

ment; and we only obtained it through other channels. Now, if it had been the purpose of the British government, by the passage of that act, to withdraw the colonial question from the negotiation, it ought to have communicated that purpose to this government, and, at the same time, the act of Parliament, as supplanting and substituting the negotiation. But it never did communicate such purpose. The act itself did not specifically embrace the United States, and offered terms which, upon the face of the act, it was impossible for the United States to accede to. It is required, for example, that, to entitle powers, not possessing colonies, to the benefit of the act, they must place the navigation and commerce of Great Britain upon the footing of the most favored nation. To have done this, would have admitted British shipping to import into the United States on the same conditions with native shipping, the productions of any quarter of the globe, without a reciprocal liberty on the part of the shipping of the United States in British ports. The act itself was differently construed in different colonial ports of Great Britain; and an order of the local government of Halifax, closing that port against our vessels from the 5th of January, was subsequently revoked; thereby confirming the impression that the act of Parliament was not intended to dispense with the previous negotiation. And to conclude this part of the narrative, as late as the 20th October, 1826, Mr. Vaughan, the British minister, upon being interrogated by the then Secretary of State, was totally uninstructed to afford any information as to the meaning or intent of the act of July, 1825.

Meantime, in March 1826, more than six months after the passage of the act of Parliament, Mr. Vaughan notified the Department of State, that he had "received instructions from his Majesty's government to acquaint you that it is preparing to proceed with the important negotiations between that country and the United States now placed in the hands of the American minister at London." \* \* "The negotiations will therefore be forthwith resumed." Here the negotiations were spoken of, without exception of the colonial question, the most important of them. If it had been intended to withdraw that, no time could have been more suitable to announce that intention; but no such announcement was made. Mr. Vaughan was informed that we also would prepare for the negotiation, (including of course the colonial question,) and Mr. Gallatin was accordingly shortly after sent out with full powers and instructions amicably to settle that question. On his arrival in England, in the summer of 1826, he was told by the British government that they would not negotiate on the colonial question; that they had made up their mind from the passage of the act of July, 1825, not to negotiate about it; and he was informed by the sarcastic Mr. Canning, that as we had failed to accept the BOON, which the British government had offered, we were then too late!

Such is the state of the case on which the late Secretary of State so authoritatively pronounces judgment against his own government for "omitting to accept the terms offered by

the act of Parliament of July, 1825!" He adds, indeed, "after the subject had been brought before Congress, and deliberately acted upon by our own government." It 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,) and Mr. Gallatin was informed that if the bill proposed by that gentleman had been passed, it would have been unsatisfactory to the British government.

I have another objection to this nomination. I believe upon circumstances which satisfy my mind, that to this gentleman is principally to be ascribed the introduction of the odious system of proscription, for the exercise of the elective franchise, in the government of the United States. I understand that it is the system on which the party in his own State, of which he is the reputed head, constantly acts. He was among the first of Secretaries to apply that system to the dismissal of Clerks in his Department, known to me to be highly meritorious, and among them one who is now a Representative in the other House. It is a detestable system, drawn from the worst periods of the Roman Republic; and if it were to be perpetuated; if the offices, honors, and dignities of the people were to be put up to a scramble, to be decided by the result of every Presidential election, our government and institutions, becoming intolerable, would finally end in a despotism as inexorable as that at Constantinople.

Sir, the necessity under which we are placed is painful. But it is no fault of the Senate, whose consent and advice are required by the Constitution to consummate this appointment, that the Minister has been sent out of the United States without their concurrence. I hope the public will not be prejudiced by his rejection, if he should be rejected. And I feel perfectly assured that if the government to which he has been deputed shall learn that he has there, by his instructions to Mr. McLane, stained the character of our country, the moral effect of our decision will greatly outweigh any advantages to be derived from his negotiation, whatever they may have been intended to be.

## CONGRESS.

### SENATE.

**Monday, Jan. 30.**—Mr. Wilkins presented some resolutions of the President and Directors of the Pittsburg Bank, in favor of the renewal of the charter of the United States Bank.—The bill for the relief of certain revolutionary officers and soldiers of the Virginia line was reported, without amendment.—The resolution respecting the Tariff, submitted by Mr. Clay, was discussed by Mr. Smith, of Md. and Mr. Holmes, of Maine. Mr. Holmes had not concluded his remarks when the Senate adjourned.

