

The United States, is a proposition deducible from the rights of man, the nature of the Federal Government, and the proper distribution of all its powers. The nature of this Government is free and representative. It is a Government of the People, managing their own affairs in their own way, through the agency of their own servants. It rests upon Election, in opposition to Hereditary Succession; and unless the people make these elections, the peculiar feature which distinguishes this Government from a limited monarchy, must rapidly disappear. In the distribution of the powers of the Federal Government, the faculty of election was the only one which appropriately fell to the mass of the people. It is the only one which they can exercise. All others are necessarily assigned to a few select hands. The people in mass cannot command armies and fleets, preside over public affairs at home, and treat with foreign nations abroad. These powers must be left to the Executive office. They cannot assemble in a body and enact laws; this power of legislation must be left to representatives. Still less can they sit in mass upon the rights of persons and property, administer justice, and expound the laws; all this must be confided to a small number of judges, placed, by the tenure of their office, far above the immediate control and influence of the people. What part, then, remains for the body of the people to act in the administration of the federal government? Elections; and nothing but elections remain for them; and in the original distribution of power, this part was the one assigned to them. Representatives in Congress were to be chosen by them; in the election of Senators, they were to have an indirect vote; and in that of President and Vice President, they were to choose, through their immediate representatives, such as they believed to be most capable of making a good choice for them. Thus, the power of electing the executive and legislative members of the Federal Government, was the only attribute of sovereignty left in the hands of the people, by the Federal Constitution; and if this attribute is lost or destroyed in the most important election of all, that of the Chief Magistrate, then the appellation of sovereign, with which the people are so often greeted, becomes a title of derision, only serving to remind them of what they ought to be, and of what they are not.

That this great privilege of election was intended to be a real, and not a barren power in the hands of the people, was asserted and admitted by the ablest advocates of the Constitution, at the time of its adoption. The jealous friends of liberty were alarmed at the first appearance of that instrument, at seeing the accumulation of almost kingly power, which it placed in the hands of the President. They saw him vested with authority to nominate the officers of the army, and to command the officers of the navy; to nominate and dismiss, at pleasure, all the collectors and disbursers of the public revenue; to nominate the judges who administer the laws, and the ambassadors who treat with foreign powers; to exercise, by his qualified veto a direct part in legislation, and, by his character, station, and vast patronage, to possess a great influence over both branches of the Federal legislature. And from this accumulation of all efficient power in the hands of the first Magistrate, they saw, or thought they saw, ground of real apprehension for the safety of the public liberty. But they were answered, that all the apprehensions were without foundation; that there was one single consideration, which would show them to be groundless; and that consideration was this: that the President himself was to be nothing more than the creature of the people, elected by the best and wisest among themselves; such as they themselves would agree could make a better choice than themselves; and that, thus issuing from the bosom of the people, dependent upon them for his first election, and subsequent re-appointment, he would, in fact, be nothing but an instrument in their hands, by means of which, they could direct all this formidable array of power to the protection of their own liberties, and to the augmentation of their own happiness. By this answer, enough were soothed into acquiescence, to permit the Constitution, by lean majorities, in several States, to get into operation. And now, if by any vicious practice, which shall grow up under this Constitution, the people shall lose the power of electing the President and Vice President, then they lose the only attribute of sovereignty which, as a body, they are capable of exercising in the administration of the Federal Government; they lose the attribute, and the only one, which was assigned to them in the first distribution of power in the organization of this government; the identical one which they were flattered into the belief of possessing, when they consented to the establishment of the Constitution; and the one which cannot be lost, without rendering the remaining privilege of voting indirectly for Senators, and directly for Representatives, of too little consequence to be worth preserving. The laws operate upon the people;

therefore, the theory of our government requires, that the mass operated upon by the laws, should elect those who make the laws. The same principle applies, with still greater force, to the eminent officer who executes the laws, and who, in executing them, is supported by an army, a navy, a judiciary, and a host of revenue officers, all deriving their appointments from himself. To secure to the people the influence over this eminent officer, which the theory of our Government admits, and which their own safety demands, it is indispensable that they should be brought, as nearly as possible, into the presence of each other. No intervening bodies should stand between them. The President should be nothing but an emanation of their will. His powers are too great to be independent of the people, without danger to their liberties. To them he should, therefore, look for all his honors—the brilliant distinction of a first election, and the crowning reward of a second one.

