindred feeling seems to be rapidly diffusing itself among our countrymen. Their cause was once the cause of our fathers; and we should be ungratefully callous to feelings of humanity and patriotism, were we not to manifest a lively concern for the triumph of a people who are struggling against a despotism ten-fold more intolerable than the oppressions against which our Revolutionary fathers protested, and for which they were forever absolved from their fealty to the British monarchy.

In addition to what we published last week relative to the cause of the Greeks, it appears that not only the people of the U. S. are striving to aid them, but Legislatures are catching sympathy from their constituents, and resolving to aid that gallant and oppressed nation. In Philadelphia, a numerous and respectable meeting has been held, to consult upon measures to aid the Greeks in regaining their long-lost liberties, the venerable Bishop White was called to the chair; spirited resolutions were adopted, committees appointed to solicit assistance in the city, the clergy throughout the State requested to make up contributions, and a committee appointed to transmit a memorial to Congress, praying that body to take into consideration the expediency of acknowledging the independence of Greece. And in the Legislature of Maryland, now in session, the following resolutions on the subject have been introduced:

Resolved, That we regard the struggle of the Greeks against the Turks, one of the noblest wars of oppressed man against the most cruel tyranny.

That the freemen of Maryland respond to the pure feelings of the President of the United States, in his message, ardently wishing them success and a place amongst the independent nations of the earth.

And that our Senators and Representatives in Congress be requested to give all their aid and influence to carry into effect, such measures as the administration shall in their wisdom and liberality recommend to be adopted in this cause.

Two sets of resolutions have been presented in the United States Senate for amending the Constitution of the Union, as regards the choice of President and Vice-President; one by Mr. Benton, of Missouri, which proposes to give the election directly to the people, in their primary assemblies; the other by Mr. Hayne, of South-Carolina, which proposes, that if no choice is made on the first balloting by the Electors, they shall ballot again, and thus continue to do, until a choice is effected, the same as in elections by other bodies. In our next, if we can find room, these resolutions shall be published.

A writer in the Raleigh Register of the 16th instant, who signs himself "Carnot," has seized upon a little article published in the Western Carolinian some time in Sept. last, (in which it was stated that the Governor and members of Congress from Alabama were opposed to the pretensions of Mr. Crawford to the Presidency,) and has indulged in a strain of witticism which, he, no doubt, imagines has stung us to the very core. And verily, had not this heterogeneous admixture of wit, gravity, and mawkish sarcasm, have come upon us in so joyous a season, when the heart is too buoyant to be cast down by the raillery of pugnacious wittings, our sensibilities might have been a little nettled; but for the life of us we cannot get out of temper with "Carnot" now; when all around us exhibits nothing but innocent festivity and joyous devotion. We shall therefore let him flutter on his way, in the undisturbed fruition of all his leers and gibes back to Alabama.

The following appointments, made by the President during the recess, have been confirmed by the Senate of the United States, viz:

- Samuel L. Southard, of New Jersey, to be Secretary of the Navy.
Smith Thomson, of New York, to be a Judge of the Supreme Court.
John M'Lean of Ohio, to be Postmaster General.—Washington Republican.

Separate Resolutions have been submitted to both Houses of the Legislature of Maryland, to "disapprove of any congressional caucus nomination at this time of President and V. President of the U. States," and requesting the senators and representatives of that state in Congress "to use their influence to prevent the same." We shall in our next publish these Resolutions.