

CONGRESS.

1st Session.....22d Congress.

DEBATE IN THE SENATE, ON THE NOMINATION OF MR. VAN BUREN.

MR. FORSYTH'S SPEECH IN REPLY TO MR. MILLER.

Mr. President: We were told by the Senator who has just concluded, in the beginning of his extraordinary speech, that he intended to publish his remarks for his own vindication. No friend of Mr. Van Buren will complain of the fulfillment of this intention.

Of the long list of offences committed by Mr. Van Buren, it was natural that the Senator should begin with those at home. He says General Jackson has been separated from him and his friends by the artifices of Mr. Van Buren, and he tells us of his own zeal and devotion to the hero of New Orleans; and read extracts from his own speech at the Waxaws, when he assured his auditors that "the philosophy of nature" was "a sufficient guaranty" for the General's "local attachments."

The radical party in South Carolina—the Unionists—have, the Senator says, given in their adhesion to interested motives to Mr. Van Buren for the succession to the Presidency—and this is another of his crimes. Now, sir, I do not know that it is true that they desire the succession for Mr. Van Buren; certainly they might go further and fare worse, and fare much worse and not go quite so far.

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Mr. Cobb and Mr. Crawford have been named by the Senator. Mr. Cobb is no longer among us to answer. He did his duty, according to his conception of that duty, in this and every other act of his public life. His friends know that his conduct was open, and his motives pure.

This Union party, which seems to haunt his imagination, if I am not strangely mistaken, had the honour, a short time since, to number him as a member of it. (Mr. Miller denied that he had ever been.) Well, sir, the Senator ought to know: but in this fact, I cannot be mistaken—the Senator was a candidate, brought forward by that party, for the state government—and the cause of postponing for two years the elevation of the accomplished gentleman who now stands at the helm of her affairs.

We are taught to expect shoals of them here, seeking as the rewards of devotion, honors and trusts, foreign missions, &c. &c., one of them being already before us, as the avant-courier of a thousand more! No allusion could have been more unfortunate. Who and what is the gentleman at whom this arrow has been cast, the first of the shoal of office seekers! Why, sir, the Senator himself speaks highly of his character. Described by his colleague, he is a high minded man, of extensive information and un-

sullied integrity, in whose hands the best and dearest interests of the people may be safely confided. And are such men office seekers, and interested devotees to existing power in South Carolina? If so, what are the patriots? They must be angels. They cannot be men.

The arrangement of the first cabinet did not please the senator. South Carolina was neglected. Governor Hamilton was told he might have been Secretary of War, but for his violence against the tariff; and what seemed to have added venom to the sting, South Carolina was not only passed over, but an Attorney General was looked for in Georgia; and all this was the work of the Dom Daniel of New York. The senator is difficult to please. He liked not the first, and likes less the second cabinet. But how was the fact in regard to Governor Hamilton? If my memory deceives me not, he has publicly declared he might have had office, had he desired; he did not desire it. In this, and in all other things, he is incapable of deceit.

Considered as the originator and the fosterer of the disagreement between the first and second officers of the government, Mr. Van Buren is to bear the extremity of the Senator's wrath. On this subject, Mr. President, I can only refer the Senate to the explicit and prompt denial of the justice of the charge by the party accused, long since publicly made, and never yet impeached by any one having a claim to character. The facts before the public prove that the charge is the coinage of a distempered brain, baseless as the fabrics of a vision.

The Globe! the Globe! the official paper, has abused the Senator and his friends. The editor was brought here by Mr. Van Buren, and he is accountable for all it contains: all that is bad, I mean—he gets credit for no good, appear where it may.

This charge is made because the Globe is called the government paper. Mr. Van Buren and the government being previously identified. I must not be misunderstood, as defending the editorial management of the Globe. I see with regret many attacks on persons for matters that ought not to be brought before the public. I detest all investigation of the private transactions, all malignant scrutiny into the every day business of political aspirants.

Mr. Miller explained, and concluded by saying—as to the rule by which he judged others in relation to the official press, he was willing that it should be applied to himself and his friends.

Mr. Forsyth replied to an argument as explained, and then said, as to the public press, the Senator consents that he and his friends

shall be judged by his own rule.—Then God help the Senators friends; for they are beyond all human aid and so are those who patronize and support, in times of high party strife, a thorough-bred partizan newspaper. Leaving to others to adopt or reject the rule, and to apply it or not to the patrons and supporters of the Journal and the Telegraph, and to the former patrons of the Washington Republican, the Washington City Gazette and Federal Republican, I deny, explicitly, Mr. Van Buren's responsibility for any article of the Globe. If the Senator will produce satisfactory proof that he has been instrumental in establishing a press here or elsewhere, for the purpose of dragging down by calumnies any good man's name, my vote shall damn him here—my voice every where.