Holding it as a proposition demonstrated, that, in this confederation of republics, the choice of the chief magistrates should be left in the whole body of the qualified voters; it is not to be dissembled, that several objections, and some of them specious, and even plausible, have been urged against it. That there should be objections to this plan of election, founded in conviction and urged with sincerity, could not be unexpected by the Committee. They very well know that there does exist, always has existed, and forever will exist, in every free government, two very opposite classes of politicians: one dreading that the people will overturn the Government; and the other dreading that the Government will seize upon the liberties of the people: the first class having the fear of anarchy, the second of monarchy, constantly before their eyes. That the apprehensions of each are very sincerely felt, is readily admitted; but on which side lies the ground for apprehension, is not to be decided by argument, but by reference to the historical fact, that of the hundred republics which have flourished in the other hemisphere, in the course of the last thirty centuries, not one surviving! All have slid into the kingly system, while not a single kingdom has taken and retained the republican form!

[To be continued.]

CONGRESS.

Washington, Jan. 25. In the Senate, the principal part of yesterday's session was passed in the consideration of Executive business. A resolution was submitted by Mr. Holmes, for an inquiry into the expediency of making further provision for furnishing merchant vessels with medicine chests, and with necessary medicines. The Naval Committee were discharged from the further consideration of the communication of Commodore Porter. A resolution of the State of Alabama was presented by Mr. King, on the subject of the purchase of some sections of public land on Spring Hill, near Mobile, as a place of retreat for health to the inhabitants of that place.

Among the bills introduced into the House of Representatives yesterday, was one to compensate Mrs. Decatur for the services of Captain Stephen Decatur, in destroying the frigate Philadelphia. Several resolutions were agreed to: one on motion of Mr. Bryan, of North Carolina, to inquire into the expediency of surveying the cascades of Teggert Valley river, in Western Virginia. Mr. Mitchell, of Tennessee, presented, on Monday, a memorial of the General Assembly of the State of Tennessee, praying that measures may be taken by the General Government, forthwith, for opening a Canal communication between the waters of the Tennessee river and those of the Alabama, through the Hiwassee and Conasauga Streams, and that, as the object is of high national importance, that the expense be defrayed out of the national treasury.

Washington, Jan. 26. In the Senate, resolution submitted; by Mr. Harrison, for the message of Mr. Jefferson, relative to an expedition across the country to the North Western Coast. The bill to abolish the discriminating duties of tonnage and impost was ordered to be engrossed for its third reading; Mr. Lloyd of Mass. submitted to the Senate some interesting and luminous views in relation to the expediency and policy of the measure. The bill to secure the accountability of public officers, was taken up, and, after some debate, was laid on the table.

The bill to amend the Judicial System, was yesterday ordered to be engrossed for a third reading, in the House of Representatives, by a vote of 132 to 58. Several attempts were made to amend and postpone the bill, but the friends of the measure held together, and finally triumphed over an opposition feeble in numbers, but respectable for their talents and their perseverance. Mr. Miner, of Pennsylvania, laid on the table some resolutions on the subject of Panama, which he accompanied by some appropriate remarks; which called forth a few observations from Mr. Forsyth. A resolution was agreed to, on motion of Mr. Strong, of

New York, directing an inquiry into the expediency of making more frequent sales of the public lands, and in smaller quantities; on motion of Mr. Trimble, of Kentucky, relative to desertions; and on motion of Mr. Ambrose, of N. Y., relative to the removal of discriminating duties. A resolution was laid on the table by Mr. Moore, of Alabama, calling for information from the War Department, relative to the practicality of a survey of the Muscle Shoals; and another by Mr. Pearce, of Rhode-Island, relative to the services of Mr. Monroe, the late President of the United States.

