

CONGRESS.

House of Representatives.

MONDAY, FEB. 15.

A memorial was presented by Mr. Spencer, from George Williams, explanatory of his conduct as a Director, on the part of the Government, of the Bank of the United States; which was read & ordered to lie on the table.

The House again resolved itself into a committee of the whole, on the bill to authorize the people of the Missouri territory to form a Constitution and State Government, and for the admission of the same into the Union.

The question being on the proposition of Mr. Tallmadge, to amend the bill by adding to it the following proviso:

"And provided, That the further introduction of slavery or involuntary servitude, be prohibited, except for the punishment of crimes whereof the party shall have been fully convicted; & that all children born within the said State, after the admission thereof into the Union, shall be free at the age of 25 years."

The debate which commenced on Saturday, was to-day resumed on this proposition. It involved two questions; one of right, the other of expediency. Both were supported by the advocates of the amendment, and generally opposed by its opponents. On the one hand, it was contended that Congress had no right to prescribe to any state the details of its government, any further than that it should be Republican in its form; that such a power would be nugatory, if exercised, since, once admitted into the Union, the people of any State have the unquestioned right to amend their constitution of government, &c. On the other hand, it was as strongly contended that Congress had the right to annex conditions to the admission of any new state into the Union; that slavery was incompatible with our Republican Institutions, &c.

The question being put on motion of Mr. Tallmadge, to amend the bill, the vote was—

For the amendment 79; against it 67. The House then proceeded in the further consideration and maturing of the provisions of the bill; which occupied the House until the usual hour of adjournment.

TUESDAY, FEB. 16.

Mr. Williams, of North Carolina, moved to proceed again to the consideration of the proposition to reduce the Army; which motion was rejected by a majority of about ten votes.

The House proceeded to the consideration of the amendments reported by the committee of the whole, to the bill for authorizing the People of the Territory of Missouri to form a Constitution and State Government, and for the admission of the same into the Union.

The whole of the amendments made in committee of the whole were agreed to, with the exception of that which prohibits slavery or involuntary servitude in the proposed state.

On this question the Debate which commenced yesterday was renewed, and prosecuted with considerable spirit. After a long debate on the subject, the question was taken on agreeing to the first member of the proposed amendment, in the following words:

"That the further introduction of slavery, or involuntary servitude, be prohibited, except for the punishment of crimes, whereof the party shall have been fully convicted, and carried 87 to 76.

The question was then taken on agreeing to the second member of the said amendments, which is in the following words:

"And that all children born within the said State, after the admission thereof into the Union, shall be free at the age of 25 years, and carried 82 to 78.

So the whole of the amendments, as proposed by Mr. Tallmadge were agreed to.

The question on ordering the bill to be engrossed for a third reading, was then decided in the affirmative, 98 to 56, the House adjourned.

WEDNESDAY, FEB. 17.

Mr. Wentover presented a memorial of the Chamber of Commerce of the City of New York, praying that no measures may be adopted tending to dissolve the charter of the Bank of the United States, but that the evils alleged may be corrected, and the Bank permitted to continue its operations; and a similar memorial was presented from Richmond.

The bill from the Senate, "supplementary to the acts concerning the coasting trade," which had been referred to the Committee of ways and means, was reported by Mr. Smith, of Md. without amendment. [This bill, it will be recollected, proposes to divide the sea coast and rivers therein, into four districts.]

Mr. Silsbee moved an amendment to the bill, which proposed, in effect, to divide the sea coast of the United States into two districts, instead of four, as contemplated by the bill; the first district to extend from the eastern limits of the United States to the southern limits of Georgia; the 2d district from the river Perdido to the western limits of the United States.

This motion gave rise to a discussion of the merits of this bill, as well as of the particular proposition; in which Messrs. Silsbee, Orr, Smith of Md. Livermore and Whitman took part; & the debate had proceeded for some time, when Mr. Trimble, to give further time for considering a proposition so important in its character, moved to lay the bill on the table; which motion prevailed, and the bill was laid on the table.

The engrossed bill to authorize the people of the territory of Missouri to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, was read the third time, passed, and sent to the Senate.

The House then resolved itself into a committee of the whole, on the bill to provide a territorial government for the southern part (the Arkansas country) of the Missouri Territory.

