

RALEIGH REGISTER.

TUESDAY, JANUARY 13, 1824.

We must take the liberty of disagreeing altogether with the remark of the Editor, in the last *Star*, that "the legislative and executive branches of the Government of this State were instituted for the purpose of acting as checks upon each other." Our Governor has nothing to do with the Legislature; he is the mere executive officer of the Government. This, we well know is not the case with several of the State Governors; the Governor of Pennsylvania, and some others, have powers relatively as great, in their States, as the President has in the United States—no bill can pass without their assent, and they can, whenever they think it necessary, interpose their veto, which can only be set aside by a vote of two-thirds of both houses. But our Governor has no power like this. He has nothing to do with the Legislature, except it be to make his annual message, and to communicate whatever may be transmitted to him for that purpose. We have nothing further to say, however, in relation to the message which the Governor thought proper to make with the Tennessee Resolutions. He exercised a discretion which he had a right to do in the discharge of his duty; and we, from a belief that upon the whole it would be best, exercised our discretion in withholding from the public the message and all the warmth which it occasioned in both branches of the Assembly.

We think it right, also, positively to deny the charge which the Editor of that paper makes of "our having endeavored, for five months past, to spread the flame of discord through the State." Our readers must recollect, that we never said a word on the Presidential Election, until the *Star* and *Washington Republican* forced us into the contest, by asserting positively that the interest of Mr. Crawford, in this State, was every day declining, &c. &c. Whatever we, have said, has been in self-defence, and in answer to the attacks made upon that gentleman—and we have said nothing which facts have not subsequently substantiated.

The formation of an Electoral Ticket, by the Representatives of the freemen of the State, during the last Legislature, has had the effect we anticipated, viz. of putting the Editors of the *Ultra* prints, in this as well as in other States, completely beside themselves. We should be surprised at their clamor and intemperance; were we not aware, that the minority on all great political questions, from age to age, have practised the same arts.—VOLTAIRE, in his letters to the British Nation, speaking on this subject, says "so violent did I find parties in London, that I was assured by several persons that the Duke of Marlborough, was a *Conard* and, *Pope a Fool*!" The vapid ebullitions of these modern *Sidrophels* who repeat the same absurdities until they almost believe their own predictions, serve only to ventilate the subjects on which they write,—for they contain nothing but wind, "vox et preterea nihil."

As we have never before seen so fine a display of prose run mad, as is contained in the following extract from the last *Western Carolinian*, on the subject of our electoral ticket, we insert it as matter of curiosity. What fire—what energy? What novelty? What wisdom? But hold let it speak for itself:

"Freemen of North-Carolina! Are you willing to sanction so flagrant a usurpation of your rights and privileges, as this aristocratic minority in your Legislature is attempting to palm upon you? Shall we tamely yield our elective franchise, and become the willing slaves, the miserable panderers of a minority of only eighty members of our Assembly, out of

one hundred and ninety-six,—who have taken upon themselves to meet in conclave, and attempt to forestall the sentiments of near 500,000 republican freemen of the State? No: the slumbering spirits of our Revolutionary fathers, from the blessed realms of eternity, will rebuke us if we do."

REPUBLICAN CONVENTION.—The following are the proceedings of the members of both branches of the Legislature of Virginia, at the Capitol in Richmond on the evening of the 5th inst. on the subject of a Congressional nomination of a candidate for the Presidency:

At a meeting of a number of the Republican Members of the General Assembly of Virginia, held at the Capitol in the City of Richmond, on the evening of Monday, the 5th of January, 1824, for the purpose of conferring on the subject of a Congressional Caucus,

LENN BANKS, Esq. was requested to act as Chairman, and WM. MUNFORD, as Secretary of this meeting.

The names of the Members of the Senate and House of Delegates, being called over, it appeared that 13 Senators and 144 delegates were present.

On motion of Mr. Tyler, of the House of Delegates,

RESOLVED, That a Committee be appointed to prepare and report to this Meeting, such Resolutions as they may consider proper to be adopted in relation to the objects of this meeting.

A Committee was accordingly appointed, of Messrs Tyler of the H. of D. Holt, Speaker of the Senate, Cabell, Campbell, Dade and Johnson of Chesterfield, of the Senate; Randolph, Bowyer, Gordon, Thompson of Fairfax, Garland, Loyall, Rutherford, Harvie of Richmond City, Winston, Graves and Colley of the House of Delegates.

The Committee then withdrew, and (after some time) returning, reported the following Preamble and Resolutions, which being read, were on the question put thereon, agreed to by the meeting:

"To secure concert among the Republicans of the Union, to give to the majority of the people of this nation their due ascendancy by means of the electoral votes, and to avoid a resort to the House of Representatives:

RESOLVED, That we approve the political sentiments declared by the Republican Members of the State of New-York, at a Meeting held on the 22d day of April, 1823; and that we esteem the measure by them recommended, under existing circumstances, as the best practicable experiment.