Washington, Jan. 27. In the Senate, the bill to abolish the discriminating duties on tonnage and impost was passed and sent to the House of Representatives.

In the House of Representatives, a bill to erect a marble monument to Gen. Washington, was reported by Mr. Fassett, of Virginia, from the select Committee to whom the subject was referred. A resolution was laid on the table by Mr. Stewart, of Pennsylvania, calling on the Secretary of War for estimates of the cost of completing a line of Canals along the Atlantic seaboard, from Boston to New-Orleans. A resolution was adopted on motion of Mr. Bradley, of Vermont, in relation to the payment of arrearages of pensions due to deceased pensioners, to their widows and orphans.

Washington, Jan. 28. In the Senate two bills were ordered to be engrossed for a third reading—a bill for the relief of Wilkins Tannehill, and a bill to authorize the printing and distribution of the Infantry Tactics, for the use of the Militia. The bill for the relief of Demas Denning was rejected. A number of petitions were presented, among which was one from a company in New-York, for authority to explore, in search of copper, the south side of Lake Superior. The bill from the House of Representatives, to amend the Judicial system, was twice read, and referred to the Committee on the Judiciary.

A long discussion took place in the House of Representatives, on a motion of Mr. Forsyth, of Georgia, to postpone the bill making appropriations for certain fortifications, until Monday week, which was intended to supersede the going into Committee on the bill. The question was not taken when the House adjourned. A resolution was laid on the table, by Mr. Cocke, of Tennessee, calling on the President for information of the credits allowed to the Ex-President, under a letter of Robert Smith, Esq. the Secretary of State in 1810. A resolution was also laid on the table by Mr. Haynes, of Geo. calling for information from the Secretary of War, what addition would be made to the Military Establishment, to preserve the various fortifications embraced in the contemplated system of National Defence. Resolutions were adopted, on motion of Mr. Allen, of Mass. relative to the expediency of reducing the duty on Imported Sugar; and on motion of Mr. Stewart, as to the expediency of placing a part of the proceeds of the Post Office Establishment under the controul of the Postmaster General, for the purpose of enabling him to remove obstructions on any of the great mail roads. The resolution offered on Thursday by Mr. Condit, relative to the Breakwater in the Delaware Bay, was laid on the table, after a few remarks. The Committee to whom that subject was referred, are said to have authorized their chairman to report against any appropriation for that object.

Both Houses have adjourned to Monday. Washington, Jan. 31. In the Senate, the resolution proposing an amendment to the Constitution of the United States, on the subject of the election of President and Vice President, which was made the special order for the day, was postponed and made the order for Monday next. Three bills were passed—a bill for the relief of Wilkins Tannehill—a bill for the relief of sundry citizens of Baltimore, and a bill to distribute among the militia the system of Infantry Tactics adopted in the United States, army. A resolution was offered by Mr. Dickerson, to authorize the Secretary of the Treasury to distribute annually among the several States and territories, the sum of three millions of dollars, for the purposes of Education and Internal Improvement, to be apportioned among them according to the rate of direct taxation. In the House of Representatives yesterday, a bill was reported from the Naval Committee, by Mr. Bartlett, of New-Hampshire, concerning the Naval Establishment, an abstract of which will be found in our proceedings. After a slight discussion, the resolution laid on the table, on Friday, by Mr. Cocke, of Tennessee, calling for information relative to the accounts of Mr. Monroe, was again laid on the table. A resolution was also laid on the table by Mr. Drayton, of South-Carolina, relative to the establishment of a Navy Yard at Charleston, or St. Mary's. Mr. Motcalf, of Ken. laid a resolution on the table, on the subject of Panama. The House then resumed the unfinished business of Friday, being the bill making appropriations for certain fortifications, when, after a most luminous speech from

Mr. McLane, of Bal. and a few remarks from Mr. Forsyth, the question to postpone the consideration of the bill to Monday next, was negatived by a vote of 101 to 51.

