

# RALEIGH REGISTER.

AND NORTH-CAROLINA GAZETTE.

"OURS ARE THE PLANS OF FAIR DELIGHTFUL PEACE, UNWARD BY PARTY RAGE, TO LIVE LIKE BROTHERS"

VOLUME XXXV.

TUESDAY, MAY 6, 1834.

NO. 26.

## The Register

PUBLISHED EVERY TUESDAY.

By Joseph Gales & Son.

### TERMS.

THREE DOLLARS per annum; one half in advance. Those who do not, either at the time of subscribing, or subsequently, give notice of their wish to have the Paper discontinued at the expiration of the year, will be presumed as desiring its continuance until countermanded.

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### THE PRESIDENT'S MANIFESTO.

On the reception of this document, Mr. POTSDEXTER moved that it be not received, and on this motion a protracted debate arose. To give our readers some idea of the arguments advanced, on both sides, we subjoin several extracts from the Speeches delivered on the occasion:

Mr. POTSDEXTER said:—No such paper was ever presented to either House of Congress; none such is to be found on the journals of our proceedings, as the one sent us this morning, under the guise of official authority, from the foundation of the Government down to the present moment. Sir, I will not dignify this paper by considering it in the light of an Executive Message; it is no such thing. I regard it simply as a paper with the signature of Andrew Jackson; and, should the Senate refuse to receive it, it will not be the first paper with the same signature which has been refused a hearing in this body, on the ground of the abusive and vituperative language it contained. It will be recollected that a protest, similar in its character, couched in terms grossly disrespectful to the Senate, was presented, somewhere about the year 1819, from the same individual, & such was its exceptional character, that his own friends became ashamed of it. It was objected, rejected, and sent back for modification, so as to render it respectful to the body to which it was presented. The offensive passages were stricken out, and, thus modified, it was presented and received at the next session of Congress. This effort to denounce and overawe the deliberations of the Senate may properly be regarded as capping the climax of that systematic plan of operations which for several years past has been in progress, designed to bring this body into disrepute among the people, and thereby remove the only existing barrier to the arbitrary encroachments and usurpations of Executive power. Destroy public confidence in the Senate, which now stands, thank God, unmoved, between the Chief Magistrate and the People, and Tyranny in its worst forms, would very soon overshadow the land, and rule with an iron hand the destinies of the American People. The Senate, by its peculiar organization, is well calculated to preserve and perpetuate the great fundamental principles of public liberty to the latest posterity. Removed from popular impulses, which sometimes arise in the convulsions incident to freedom of opinion & the discussions of great political questions, it may look with calmness on the misguided multitude, misled by some popular demagogue, and thereby save the State from the deleterious consequences of errors, which are the inevitable result of passion or precipitation. It is an integral part of the Executive power, and while it remains firm in its devotion to the Constitution and the Laws, uncorrupted by the temptations of office and emolument, no Chief Magistrate, whatever may be his reckless ambition, can successfully move beyond the bounds of his legitimate powers, and ride over the liberties of the people. Hence the untiring and anxious solicitude so often manifested to bring this body, thus constituted, into disgrace among the people. If there existed at this moment no such conservative body as the Senate, power would march onward to the climax of despotism. The Republic might indeed exist, nominally, but, in practice, we should be bound to the car of some Imperial Dictator.

Mr. SPRAGUE said:—The President assumes that the declaration of the Senate is a criminal procedure against him, and then enters into an argument to prove that it is unauthorized. He might, as well assume that it was piracy, and, after calling it by a false name, reason upon it from his own assumptions. Sir, the expressions of opinion on the part of the Senate that the President had assumed powers not granted by the Constitution, is said to be a judicial sentence without notice of trial, and without the previous formalities required by the Constitution; and yet this same President has heretofore denounced an act of the Senate as unconstitutional! Was that in him a judicial sentence? In an Executive Message of March, 1833, but a little more than a year since, he declared that a resolution of the Senate is unconstitutional, and, therefore, he would make no nominations to certain offices. [Mr. S. then read the Message.] Here, sir, is a

declaration that the Senate has acted unconstitutionally; and yet, although, the President may declare that we have violated the Constitution in restraining his power, the Senate may not presume to express its opinions with regard to the President's seizing upon the money of the People, without being charged with having pronounced a judicial sentence without trial. Take this very document, this protest itself; is it not filled, saturated, with the declarations that the Senate has violated the Constitution? Is it not almost wholly denunciatory? And at the instant in the document, in which he is uttering these accusations and denunciations against this body, he is making it a matter of grievous complaint that the Senate has expressed an opinion that he has transcended the limits of the Constitution. There was a resolution introduced in the Senate some years since, similar in its principle and effect to this which is so much complained of, and yet I am not aware that the President, or any of his friends, have denounced it as an assumption of unconstitutional power.