RESOLVED, That the Republican Members of Congress from this State be recommended to endeavor to procure a nomination of fit persons to fill the offices of President and Vice President of the United States.

RESOLVED, That the proceedings of the meeting be signed by the Chairman and Secretary and be published."

LENN BANKS Ch'n.

WM. MUNFORD, Sec'y.
*The Senate of Virginia consists of 24 members. The House of Delegates of 212.

The following are the proceedings of a meeting of the Republicans of both branches of the Legislature of New-York alluded to:

At a meeting of the Republican Members of both branches of the Legislature of the state of New-York, held at the Assembly Chamber in the city of Albany, on the 22d day of April, 1823. The Hon. Walter Bowne, of the Senate, was called to the Chair, and James Mullett, jun. Esq. of the Assembly, appointed Secretary.

On motion of the Lieutenant Governor, it was Resolved, that a committee be appointed by the Chair, to prepare and report resolutions expressive of the sense of this meeting, in regard to the approaching election; and thereupon, the Hon. Erastus Root, the Hon. Messrs. Redfield and Dudley, of the Senate; the Hon. Peter R. Livingston, Speaker of the Assembly, and Messrs. Gardner, Gundell, Seaman, Birdseye, and Hager, of that body, were appointed such committee.

The following resolutions, being reported by the committee, were after discussion, unanimously adopted:

"Whereas, the period fixed for the election of a Chief Magistrate of the U. States, has so nearly approached, that the members of the Legislatures of several of our sister States, have already thought it advisable to express their feelings upon the occasion, and have thereby rendered it proper, that those who have been elected in a similar capacity to represent the state of New-York, should leave no reason for supposing that this state is more insensible than other members of the confederacy to the importance of such a question: Therefore,

"RESOLVED, that we consider an explicit avowal of our sentiments in the matter, as not only called for by the occasion, but due to the commendable solicitude which is felt by our republican brethren in other parts of the Union:

"That it is highly essential to the interests of those who have the happiness to live un-

der a republican form of government, that its administration should be committed to persons, whose opinion and feelings are in coincidence with its fundamental principles, and whose lives and conduct furnish the most unequivocal evidence of their entire devotion to the preservation of those principles.

"That the practice of making nominations for the office of President by individual states, has a tendency to disturb the harmony of the great republican family, by creating and strengthening individual predilections and local feelings, and thereby prevent the concert of action, which has hitherto crowned their exertions with success:

"That although a nomination by the Republican Members of Congress is not entirely free from objections, yet assembled as they are from the different quarters of the Union—coming from the various classes of the community—elected during the pendency and discussion of the question, and in a great degree with reference to it, they bring into one body as perfect a representation as can be expected of the interests and wishes of all, and of each; and that a nomination made by them in a manner which has heretofore been usual, is the best attainable mode of effecting the great object in view, which has as yet been suggested:

"That we fully believe, that a convention thus constituted, will be less liable to be influenced by those sectional jealousies which the father of his country has so solemnly and justly cautioned us; more likely to cherish those purely national feelings, which it is the interest, and should be the pride of every state to protect; and better calculated to preserve unbroken, those political ties, which bind together the Republicans of the north, the south, the east and the west, and are consecrated by the recollections of times and events, dear to the democracy of the nation, which triumphed in the election, and prospered under the administration of the illustrious Jefferson:

"That we feel an unhesitating confidence, that when the proper time for making such nomination shall arrive, the Republican Members of Congress will select as a candidate, for an office of general supervision over the great Political, Agricultural, Manufacturing and Commercial interests of the Nation, one who is not only a sound Democratic Republican, in principle and practice, but who will labour with equal assiduity for the just promotion of all those great interests; and to whom the Republicans of New-York can give their willing support.

The Editor of the *Enquirer* states, that though the name of no candidate for the Presidency is mentioned, a large majority of the meeting were in favour of Wm. H. Crawford against the field; that Mr. Clay and Mr. Adams have a few friends; that four or five are for Jackson, and two for De Witt Clinton; but not one for Calhoun!!!

We cheerfully restore to Mr. Hagner, the compliment paid him by Mr. Clay. We know his public services, and his private worth, and believe him, next to Mr. Crawford, to merit every eulogium on his financial skill. We acknowledge we were, as well as many others, mistaken as to the man, whom the Speaker "delighted to honor." We confess, at the same time, that it has detracted a little from the idea of Mr. Clay's magnanimity in praising a brother candidate, for few men can bear with equanimity, "a rival near the throne."