In the spirit of manly kindness, not in the spirit of this discussion, I appeal to the Senator to reflect upon the irreconcilable contradiction between all his conclusions to Mr. Van Buren's prejudice, and the character of the President with his present friends and the people, but according to his own conceptions of that character before the President had the misfortune to think that the Senator and his friends were pursuing a policy dangerous to the union of the States. He was, as described by the Senator, all that was good and great, and performed with the purest patriotism, more important services than any man since the days of Washington. His known firmness has been called obstinate self-will, by his adversaries, and he has been held up by his enemies as a roaring lion, requiring implicit obedience from all who ventured to approach his den.

The formidable array of facts in support of his charge of corrupt management against Mr. Van Buren, reminds me of an occurrence said to have happened in France. There is it seems such a thing as an action to recover damages for seduction, which may be brought by an unfortunate lady who has listened too credulously to a flattering tongue. A pretty lady who had quarrelled and parted with her lover called on an advocate to bring a suit for the damages she had sustained. She described the origin and progress of the liaison, the happiness enjoyed while it lasted, and the time of its duration, and then its fatal end. The advocate listened with profound attention to the story, & saw that it was one of those cases in which it was difficult to say who was in fault, the gentleman or the lady, and that an action could not be maintained for seduction. How to convey this, without offending the fair one, was the difficulty. All Frenchmen, of all professions, avoid that as the deadliest of sins. The advocate managed it with the proverbial skill of his profession and of his country. Madam, it would give me infinite pleasure to obey your wishes and punish the ingrate who has separated himself from so much beauty; but I am obliged to tell you that the facts are not sufficient to support an action. This seemed very strange to the lady, as she had been very minute in her detail of all the facts. Pouting and petulant she left the advocate to his books and briefs.

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Mr. Forsyth said, I am aware of the propriety of the suggestion of the gentleman from North Carolina, and do not rise to continue the discussion. The gentleman who has just taken his seat (Mr. Hayne) has expressed his opinion—he will of course act upon it—that is his affair—he has founded it on sources within his reach; these sources are not disclosed—we cannot speak of them. No evidence other than that already before the public has been referred to by him. We cannot examine what we do not see. All this is for the judgment of others. The honorable Senator has said, that the course he has taken in coming to his conclusion, was suggested by the friends of Mr. V. B. This I must deny. The suggestion of that course was made by the Senator from Massachusetts (Mr. Webster) who is not to be numbered among the friends of the person nominated, either politically or personally. Although believing investigation unnecessary, we have stood ready, at all times, to vote for it in any form not disgraceful to the Senate. The whole question will soon be before the public, and we are ready to abide by the result.

POST-OFFICE, Newbern, 15th Feb. 1832. THE Horse Mail between Trenton and Newbern having been discontinued, the Mails for Duplin and Sampson counties will in future be forwarded by the Wilmington Stage on Friday. T. WATSON, P. M.

From the National Intelligencer. TO THE EDITORS. GENTLEMEN: Please to give a place in your paper of to-morrow (if practicable) to the enclosed statement, and you will greatly oblige Your obedient servant. S. SMITH, 12th February, 1832.

In a speech of Mr. CLAY's made in the Senate and reported in the Intelligencer of the 30th January last, that gentleman stated. "It (the bill for meeting the British act of Parliament) was brought before Congress in the session of 1825-6, not at the instance of the American Executive, but upon the spontaneous, and ill judged motion of the gentleman from Maryland, (Mr. SMITH)," &c.

In my reply, I made the following remarks: "Before I finish my remarks, Mr. President, I will notice what passed between the then Secretary of State, (Mr. Clay,) and myself, in relation to the act of Parliament of July, 1825. I first saw a copy of that act in Baltimore, and mentioned it to the Secretary. He said that he had the act in his possession, and handed it to me. I asked him, whether the terms proposed were satisfactory. He said that he considered they were all we could ask. I then observed, why not issue a proclamation under our acts, and thus open the trade? He replied, that he would prefer negotiation. I asked,—why? for what will you negotiate?—We have nothing to do, but to give our assent, and the trade is at once opened. I had the act printed, and handed a copy to Mr. Adams, who had never seen it before. He agreed that the terms were satisfactory. I then pressed him to issue his proclamation, and told him that if he did not, I should be compelled to introduce a bill. He remarked, that he wished I would do so, and that he would not only sign it, but sign it with pleasure. I did prepare a bill, under the order of the Senate, and, doubtful whether it might be correctly drawn, so as to effect my object, I sent it to the then Secretary of State (Mr. Clay,) with a request that he would correct it if necessary. He replied in writing, to this effect: "that the bill was drafted to meet my object, that it was so doubtful whether it were best, to act by a law, or by negotiation, that it was indifferent which course should be adopted."