Mr. FREELINGHUYSEN said:—Mr. President, while I retain any respect for myself, or just regard for the sacred trusts committed to our care, I cannot consent to receive this document. It is a most extraordinary proceeding, and will form an era in American history. Here, sir, while the country is groaning under the consequences of a rash Executive experiment—while banks are breaking all around us, the busy hum of cheerful industry silenced, and labor in absolute want of employment—all the bitter fruits of Executive interference with public credit—when the cries for relief come up in daily supplication—when the people had a right to expect some alleviation of their distresses, from this administration, what do we hear? A lecture of an hour and a half, read to the Senate of the U. States, for daring to question the authority under which this blow at our prosperity has been inflicted! Sir, I am opposed to the reception of the paper under every aspect. Instead of reserving harmony among the co-ordinate departments of the Government, its direct, and immediate effect will be, to interrupt it. It cannot be otherwise.

Mr. BENTON said:—The great question which was to go before the American people, and to claim from them that intense and profound consideration which the English people gave to the conduct of the House of Commons in regard to the Middlesex election, is the constitutionality of the Senate's conduct in adopting the resolution which condemned the President for a violation of the laws and of the Constitution of his country.—It was conduct that deserved to be tried, and as far as it depended upon him, should be tried, upon the facts of the case alone—upon the facts which our own journal contains—upon the resolutions as offered and adopted here—upon the authentic speeches which the supporters of these resolutions have given to the world, & which show the sense in which they understood the proceeding which they carried on. The proceeding, he, Mr. B. held to be an impeachment, without the forms of an impeachment, and without the form of a trial—a sentence of condemnation for a high crime and misdemeanor, against the Chief Magistrate of the Republic, without hearing, without defence, without the observance of a single form prescribed for the trial of impeachments; and this by the very tribunal which is bound to try the formal impeachment for the same matter, if duly demanded by the grand inquest of the nation in their Hall of Representatives. This was the question which the country would have to try, and, in the trial of which, furious passion, reckless denunciation, bold or even audacious assertion, will stand for nothing. The record! the record! will be the evidence which the country will demand. The facts! the facts! will be the data which they require! The speeches! the speeches! delivered on this floor, will be the test of the spirit and intention with which these proceedings were pursued and consummated.

Mr. SOUTHWARD said:—Mr. President, not only does this paper inaccurately represent our resolution; it descends to a criticism on the conduct of individual Senators in voting for it. It recites at large, and in words, the proceedings and instructions of the States, and those of one of them relating to other matters unconnected with this question; and he informs us, that, if four of the Senators had obeyed the instructions given to them, the vote of disapprobation would have been but 22. I, sir, am one of the New-Jersey Senators to whom he refers, and must be permitted to say, that I regard his attack as a gross and impertinent interference between me and my constituents—as an unauthorized intrusion into the relations between us. What has the President of the United States to do with the obedience of a Senator to the instructions which he may receive from the people. Who constituted him judge of the one or guardian of the other? I mistake the temper of the people of New-Jersey, if they do not give a prompt rebuke to such insinuations.—He might as well, sir, have charged me

with violating my opinions and pledges, and quoted half a paragraph to prove it—and thus have imitated the organs which so often use his name and authority.—The occasion justifies, if it does not require me to say, that the quotation from my remarks, on the subject of instructions which has been published, exhibits, in those who make it, a wilful purpose to deceive the public.