January 13.—On motion of Mr. Carson, of N. C. it was Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Morganton, North-Carolina, to Athens, Georgia, via Ruthersfordton, Greenville, Pendleton court house, S. C. Elberton and Danielsville, Geo.

January 27.—Mr. Stewart, of Pennsylvania, offered the following resolution, which was rejected: Resolved, That the committee on Manufactures be instructed to inquire into the expediency of increasing the duty on imported bar iron.

GENERAL SUMMARY.

The Committee of the New York Assembly on the incorporation of Banks, have made a report on the numerous application for Banks in the City of New York, expressing an opinion that, although the increasing demands of the growing commerce and trade of that city, require additional capital, yet that they entertain great doubt if the grant of additional institutions for banking will furnish any additional capital to aid the requirements of that growing commerce and trade; and the report concludes with a distinct expression of an opinion, that it is inexpedient at this time, to multiply the charters for monied institutions in that city.

Tennessee.—At the late session of the Legislature of the State of Tennessee, an act was passed, for allowing any person to enter any vacant and unappropriated land, lying East of the Congressional Reservation Line, and North of Tennessee River, by paying one cent per acre for every acre. Provided, that no person shall enter more than six hundred acres, nor less than twenty-five. There is in that part of the State a great quantity of vacant land, some of it adapted to cultivation, and the timber of other portions of it being valuable. This presents a fine opening for emigrants, who are not afraid of hard-work and spare living for a time.

An act to incorporate the Mexico Atlantic Company of Georgia, passed the legislature of that state at its last session. The company is authorized to create a capital stock of 2,000,000 dollars by subscription in shares of 200 dollars. The object of the company is to connect the waters of the Atlantic in that state, with those of the Gulf of Mexico, by canals and rail ways.

The law of Maryland which disqualified the Jews from holding offices on account of their religious opinions has been abolished by the legislature. They are now placed upon the same footing, and possess the same civil rights as every other religious denomination.

The Virginia house of delegates have rejected (ayes 70, noes 125) a bill, by which it was proposed to abrogate the legal penalty against the marriage of a widower with the sister of his deceased wife. Long and very elaborate speeches were delivered on the subject.

Mississippi.—The General Assembly of this State met at Jackson, the seat of Government, on the 2d inst. and formed a quorum in both houses. In the Senate, William Chaille was elected Secretary; and in the House of Representatives, Isaac R. Nicholson was elected Speaker, and William Phillips, Clerk.

The Illinois Legislature assembled at Vandalia, on the 2d ult. when Mr. Widen, in the absence of the Lieut. Governor, took the chair. In the House of Representatives, eleven ballotings took place before a Speaker was elected, when David Blackwell, having obtained 17 votes, a majority of the whole number present, was elected. Nat. Journal.

By a report made by the Committee of Ways and Means of the Delaware Legislature, it appears that the whole of the estimated means of the state, for the current year, are 24,259 dollars 92 cents; and the aggregate expenses for the same period are estimated at 20,234 dollars leaving a balance to be disposed of as the Legislature may direct, of 5,294 dollars 92 cents.

The first European settlement in North Carolina, was made at Roanoke Island, in the summer of 1585, 240 years since.—In 1730, 145 years subsequent, and 96 years ago, Dr. Brickell, who published a Natural History of the then colony, made an excursion towards the mountains, and says, "he travelled 15 days without meeting with a human being." The population of the state may now be computed at 650,000.

Col. Leavenworth, of the Army of the United States, has arrived in Washington City from a tour of service of five years on the Western frontier. "Gen. Atkinson, we learn, is also expected from the same quarter in a few days. Nat. Intel.

The publication of the Life of Napoleon will follow the historical novel of Woodstock, or The Long Parliament, by the author of Waverley.

Pointa Mission.—Mr. Mynck, of Pennsylvania, has submitted a resolution in the House of Representatives, which, for the present, is laid on the table, approving the appointment of Ministers to the Congress of Panama, and to provide by law for the payment of their expenses.