On the first of January, Gen. Jackson was presented by Mr. Custis, with the Military Pocket Telescope, used by Gen. Washington in the war of the Revolution, with the following inscription, of which it may be justly said, that it contains *multum in parvo*:

"Erat auctoris, est conservatoris, Libertatis."

We take pleasure in stating, that STEPHEN MILLER, Esq. a Member of the House of Commons of our last Legislature, from Duplin county, who was seriously indisposed when the Assembly adjourned, has been so far restored to health, as to be enabled to proceed homewards.

Eighteenth Congress.

SENATE.

TUESDAY, JAN. 6.

In the Senate, this day, private business was chiefly acted upon.

WEDNESDAY, JAN. 7.

A communication was received from the Secretary of the Navy, accompanied by an abstract exhibiting the expenditures, under the head of Contingent Expenses, as appears by accounts settled and reported in that department, from the 1st of October, 1822, to the 30th September, 1823, amounting to dollars 203,676 59.

Mr. Barbour submitted the following resolution for consideration:

"RESOLVED, That the President of the United States be requested to lay before the Senate, (if, in his opinion, it can be done with-

out injury to the public interest,) such information as will shew the state of the relations between Spain and the United States, from the ratification of the Florida Treaty up to the present time—and the effect produced in those relations, by the United States having established diplomatic intercourse with the governments of South and North America."

House of Representatives.

TUESDAY, JAN. 6.

On motion of Mr. Cobb, it was RESOLVED, That the committee on Indian affairs be instructed to enquire into the expediency of repealing an act, entitled "An act making provision for the civilization of the Indian tribes adjoining the frontier settlements," passed on the 3d day of March, 1819.

On motion of Mr. Sloane, it was RESOLVED, That Parmenio Adams, who contests the election of Isaac Wilson, returned a member of this House, be permitted to appear within the bar, and be heard in support of his petition during the discussion of the report of the committee of elections on said petition.

Mr. Sloane moved to postpone all the orders of the day previous to the report of the committee on said contested election, which was agreed to—and the House went into committee of the whole, on that report, which recommends to the House, to eject Isaac Wilson, and admit Parmenio Adams to a seat in the House as the representative.

The report of the committee, together with the whole of the testimony, was read, and the question being on concurring with the first resolution of the committee, viz: "that Isaac Wilson is not entitled to a seat in this House"—the same was carried.

The question being on the second resolution, viz: "That Parmenio Adams is entitled to a seat in this House."

Mr. Thompson, of Ky. moved to amend the resolution by inserting the word "not." Mr. Williams, of N. C. moved, that the committee rise and report progress, which was lost—ayes 68, noes 100.

The question being taken on the amendment, (which declares that Parmenio Adams is not entitled to a seat,) it was decided in the negative—ayes 75, noes 101.

The question then recurring on agreeing to the second resolution, as reported by the committee of elections, it passed in the affirmative.

On which the committee of the whole rose and reported accordingly.

In the House—Mr. Cocke moved to lay the report of the committee of the whole on the table; and, the question being taken, it was decided in the negative.

The first resolution was concurred in by the House.

The question being on the second resolution—

Mr. White moved an amendment, which went to vacate the seat and have a new election—which was decided in the negative.

Mr. Little then moved to amend the second resolution, by inserting the word "not"—before the question was taken.

Mr. Foot moved to postpone the decision till to-morrow, to allow time for further reflection; which was carried—ayes 92, noes 87. And the House adjourned.

WEDNESDAY, JAN. 7.

The House took up the unfinished business of yesterday, which was the motion of Mr. Little to insert the word "not" in the second resolution reported by the Committee of Elections, so as to make it read, "that Parmenio Adams is not entitled to a seat in this House."

The debate on this subject was continued till nearly three o'clock, when the question being taken on the amendment, it was decided in the negative—ayes 85, noes 112.

The question then recurring on agreeing with the report of the committee, (which admits Mr. Adams to a seat,) was decided by ayes and noes as follows: Yea 116, Nays 85.

Mr. Adams then appeared, was qualified, and took his seat in the House.