In answer to these, there appeared the following note, appended to a speech of Mr. CLAY, and published in the Intelligencer of the 9th instant: "There is a statement in the published speech of Gen. Smith, which if he made it in the Senate, did not attract my attention.—He says he asked me whether the terms proposed by the British act of Parliament of July, 1825, were satisfactory; and that I said I considered they were all we could ask. Now, I am perfectly confident that the Senator's recollection is inaccurate, and that I never did say to him that the terms proposed by the act were all we could ask. It is impossible I should have said so. For, by the terms of the act, to entitle Powers not colonial (and of course the United States) to its privileges, those Powers are required to place the commerce and navigation of Great Britain (European as well as colonial) upon the footing of the most favored nation. That is, if we had accepted the terms as tendered on the face of the act, we would have allowed British vessels all the privileges which we have granted by our treaties of reciprocity with Guatemala and other Powers. The vessels of Great Britain, therefore, would have been at liberty to import into the United States, on an equal footing with our own, the productions of any part of the globe, without a corresponding privilege on the part of our vessels, in the ports of Great Britain. It is true that the King in Council was authorized to dispense with some of the conditions of the act, in behalf of Powers not possessing colonies. But whether the condition, embracing the principle of the most favored nation, would have been dispensed with or not, was unknown to me at the time the Senator stated the conversation to have happened. And, long after, Mr. Vaughan, the British Minister, was unable to afford any information as to the act of Parliament. That very authority, vested in the King, demonstrates the necessity there was for further explanation, if not negotiation.

"With respect to the note from me to the Senator, which he says he received accompanying the draft of the bill introduced by him, it would be more satisfactory if he would publish the note itself, instead of what he represents to be an extract. H. C." All my papers being in Baltimore, it has not been in my power to ascertain whether I have preserved the note alluded to, and the purport or "effect" of which, I had undertaken to give from memory. I therefore addressed a note to Mr. CAMBRELENG, who was a member of the Committee of Commerce in the House of Representatives at the time, to enquire whether he had had any communication either verbal or written, with Mr. CLAY, on the subject. The following is his answer, which, as it appears to me, clearly, fully, and substantially sustains the statements made by me, from recollection:

WASHINGTON, 11 Feb. 1832. Dear Sir: I have your note of this date inquiring whether I had any written communication with Mr. CLAY, when Secretary of State, on the subject of the act of Parliament of July, 1825.

After the passage of that act, the Comptroller of the Customs of Halifax, Nova Scotia, construed its provisions as applicable to vessels of the United States in that trade, and I had occasion to call Mr. CLAY's attention to that fact. That construction was afterwards overruled, by an order of the Colonial Government of the 23d of January, 1826. Having brought the act of Parliament to the consideration of Mr. CLAY, I suggested the propriety of reciprocating its provisions, in order to prevent the interdiction of our commerce with the British West Indies. I stated to him my intention of moving a resolution upon the subject, unless it should interfere with some arrangement of Government. I understood Mr. CLAY as assenting to the propriety and necessity of adopting some reciprocal measure, and as expressing a desire that Congress would act upon the subject. Believing that I was acting entirely in accordance

with the views of the Administration, I submitted, on the 25th January, 1826, the following resolution:

"That the Committee on Commerce be instructed to enquire into the expediency of amending the act of March 1st, 1825, so as to authorize the President of the United States to remove the discriminating duties now imposed on British vessels and their cargoes, upon their entry from any British American possession; whenever he shall have been officially informed that American vessels and their cargoes are in like manner admitted into the British American colonial free ports."

Some days afterwards, I received from you a note of Mr. CLAY's which he had requested you to shew me, stating, according to my recollection, that when he had conferred with me, he had expressed an opinion in favor of legislation—that, upon reflection, he thought it would be best to secure this trade by negotiation—but through favoring the latter course, it was a doubtful question, and if Congress should legislate, the Government ought to acquiesce. I never heard, at the time, any objection made to the terms of the act of Parliament—the only question then was, whether the trade, according to the stipulations of the act, should be secured by negotiation or by legislation. My impression was, that an act of Congress promptly rescinding the restrictions of the act of March, 1823, would have been immediately followed by such an order in Council as was required by the act of Parliament, upon opening this trade to the countries not possessing Colonies. I am, &c. C. C. CAMBRELENG. Hon. S. SMITH, of Maryland. It might have been added in my remarks, that the "motion" was not spontaneous on my part, but was the necessary consequence of a highly respectable portion of my constituents, which memorial was ultimately, on motion of Mr. MAZELL, referred to the Committee of Finance, by whose order the bill was reported. S. S.

NEWBERN PRICES CURRENT.

Table listing various goods and their prices, including BEEFWAX, BUTTER, CANDLES, COFFEE, CORN, COTTON, LARD, LEATHER, LUMBER, MOLASSES, NAILS, OIL, PAINTS, PROVISIONS, SALT, SHOT, SPIRITS, STEEL, SUGAR, TEA, and WINE.

CHARLESTON PRICES CURRENT.

Table listing various goods and their prices, including Rice, Corn, Peas, Bacon, Lard, Turpentine, and other commodities.

BOARDING HOUSE.

MRS. KAY respectfully informs the public that she has removed to that convenient House on Craven-Street, formerly occupied by Col. Tisdale, where she is prepared to accommodate transient and permanent Boarders with the best market affords. Parents and Guardians residing in the country and who may wish to procure Board for their children or wards in Town, are assured that, if placed under her care, every exertion will be used to promote their comfort and convenience. Newbern Jan. 26.