Mr. Taylor, of New York, moved to amend the bill by inserting a clause (similar to that incorporated, on the motion of Mr. Tallmadge, in the Missouri bill, to prohibit the existence of slavery in the new territory.

This motion gave rise to a wide and long continued debate, covering part of the ground previously occupied on this subject, but differing in part, as the present proposition was to impose a condition on a territorial government, instead of, as in the former case, to enjoin the adoption of the principle in the constitution of a state, and as it applied to a more southern territory.

The question was finally taken on the first part of the motion (it having been divided) in the following words:

"That the further introduction of slavery or involuntary servitude be prohibited, except for the punishment of crimes, of which the party shall have been duly convicted," and was decided in the negative, 80 to 69.

The remaining part of the proposition to declare all the children free after 25 years of age, who shall be hereafter born in the territory, was negated without division.

The committee then proceeded with the bill, and having gone through it, next took up the bill for enabling the people of the Alabama territory to form a constitution and state government, and for the admission of the same into the Union on a footing with the original states.

Much time was busily employed by the committee, in receiving and disposing of various amendments proposed to the details of this bill, and in considering and deciding on its provisions. The committee negative 1 one or two motions to rise, and persevered through the bill, when the committee rose, and reported both bills to the House, with the amendments made thereto.

THURSDAY, FEB. 18.

The bill from the Senate to regulate the pay of the Army when employed on fatigue duty, was twice read, and ordered to be read a third time to-morrow.

The House then proceeded to the consideration of the report of the committee on the bill to establish a separate territorial government in the southern part of the present Missouri territory.

Mr. Taylor moved to amend the same, by inserting the following proviso in the bill:

"That the further introduction of slavery, or involuntary servitude, be prohibited, except for the punishment of crimes, whereof the party shall have been fully convicted."

"And that all children born within the said State, after the admission thereof into the Union, shall be free at the age of twenty-five years."

The question on this motion being divided, was first taken on agreeing to the first clause thereof, and negated 71 to 70.

The question was then taken on the remaining clause of said proposed amendment, in the following words:

"And all children born of slaves within the said territory, shall be free, but may be held to service until the age of twenty-five years," and carried 75 to 73.

Mr. Williams, of N. C. then moved to reconsider the vote just taken. He had voted with the majority, for the purpose of obtaining for himself the privilege of moving a reconsideration, wishing for a full expression of the opinion of the House on this important question, which could not now be obtained, as many members were out of the House.

The question was taken on reconsidering the vote, and decided in the negative 79 to 77.

The question being then stated on ordering the bill to be engrossed for a third reading—

Mr. Bassett, deeming every effort called for on the part of the minority on this subject, to sustain their constitutional rights, which he considered to be assailed in the amendment just adopted, moved that the bill be recommitted to a select committee.

Some conversation took place as to the course now most expedient to give the bill; in the course of which,

Mr. Lowndes moved that the bill be laid on the table, stating at the same time that, to prevent its being called up and decided by surprise, he should, at 12 o'clock to-morrow, move for a call of the House, and to take up the bill for a decision. This motion prevailed, and

The bill was laid on the table. The House next took up the amendments reported by the committee of the whole to the bill from the Senate, to authorize a state government in the territory of Alabama, and for its admission into the Union.

The amendments were concurred in by the House, and (after an ineffectual attempt by Mr. Crowell further to amend one of the sections,) were ordered to be engrossed, and, with the bill, read a third time.

The House then resolved itself into a committee of the whole, on the State of the Union, to whom had been referred the report of the committee appointed to investigate the affairs of the Bank, the conditional restrictions subsequently submitted by Mr. Spencer, the resolution absolutely to repeal the charter submitted by Mr. Johnson of Va. and that offered by Mr. Trimble, to issue a scire facias.

The particular subject first in order was the bill reported by the Bank committee to enforce the provisions of the act incorporating the Bank, and it was accordingly announced by the chairman.