The Debate on this contested election turned, in effect on a single point, viz: whether a printed ballot, having a stroke of a pen drawn through it, should or should not be admitted as a valid vote. From the returns of the inspectors of the election it was admitted on all hands, that the two candidates came within a single vote of having an equal number; the same returns, or rather the certificates accompanying them, stated that one of the votes for Isaac Wilson was of the description we have mentioned: the printed letters were distinctly legible, but a dash with a pen was drawn across the whole name: on this account the inspectors rejected the vote, and it was not counted. The omission of this ballot after the deductions for erroneous returns, gave Mr. Adams a majority of one. The advocates of Mr. Wilson contended that as the ballot contained no other name, and as it was not to be presumed that the elector would give a blank ballot, the mark with the pen ought to be disregarded, and the vote counted as good: for it was possible that the voter might have been an old man, and did not see the line across the name, or a simple man who intending to vote for Mr. Wilson, had been cheated out of his vote, by having this obliterated ballot put into his hand by an advocate of the opposite candidate, &c. On the other hand it was insisted, that the inspectors were, by the laws of N. York, the constitutional judges of the genuineness or fraudulent character of the ballots; and they had decided on this ballot from ocular inspection—publicly—under oath—and with entire unanimity; and that it was no uncommon thing in that State, to erase the names printed on election tickets, and even to put ballots entirely blank into the ballot boxes, instances of which were quoted as having taken place in balloting in the Legislature of N. York, (and also in Congress.) That the voter might have been induced by a fear of offending Mr. Wilson, or

some friend of his, to appear to vote for him, while he secretly nullified the vote by first obliterating the name. (The ballots are folded up, so that the name is concealed.)

To an objection that the voter must be out of his senses to lose a day in attending the polls merely for the sake of putting in a blank ballot, which effected nothing on either side, it was replied that many other officers besides Members of Congress, were voted for at the same time, and that he might have gone to the polls to vote effectually for these, or some of them, without wishing to affect by his vote the choice of Congressman at all. The advocates of Mr. Wilson, however, denied that the instances of blank votes given in the State Legislature or in Congress, formed a case in point; because, there, the election turning on a majority of the whole number of votes given, blank votes were counted, and therefore did, ultimately and indirectly, effect the election; but in public elections at the polls, the greater number of votes alone was considered, and a blank ballot, not being counted, effected absolutely nothing. They rejected, as derogatory to the character of an American freeman the idea that he could be intimidated into acting the farce of depositing a blank ballot; but were answered by the fact that, in that part of the State of New-York, great influence is exerted over voters by the agents of great land companies, to whom voters are indebted on account of their farms; one of these companies, (the Holland Land Company,) owns a tract which covers six entire counties, and its agent exercises a well known and powerful influence in political matters, &c.

FOR THE REGISTER.

Another Comet is now making a bright appearance in the heavens, and is to be seen in the morning before day. It will be recollected that several of these bodies have been observed within a few years. The one at present appearing, is as yet, much inferior to that of 1811, which as we may remember, was of extraordinary magnitude; but it is thought to be more remarkable than that of 1819. Viewed through the telescope, the nucleus is enveloped as usual, with a dense, darkling, & hazy aspect, elliptical in its form, the end of the ellipse being directed towards the sun. The tail is of large extent in the opposite direction, now pointing towards the constellation of the Great Bear, sometimes called Charles' Wain, or the Plough. The distance of the nucleus, taken with a sextant, is 37 degrees 34 minutes from Arcturus, the brightest Star in Bootes, and 28 degrees 25 minutes from Lyra.—These distances place the Comet between the shoulders of Hercules. Its Right Ascension is about 8 signs 84 degrees, and its Declination 15 degrees. It has probably been visible for some time past but for the cloudiness of the weather. It is an object which in a clear sky, attaches and strikes the eye by its brightness. The termination of the tail becomes perplexing to the discernment by the faintness into which it fades. Its length by a reference to the star B (beta) Hercules, to whose distance it was judged equal, was found by the instrument, to be about 34 degrees. If this Comet is still on its way to its perihelion, it has not yet attained its greatest splendor, and it will probably become more interesting. This morning is the first time of our observing it, and its course in the heavens is not yet ascertained. Should the weather prove favorable, we may give further notices of it hereafter.

University of North-Carolina.

January 7, 1824.

BY AUTHORITY.

An Act appropriating a certain sum of money for the relief of Daniel D. Tompkins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be and he hereby is, authorized to pay to Daniel D. Tompkins, late Governor of the State of New-York, out of any money in the Treasury, not otherwise appropriated, the sum of thirty-five thousand one hundred and ninety dollars; being the amount reported in favour of the said Daniel D. Tompkins, by the Accounting Officers of the Treasury, in compliance with the act of Congress, entitled "An act to provide for the settlement of the accounts of Daniel D. Tompkins, late Governor of the State of New-York," passed the twenty-first February, one thousand eight hundred and twenty-three.

Approved, December 22, 1823.

An Act authorizing the Secretary of the Treasury to furnish, for the use of the Territory of Arkansas, an abstract of the Military Bounty Lands, lying within the same.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of the Treasury, to cause a complete abstract to be made out, and transmitted, for the use of the Territory of Arkansas, to the Governor of said Territory, of the Military Bounty Lands, which have been patented to the soldiers of the late army, or to their legal representatives, lying within the same, & signifying the tract, the name of the patentee and the time when issued.

Approved, January 1, 1824.