A number of the most respectable mercantile houses of New-York have entered into a mutual pledge that, for debts contracted after the date of their agreement (Dec. 23d, 1825,) they will, in no instance, discharge any debtor, who, in case of insolvency, shall in any manner make a preference in paying or securing any creditor whatever except for money actually borrowed, for accommodation notes discounted at some bank, and for Custom-House bonds.

A young man named Hugh McBride, in the employ of the Hudson Bay Company, at the post of Rat River, was found dead on the 13th of December. While hunting, he was caught in a fox-trap by accident—the two beams of the trap had closed on his neck, and choked him before he could extricate himself.

General Galnes and family have left Washington for his command in the west. His head quarters are at Cincinnati.

Within twenty years, the State and people of Pennsylvania, on internal improvements, have actually expended more than ten millions and a half of dollars.

A New York paper mentions, that ten persons were sentenced to death in that state, during the last year, of which nine were executed.

An efficacious remedy is used for the influenza, which is drinking very plentiful of Barley water, sweetened with brown sugar, and strongly impregnated with acid, and observing a strict diet.

The exact amount of canal tolls received into the treasury of the state of New York, for the year ending on the 30th of November last, was \$521,243 94c. The revenue from the Salt Springs amounted to within a fraction of \$80,000. The state paid during the year \$71,000 for the support of Common Schools, and invested \$155,000 in the school fund.

The water borers near Baltimore, have reached a depth of 196 feet, and are now working in a rock. The water has risen 176 feet, and is within 20 feet of the surface of the earth.

The Legislature of Maryland on Tuesday last, elected Col. E. F. Chambers, to fill the vacancy occasioned in the Senate of the U. States by the resignation of Edward Lloyd, Esq. by a vote of 49 to 34. General Reid was the opposing candidate.

When Com. Rodgers was at Patuxent seven Turkish widows, whose husbands had been killed at Corinth, were brought on board the North Carolina by the Greeks for sale. The Commodore generously paid their ransom, gave them their liberty, and sent them to Smyrna.

The Pope has ordered the Jews to wear a yellow covering on their hats, and the women a yellow ribband on the breast, under the pain of severe penalties.

The Emperor Alexander is said to be in a bad state of health; private letters report him to be almost blind and deaf.

Professors of the French and English tongues in Madrid have received orders to cease giving lessons. This is quite *à la mode* in Madrid. The next step possibly may be, to imitate the Turk, and have none but mutes around the tyrant.

The subject of the Mission to Panama has not yet been decided upon in the Senate.—It is said that it meets with serious opposition in that body.

The revenue of the Mexican government, in 1825, from duties on imports and exports, amounted to \$2,375,832.

Major Clapperton and his companions in the expedition for the interior of Africa, arrived at Teneriffe, September 12, and was to sail on the 18th for Sierra Leone, and not direct to the Bight of Benin, as has been heretofore stated.

The General Assembly of Upper Peru, as an act of gratitude to their great liberator, has passed a decree, giving to that new state, the title of the *Republic of Bolivar*.—The seat of government is to be called *Sucre*, in compliment to the Hero of Ayacucho.

Another fire took place in Charleston, on Sunday evening, the 15th ult. which consumed two dwelling houses, and out-buildings. No doubt is entertained of the fire having been caused by design. Three several attempts were made on the preceding Tuesday, to set fire to the city.

In 1817, the Grand Canal of New-York was commenced; it is said to extend in actual cutting 353 miles, and was finished in 1825; having cost the state \$8,000,000; during the last year, it yielded 5 per cent. upon the entire cost.

A POET SET UP BUSINESS. A Mr. St. George has opened an office in New York, "where every description of poetry, songs, acrostics, letters, &c. &c. shall be executed in the best style. The strictest secrecy observed." Sing! Heavenly muse!!

The Mobile Bank declared a dividend of five per cent. on its capital stock, for the half year ending on the first of January last.