Mr. Johnson of Va. observed that, as there were two other propositions before the committee, the adoption of either of which would supersede the necessity of acting on the bill, he thought it would be the preferable course first to take up for consideration one of those propositions; and he moved that the committee proceed to consider the resolution moved on the 9th inst. by himself in the following words:

"Resolved, That the committee on the Judiciary be instructed to report a bill to repeal the act entitled 'An act to incorporate the Subscribers to the Bank of the U. States,' passed April 10th, 1816."

The committee agreed to take up this resolution, which was read.

Mr. Spencer rose and stated, that he owed it to the civility of Mr. Johnson, that, in violating the usual custom on such occasions,

which allowed the mover of a proposition to commence its discussion, he was sanctioned by the assent of Mr. Johnson. Mr. S. begged leave to remind the committee that there were three distinct propositions before it; the first was the resolution of the gentleman from Virginia; (Mr. Johnson;) the second was that he had the honor of submitting some days since, directing the issuing a scire facias, if the Bank did not, on a certain day express its assent to a modification of its charter; and the third was the resolution of his friend from Kentucky, [Mr. Trimble,] directing a scire facias absolutely and unconditionally. Mr. S. observed that he should prefer a modification of the charter, even if it should by some be esteemed a new compact, to the total destruction of the Bank, with the views and apprehensions he entertained at present of the consequences of such a measure. If the committee should reach the resolution he had submitted, it was his intention to modify it, in some respects, principally to omit the third proposition which proposed giving the President the power of removing any director; and he should in other respects amend the propositions, as time & reflection had enabled him, he thought, to improve them. And, if the committee should reach the bill reported by the select committee, Mr. S. observed, he should, with the approbation of the gentleman composing that committee, submit an amendment which would require the stockholders, constituting an attorney to vote for them, to swear to their ownership of the stock. Mr. S. thought it proper to apprise the committee of these intentions, that the subject might be fairly considered. For the reason before stated, Mr. S. said, he should at present vote against the resolution for the repeal of the charter, and against that directing the issue of a scire facias; but, if he should not succeed in at least the plan of the propositions he had submitted, although he should not be tenacious of each particular one, he should feel it his duty to vote for a scire facias unconditionally.

Mr. Johnson of Va. then rose in support of the resolution under consideration, and addressed the committee about an hour.

Mr. Pindall of Va. followed on the same side, and spoke nearly two hours in favor of the power in Congress to repeal the charter, and the expediency of doing so.

Mr. Lowndes then intimated a wish to make some remarks on the subject, which, late as it was, he would proceed to do, at once, if the committee were disposed now to hear him; but if they were desirous of rising he would give way.

A motion being made to that effect, the committee rose, and the House adjourned.

THE LATE SHOCKING DUEL.

From the National Intelligencer.

If the Editors of the paper, could have believed that their refusal to publish the following article, which has been furnished them from a highly respectable source, would have effected its suppression, it is probable that they would have refused their aid in giving notoriety to the circumstances of a Duel. But, because the transaction has been mis-understood, and this account will certainly, through some medium, be presented to the public if not through this—the Editors have determined to publish it. They have subdued their reluctance with the less difficulty, because they are persuaded no man can read the narrative without being impressed with horror, of a deeper and deeper cast—at the practice, which nearly all men of humane feelings reprobate, but many are seduced into in defiance of their judgment.

COMMUNICATED FOR PUBLICATION.

Reports being in circulation calculated to induce a belief that the gentlemen who were the friends of Gen. A. T. Mason, in the fatal termination of his quarrel with Mr. McCarty, had been instrumental in urging the affair to its unfortunate issue—it is thought proper to publish a simple statement of facts; premising that not even the nearest relatives of the deceased can more sincerely regret than do those gentlemen, the determination of Gen. Mason to prosecute this business to its ultimate result.

1. It is well known to a number of Gen. Mason's friends, that he had resolved on challenging Mr. McCarty in opposition to all the advice which they gave, and all the efforts which they made to dissuade him.

2. One of the two gentlemen who were the friends of Gen. Mason in the field, had, sometime before, made similar exertions to dissuade him from the course he intended, and with similar bad success.

3. Before a personal interview had taken place between Gen. Mason and his seconds, his letter, containing positive instructions for their government, in conducting the affair, was written. This letter enclosed a communication for Mr. McCarty.