Sir, it is difficult to give credit to the declaration, that the instructions of three States were incorporated into this Executive paper, solely as matter of history, and to develop the principles and interests involved in the proceedings of the Senate. Why, as a matter of history, should they be placed there? How do they develop the principles and interests involved in the conduct of the Executive, or in the resolution which disapproves that conduct? Another purpose is much more apparent. Mr. President, I expressed an apprehension, that the excitement, which this paper has created, would endanger the deliberation which it demands. I feel that it is so. I hope that some member, who has not taken part in the discussion, will move to lay the motion for its rejection on the table, to give time for reflection. It seems to me fraught with momentous consequences. We are engaged in discussing a subject of legislative power and duty; in deciding on measures proper to be taken upon a question which has agitated the whole nation; in seeking relief from a distress which is universal and appalling. We have to furnish an appropriate legislative remedy. Petitions have been poured in upon us from the people in every quarter, pointing out their views of this remedy, and urging its adoption.—We have, as the first step, expressed our opinion of the cause of the public distress; and, while the subject is still before us, while the petitions are daily reaching us, while a bill is actually upon our table, ready to be called up for consideration, we receive this paper from the Executive, which denounces our conduct, and presumes that we purpose no legislative action. It is not, indeed, a preemptory command, in words, not to proceed. But it is a direct breach of our privileges as a Legislative Assembly; an interference which, in other countries less free, would be resisted with firmness and effect. It is an imitation of men whom the Chief Magistrate of a free country ought not to imitate, and which, if unchecked, may lead, at no distant day, to disastrous consequences to our institutions. Charles insulted the Parliament by charges of sedition and turbulence; Cromwell, of corruption; the Corsican, with disregard of constitutional restraints. How far does Andrew Jackson fall behind them? or fail to join their merits into one? If this body shall tamely yield to such breaches of privilege, permit its action to be arrested, halt in its duty, or be unsupported by the people, it only remains for the band of armed soldiery to enter our hall, and expel us from our seats.

Mr. KING of Alabama, said:—He had not been one of those who was disposed to justify every act of the Senate or of the other House, and was not in the habit of believing that men were not liable to err. He happened to be one of those who did not entirely approve of the course of the President. In saying so, he was merely doing justice to his own feelings and he deemed it of little consequence what the Senate might be disposed to think of his course. But although he did not entirely approve of the act of the Executive he could not consent that a high functionary should be tried and convicted—upon what? Did gentlemen pretend to say that they had not been actuated by party or political considerations? Would they upon their responsibility, as men of honor, and before the American People assert, that it never entered into their contemplation, that by the adoption of the resolutions, a deathblow would be struck at the present party in power? If honorable Senators believed that the interests of the People were at stake, the course they had chosen to adopt, he conceived not to be at all calculated to extricate them from the difficulty. He had not allowed such indignation to operate on his mind, as was manifested by the honorable Senator from Mississippi. (Mr. POTSDEXTER,) and he would tell that gentleman, and every other Senator, that feelings of indignation were not felt by every honorable Senator.

Mr. LEIGH rose and said that there was one sentiment uttered by the Senator from Missouri in which he perfectly concurred; and that was the one in which he describes the solemnity and importance of the occasion. In the presence of my God (continued Mr. L.) I will declare my belief, that, on the result of the question now before us will depend the fate of this country, and that Constitution under which we have the happiness to live. Entertaining this sentiment, I will go further, and say, that there is no question settled so well as that question which is decided calmly and dispassionately; and that this question in particular ought to be dispassionately adopted. I feel now that I am not in a condition to discuss the subject, without giving utterance to feelings, passions, which at this moment are boiling in my bosom. I desire to a-

void any such exposition: I feel the dignity of the station which I occupy as a representative of one of the independent Sovereignities of this Union, and never will I do aught in "derogation" of that dignity, using the word in sense in which the draughtsman of the paper before us seems never to have understood it. With these sentiments, sir, I move that the Senate do now adjourn.

In submitting to the Senate, a few days since, two Memorials, Mr. CLAY embraced the occasion to say a few words on the subject matter of these proceedings and memorials, and on the state of the country. From his remarks, we select the following passages:

"When we first met here, Mr. President, we found the Executive in the full possession of the public Treasury. All its barriers had been broken down, and in the place of the control of the law was substituted the uncontrolled will of the Chief Magistrate. I say uncontrolled: for it is idle to pretend that the Executive has not unrestricted access to the public Treasury, when every officer connected with it is bound to obey his paramount will. It is not the form of keeping the accounts; it is not the place alone where public money is kept; but it is the power, the authority, the responsibility of independent officers, checking and checked by each other, that constitute the public security for the safety of the public Treasury. This no longer exists; it is gone, is annihilated."