**Tuesday, 31st.**—Mr. Ewing's resolution respecting the power of removal and appointment was taken up, and on motion of Mr. Ewing, it was made the order of the day for Monday next.—Mr. Foot's resolution, directing an enquiry into the expediency of discontinuing the offices of Second Comptroller and Second Auditor was agreed

to.—Mr. Clay's resolution was taken up, and Mr. Holmes resumed and concluded his remarks in reply to Mr. Hayne. Mr. Hill indicated an intention to follow him in the discussion, and on his motion, the Senate adjourned.

**Wednesday, Feb. 1.**—Mr. Frelinghuysen submitted a resolution expressing the sense of the Senate on the subject of certain Indian relations.—The consideration of Mr. Clay's resolution was resumed, and Mr. Hill, of New-Hampshire, spoke about three hours in opposition to it.

**Thursday, 2d.**—Mr. Smith introduced a bill authorizing a subscription on the part of the United States to the stock of the Baltimore and Ohio Rail Road Company.—Mr. Clay's resolution was taken up; and, after some explanations from Mr. Hayne, Mr. Clay commenced a speech in support of the resolution and in reply to those who had opposed it, and after speaking nearly three hours, he gave way to a motion to adjourn.

**Friday, 3d.**—The consideration of Mr. Clay's resolution, relative to a modification of the Tariff, was resumed. Mr. Clay resumed his argument in support of the principles of the resolution, and in reply to the arguments urged against it; and, after speaking two hours and a half, he gave way to a motion to adjourn. The Senate adjourned to meet on Monday next, when Mr. Clay will resume, and probably, conclude his speech.

### H. OF REPRESENTATIVES.

**Monday, Jan. 30.**—The Speaker presented a Memorial from the Free Trade Convention, recently assembled in Philadelphia, on the subject of the Tariff. It was laid on the table, and 5000 copies, in addition to the usual number, directed to be printed.—Mr. Johnson of Kentucky, from the committee on the post office and post roads, reported a bill to reduce the postage on periodicals and pamphlets.—Mr. Wilde, from the committee of ways and means, reported a bill making an appropriation to carry into effect the 2d article of the treaty at Fort Wilkinson.—Mr. W. B. Shepherd, from the committee on territories, reported a bill to fix the salaries of the Governor, Secretary, and Judges, of the Territory of Arkansas.—The House resumed the consideration of the apportionment bill. Mr. Wickliffe's motion to recommit the bill to a select committee, to consist of one member from each State, was lost—yeas 76, nays 115. Mr. Wickliffe then moved to strike from bill 48,000 as the ratio, but before the question was taken the House adjourned.

**Tuesday, 31st.**—The resolution heretofore submitted by Mr. Jenifer, together with the amendments proposed by Messrs. Thompson, of Ohio, and Archer, in relation to the removal and colonization of free people of color, was referred to the select committee raised on that subject.—Some discussion took place on a resolution heretofore offered by Mr. E. Everett, calling on the President for a copy of a treaty with the Chickasaw tribe of Indians, which was arrested by a call for the orders of the day.—The apportionment bill was again taken up. After a debate of considerable length, Mr. Wickliffe's motion to strike out 48,000 from the

bill as the ratio, was lost—yeas 64, nays 99. Mr. Hubbard then moved to strike out 48 and insert 44,000 as the ratio; but before the question was taken, the House adjourned.

**Wednesday, Feb. 1.**—The resolution, heretofore proposed by Mr. E. Everett, calling on the President for a copy of part of a treaty with the Chickasaw tribe of Indians, was further debated by Messrs. Huntington and Polk. The debate was arrested by a call for the orders of the day.—The apportionment bill was again taken up, and discussed at great length. The motion of Mr. Hubbard, to strike out 48 and insert 44,000, as the ratio, was finally agreed to—yeas 98, nays 96.

**Thursday, 2d.**—The resolution proposed by Mr. E. Everett, in relation to the treaties with the Chickasaw tribe of Indians, was further discussed by Mr. Clay, of Alabama, until the expiration of the hour usually allotted to morning business.—The apportionment bill was then taken up. Mr. McKennon, of Pennsylvania, who on yesterday, voted with the majority on the motion to strike out 48 and insert 44,000 as the ratio of representation, moved a reconsideration of that vote. The motion to reconsider was carried—yeas 100, nays 94. The question then recurred on the amendment proposed by Mr. Hubbard, to strike out 48 and insert 44,000 as the ratio. Mr. Allan, of Kentucky, moved to recommit the bill to a select committee, with instructions so to fix the ratio as to reduce the number of members to 200. This motion was rejected—yeas 32, nays 161. The House then adjourned.