The letter to Mr. McCarty, not having been read by that gentleman, it is only thought necessary to give such extracts from it as show clearly that the determination of Gen. Mason was made independently of any consultation with his seconds. This letter is dated "Richmond, Jan. 9, 1819."

The following are extracts from it.

"Sir:—I have resigned my commission for the especial and sole purpose of fighting you; and am free now to accept or send a challenge, and to fight a duel.—The public mind has now become tranquil, and all suspicion of the further prosecution of our quarrel having subsided, we can now terminate it without being arrested by the civil authority, and without exciting alarm among our friends."

"This effort has been delayed by my anxiety to effect such an arrangement of my affairs as my duty to my family required. That arrangement is just effected."

"I am extremely anxious to terminate at once and for ever this quarrel!"

"My friends * * and * * are fully

authorised to act for me in every particular. Upon receiving from you a pledge to fight, they are authorised and instructed at once to give the challenge for me, and to make immediately every necessary arrangement for the duel on any terms which you may prescribe."

The following are extracts from the letter of instructions which is dated, Richmond, January 9, 1818.

"Gentlemen: You will present the enclosed communication to Mr. John McCarty, and tell him at once that you are authorised by me to challenge him, in the event of his pledging himself to fight. If he will give the pledge, then I desire that you will instantly challenge him, in my name, to fight a duel with me. You are not authorised to give a verbal challenge. It must be reduced to writing.—Agree to any terms that he may propose, and to any distance: to three feet, his pretended favorite distance, or three inches, should his impetuous or rash courage prefer it."

"To any species of fire arms, pistols, muskets, or rifles, agree at once!"

Other incorrect reports being current respecting the interviews and communications between the respective friends of Gen. Mason and Mr. McCarty, it is thought proper to state

1. That on presenting the challenge two modes of terminating the affair were proposed by Mr. McCarty—1st. to fight on a barrel of powder; and 2ndly, to fight with dirks, both which were objected to, as not according with established usages, as being without example, and as calculated to establish a dangerous precedent.

2. That a third mode was proposed in the following written acceptance of the challenge; which the seconds of Gen. Mason were bound to accede to, both from the positive instructions from their principal, and from the laws which govern the settlement of disputes in the field of honor.

"Gentlemen: I agree to meet and fight your friend, General A. T. Mason, to-morrow evening, five o'clock, at Montgomery Court House. As I am at liberty to select the weapon with which I am to fight, I beg leave to propose a musket charged with buckshot, and at the distance of ten feet."

"J. M. McCARTY."

February, 4, 1819.

3. That it was proposed by the friends of Gen. Mason and agreed to by the friends of Mr. McCarty to substitute a single ball or buckshot.

4. That it was agreed by the friends of both parties to postpone the meeting until ten o'clock Saturday morning—and that on the ground, the distance measured exceeded twelve feet.

It now only remains to state, that all reports respecting the indecorous deportment of either party on the ground, are extremely false—that the unfortunate meeting took place at the appointed time, and that the affair, although fatally, was honorably terminated. No man ever exhibited more perfect coolness and self-possession than did Gen. Mason on this melancholy occasion.

It is due to the friends of Mr. McCarty who are not aware of this publication, to state, that their deportment throughout the whole business, was perfectly correct.

It has been reported, that Gen. Mason was struck by three balls. At the request of his friends, the executors of Gen. Mason consented to an examination of the body; and after a minute dissection, it was clearly ascertained that but one ball had entered the deceased.

FROM THE N. YORK COMMERCIAL ADVERTISER.

An exhortation to planters, botanists, and the people at large, in favor of introducing the tea-plant in the United States. In two letters from C. Rafinesque, Esq. to Samuel L. Mitchell.

LETTER I. On the introduction and culture of the Tea-plant.

Read before the Lyceum of Natural History, February 8, 1819.