The Secretary set us in a report containing the reasons (if they can be dignified with that appellation) for the Executive seizure of the public purse. Resolutions were promptly offered in this body, denouncing the proceeding as unconstitutional and dangerous to liberty, and declaring the total insufficiency of the reasons. Near three months were consumed in the discussion of them. In the early part of this protracted debate, the supporters of the Executive measure stoutly denied the existence of distress, pronounced it a palfie got up for dramatic effect, and affirmed that the country was enjoying great prosperity. Instances occurred of members asserting that the places of their own residence was in the full enjoyment of enviable and unexampled prosperity, who, in the progress of the debate, were compelled reluctantly to own their mistake, and to admit the existence of deep and intense distress. Memorial after memorial poured in, Committee after Committee repaired to the Capitol to represent the sufferings of the People, until incredulity itself stood rebuked and abashed. Then it was the Bank that had inflicted the calamity upon the country—the Bank which was to be brought under the feet of the Executive, and which, if necessary, at all events, in the opinion of the President, should proceed forthwith to wind up its affairs.

And, during the debate, it was again and again pronounced by the partisans of the Executive, that the sole question involved in the Resolutions was Bank or no Bank? It was in vain that we protested, solemnly protesting of the depositors, and their the Bank, and against the charter of any Bank.—Gentlemen persisted in asserting the identity of the Bank question, and that contained in the resolutions: and thousands of the People of the country are, to this moment, deluded by the erroneous belief in that identity.

Mr. President, the arts of power and its minions are the same in all countries and in all ages. It marks a victim; announces it; and excites the public odium and the public hatred, to conceal its own abuses and encroachments. It avails itself of the prejudices, and the passions of the People, silently and secretly, to fix chains to enslave the People.

Well, sir, during the continuance of the debate, we have been told over and over again, that, let the question of the deposits be settled, let Congress pass upon the report of the Secretary, and the activity of business and the prosperity of the country will again speedily revive. The Senate has passed upon the resolutions, and has done its duty to the country, to the constitution, and to its conscience. And the report of the Secretary has been also passed upon in the other house; but how passed upon? The official relations which exist between the two Houses, and the expediency of preserving good feelings and harmony between them, forbid all that I feel on this important subject. But I must say, that the House, by the Constitution, is deemed the special guardian of the people's money in the public Treasury. The House has given the question of the sufficiency of the Secretary's reports the go-by, evaded it, shunned it, or rather merged it, in the Previous Question. The House of Representatives has not ventured to approve the Secretary's reasons. It cannot approve them; but, avoiding the true and original question, has gone off upon a subordinate and collateral point.

And what is the actual state of the Public Treasury? The President, not satisfied with the seizure of it, more than two months before the commencement of the session, appointed a second Secretary of the Treasury since the adjournment of the last Congress. We are now in the fifth month of the session; and in defiance of the sense of the country, and in contempt of the participation of this body in the appointing power, the President has not yet deigned to submit the nomination of the Secretary to the consideration of the Senate. Sir, I have not looked into the record, but, from the habitual practice of every previous President, from the deference and respect which they all maintained towards a co-ordinate branch of the Government, I venture to say that a parallel case is not to be found.

Mr. President, it is a question of the highest importance what is to be the issue, what the remedy, of the existing evils. We should deal with the people openly, frankly, sincerely. The Senate stands ready to do whatever is incumbent upon it; but unless the majority in the House will relent; unless it will take heed of and profit by recent events, there is no hope for the nation from the joint action of the two Houses of Congress at this session. Still, I would say to my countrymen; do not despair. You are a young, brave, intelligent, as yet a free people. A complete remedy for all that you suffer, and all that you dread, is in your own hands. And the events, to which I have just alluded, demonstrate that those of us who have not been deceived who have always relied upon the virtue, the capacity, and the intelligence of the People.

I congratulate you, Mr. President, and I hope you will receive the congratulation with the same heartfelt cordiality with which I tender it upon the issue of the late Election in the City of New-York. I hope it will excite a patriotic glow in

your bosom. I congratulate the Senate, the County, the City of New-York, the friends of liberty every where. It was a great victory. It must be so regarded in every aspect. From a majority of more than six thousand, which the dominant party boasted a few months ago, if it retain any, it is a meagre and spurious majority of less than two hundred. And the Whigs contended with such odds against them. A triple alliance of State placemen, Corporation placemen and Federal placemen, amounting to about thirty-five hundred, and deriving, in the form of salaries, compensations and allowances, ordinary sum, annually, of near one million of dollars.—Marshalled, drilled, disciplined, commanded.—The struggle was tremendous; but what can withstand the irresistible power of the votaries of truth, liberty, and their country? It was an immortal triumph—a triumph of the Constitution and the Laws over usurpation here, and over clubs and budgets and violence there.