**Friday, 3d.**—A joint resolution was adopted, appointing a joint committee to make arrangements for the celebration of the centennial birth day of George Washington.—Mr. Evans, of Maine, addressed the House at some length on the resolution offered by Mr. E. Everett, relative to the Chickasaw treaties.



## TARBOROUGH.

TUESDAY, FEBRUARY 14, 1832.

FOR THE FREE PRESS.

**Mr. Howard:** In your paper of the 17th ult. I saw published, the proceedings of a meeting of the citizens of Tarborough, held on the 14th of that month, the object of which appears to have been, to express their gratitude, and tender their thanks to Messrs. Thompson and Fleming "for the very able and zealous manner in which they advocated, in the House of Commons, the passage of the bill to incorporate the Tarborough and Hamilton Rail Road Company."

In justice to some, and for the better information of others, I request that you will publish this communication. All that I have in view is to show, that although Mr. Thompson is entitled to the thanks of the citizens of Tarborough for advocating, and Mr. Fleming also for his motion to reconsider the vote which indefinitely postponed said bill; nevertheless, there are others who are also entitled to their thanks. Besides the before named gentlemen, Mr. Bragg, of Warren, Mr. Outlaw of Bertie, Mr. Mebane, of Orange, Mr. Pearson, of Rowan, the delegation from this county, and Mr. Cooper, of Martin, advocated its passage. A. B.

We are indebted to J. R. Lloyd, Esq. for a copy of the Act to incorporate the Tarborough and Hamilton

Rail Road Company, which will appear in our next paper.

**White Shad.**—On Thursday last several white Shad were exhibited and sold in this place. We understand they were the first that had been caught in Tar river, in this vicinity, this season.

**Ratio of Representation.**—The apportionment bill is still under consideration in Congress. We have been favored with the following calculation, showing its effect upon this State. If the ratio be fixed at 42,000, it will give us 15 members—43, 44, and 45,000, 14 members—46, 47, 48, and 49,000, 13 members—50, 51, 52, and 53,000, 12 members, &c. The committee on the subject reported in favor of 48,000, but 44,000 appears to meet with most favor. It is more than probable the latter number will be adopted, which will give this State 14 instead of 13 members, and increase the number of the House to 259. Our delegation, with the exception of Messrs. Carson and Williams, voted against this number.

**Mr. Clay and Mr. Van Buren.**—We have inserted the speech of Mr. Clay, assigning his reasons for voting against the nomination of Mr. Van Buren, as Minister to England. It is almost as surprising to hear Mr. Clay, the head and front of the protecting party in this country, question the right of Great Britain to impose protecting duties within her own jurisdiction, as to observe the flimsy pretexts on which he grounded his opposition to the above nomination. It appears from this speech, that the "dignified character of our previous diplomacy," spoken of by Mr. Clay, and which prevented an adjustment of this question by the administration of which he was a prominent member, consisted in attempting to dictate to Great Britain what rights and privileges she possessed in regard to the trade of her colonies; and the abandonment of this pretension, by the present administration, he asserts, "has stained the honor of the country"—but Mr. Clay will find to his cost that the American people think otherwise. Even the abandonment of this pretension, it seems, was not embodied in the treaty, nor in the negotiation—but merely in the instructions given to Mr. McLane. Mr. Clay can find no fault with the treaty, for he offered to negotiate a treaty on similar terms, but was foiled in the attempt—and the perusal of his speech on this occasion must unquestionably lead the unprejudiced reader to the conclusion, that instead of being actuated by a sense of duty, Mr. Clay was influenced by the rancorous feelings of party spirit, and that he seized upon this opportunity to endeavor to palliate his blundering diplomacy, to degrade a competitor, and to thwart and embarrass the present administration. Mr. Clay should recollect that "Truth is mighty, and it will prevail."

It has been stated that the rejection of Mr. Van Buren, is the first instance on record in which the Senate refused to confirm the nomination of a Minister who had entered on his duties abroad. The Intelligencer, however, mentions the case of a Mr. Short, who was sent by Mr. Jefferson as Minister to Russia in 1809, during the recess of Congress. After he had been commissioned six months, his nomination was submitted to the Senate, and was unanimously rejected.

A Baltimore paper contradicts the report of various private letters, stating that Mr. Adams had repudiated Mr. Clay's propositions in relation to the Tariff, and declared that the duties must be brought down and modified to suit the South.

Extract of a letter from Gen. Blair, a South Carolina member of Congress, to a correspondent in Camden:—

"Nullification can never be our remedy. When we lose all hope of a redress of our grievances from Congress, and are compelled to take the remedy in our own hands, we must pursue the plan I suggested to the