Dear Sir—The scarcity of specie is at this moment felt and deplored by all the community. I shall not pretend to investigate all the causes of this rarity in the United States, nor to enumerate all the remedies which it requires, but any body in the least acquainted with the dictates of common sense and the true principles of public economy, will allow that one of the principal causes lies in the excessive importations of the Chinese productions, which must be paid for principally in silver coin; and that a gradual diminution of such imports would soon restore a more beneficial balance of trade. Among the articles imported from China tea stands foremost; more than 12 million of silver dollars are annually carried there to pay for the mere consumption in the United States of the useless article. But when bad habits are incorporated with our manners, it is almost impossible to eradicate them. I shall not waste my time therefore in dissuading our citizens from the use of that leaf, nor endeavor to repeat over and over that many of our indigenous plants—such as the Dahoon or Yapon of the southern states (Hex capine) or the mint, the sage, &c. would afford pleasant and wholesome substitutes; but

I shall insinuate the propriety of cultivating the tea-shrub in the U. States, where it will grow as well as in China, and acquire thereby a valuable new article for agriculture, and lessening our dependence on China for its supply. I shall merely claim the pleasure of having thrown the first hint on the subject, and shall call upon you as a patriotic citizen to enforce the practical utility and utility of this proposal, by the possible analogies and authorities, and to convince the public, the plainers, and particularly those who complain of the scarcity of silver, of the truth of my statements, dispelling the fears and doubts of those who never tho't it any thing like possible, or who may deplore a small decrease of our China trade and public revenue, as an evident consequence; and promoting an endeavor of our enlightened citizens, our agricultural and learned societies, and our state legislatures, to undertake the needful experiments, and foster the first steps of the first American tea-planters.

The following facts may serve as the base of such labors.

1st. The two shrubs which produce the green and black tea, grow on the eastern shore of the eastern continent, as far north as Japan, Corea, and the neighborhood of Tartary, even in places where streams of water freeze in the winter in the same latitudes and climates as the United States; they will therefore succeed in our southern and middle states.

2. They have been transplanted successfully from China to Brazil, where they thrive, although the climate is too warm. They can therefore bear transplantation like any other hardy shrub in pots, layers, or cuttings.

3. Both shrubs are hardy, they have deciduous leaves falling in the autumn, and they bear buds in winter, the sure characteristics of trees & shrubs native of cold climates; other species are evergreens.

4. Their cultivation is very easy, they grow in hedges, orchards, gardens, tea-yards, &c. they require no other soil nor care than the mulberry tree, to which they are associated in China.

5. The only troublesome process is the gathering of the leaves; but may be performed by children, women and disabled individuals; the drying in pans and stoves is quite easy and expeditious.

6. The transplantation of these shrubs in the United States will require very little care; but an essential point will be to endeavor to get the living shrubs or perfect seeds from the northernmost parts of China, or from Japan through Batavia, in order to insure their success; if they should be taken from the neighborhood of Canton, the difference in the climate will be too great.

C. S. RAFINESQUE, Botanist. Philadelphia, Feb. 5, 1819.

FOREIGN NEWS.

New-York, Feb. 13.

Capt. Austin, of the Paragon, from Gibraltar, informs us that the Queen of Spain died on the 3d of January of a convulsive fit.

By this arrival, we have received Gibraltar papers to the 2d ult. By the following extract it appears that the Plague was making alarming ravages on the Barbary coast.

Extract of a letter received from Glasgow, (Scotland) dated Dec. 8.

"There have been a great many sudden deaths this fall, and the Temperature has increased—there never was such a mild winter in this country; no frost yet at all, which is greatly wanted to check the vegetation. The turneps in the fields are running up to seed; and the wheat into the shot blade; flowers, the most delicate, are in bloom; gooseberries out—rasberries ripe;—green peas, abundant and cheap—an English nest with young, in thousands, all over the country."

GIBRALTAR, JAN. 2.

Accounts from Tangier are to the 28th ult. The Plague has become general throughout the Morocco dominions as far to the southward as Fez & Mequinez. The deaths at Mequinez are from 120 to 150 per day, at Fez from 60 to 80; Old Fez from 10 to 12 per day. At Tetuan 150 during the last fortnight; at Tangier 154, at the same time. A great many villages, together with the town of Larache, are said to be infected.

LONDON, DEC. 20.

We have seen letters from Madrid this morning, dated the 7th December, which state that the greatest tranquility prevailed in that capital. The king had not, as report stated a few days ago, left it for the Escorial, but remained at Madrid, as well as the British Ambassador, waiting the ascertainment of the queen, which was expected daily.

BLANKS Of every description may be had at the Office.