Go on, noble city! Go on, patriotic whigs! Follow up your glorious commencement; persevere, and pause not until you have regenerated and disenthralled your splendid city, and placed it at the head of American cities devoted to civil liberty, as it now stands pre-eminently the first as the commercial emporium of our common country!

### SPEECH OF MR. LACOCK.

The following is (says the Pittsburg Statesman) the conclusion of a speech delivered recently by Mr. Lacock, in the Legislature of Pennsylvania. The language is forcible as the appeal is impressive:

It is now, Mr. Speaker, said Mr. Lacock, more than one-third of a century, since I was associated in political life with your age and your grandfathers. And the same may be said of your brother from Armstrong; and with your father, and yours, and yours, I was long and honorably associated. [Here Mr. Lacock designated six or eight young men, the fathers of whom had been with him in the Legislature.] It was from and with them I learned my political creed, and was taught to love and honor Pennsylvania. They have gone, or most of them, from good works, I trust in this, to high reward, in a better world. Will not you, the sons of those venerated fathers, listen to the warning voice of their old political friends, who now addresses you, and who has been permitted, in mercy, to linger behind his associates, and is here standing solitary and alone, upon this floor, conjuring and beseeching his young friends to redeem and save the country, its constitution, and its laws. This can only be done by breaking the political fetters with which you are bound.

Remember we have taken a solemn oath not to support party, but the constitution and laws of the country. These you have seen trampled under foot. You find a wide-spread ruin around you; and where peace and plenty had lately smiled, you now find bitter strife and contention on the one hand, and penury and want on the other; and in this State of misery and suffering, the cries of thousands from Philadelphia and Pittsburg have, by their delegates, been presented at the foot of the throne, from whence the suppliants for mercy have been driven back, loaded with outrage, insult, and contempt. Let me ask you again, said Mr. Lacock, my young friends, will you bear this? If you will, I will not. I feel a spark of holy fire from the altar of '76, kindling to a blaze in my bosom, and while a pulsation of the blood of '76 throbs in my heart, or flows in my veins, I shall raise my voice, and nerve my arm, if possible, with youthful vigor, to speak, and strike too, in defence of the liberty and freedom, the constitution and laws of my country!

### DOWNING'S CORRESPONDENCE.

Extract from the last Letter of Major Jack Downing.

Now says I General suppose you was appointed to defend the country again an enemy that was coming here from abroad, and the enemy was say 10,000 men, and they wouldn't tell you where they were going to land; but you was obliged every week to tell them where your men was—why says the General I'd go right down to New-Orleans and whip em just as I did afore; but suppose says I they won't go there agin, but kept dodgin about along the coast from one end to the other how then says I—then says the General I'd call out every man in the country, and I'd have 10,000 men in every fort from New-Orleans to Downingville—well says I, that I suppose would be the only way, and if it was harvest time it would be bad work for the crops—I couldn't help that says the General, I'd defend the country thro' thick and thin—well says I, that's pretty much what Squire Biddle is arter, he don't know where we intend to attack his Bank, and we make him tell us every week jest how the branches stand as to strength, and we have tell'd him we'd break him if we can, and so as he wouldn't be doin his duty if he didn't defend his Bank, he is obliged to keep every point as strong as he can, and so a heap of money is idle, just as a good many militia men would be idle in the war we've been talking on—there aint one grain of difference, and every attack we make agin the Bank only makes things worse; so the people all about the country see this now, and the hull country is sufferin—now says

I General, I'm gittin a leetle asham'd on't myself, we have got into a scrape. I should like to get out on't, and git you out on't too if I can at any rate, says I, I'll just pack up my ax and git my bundle ready, for as things are going it want do to stay here.

The General got considerable riled at this, and slatted round a spell, but he soon see that didn't do no good, for it on't set me whistlin yankee doodle—and so to rights says he, Major, did I tell you that ragoon story of mine and the bee tree and the apple orchard—well says I, not as I knows on, but I should like to hear it—and so the General he set down and tell'd a plagy long story about his goin out once with a gang of his niggers a ragoonin—it was just arter the last Injin war and folks all about the country began to think that General Washington was a fool to him—it wasn't long afore he tree'd a ragoon, and he set the niggers to work to cut down the tree. This tree stood right along side an old farmer's apple orchard—and afore it was half cut down a man come along and asked the General what he was arter, and he tell'd him s—why, says he, General, you are barkin up the wrong tree this time, for I jest see that ragoon jump to that next tree, and afore this he is a mile off here in the woods—the General tell'd him he was mistaken, and jest then the old farmer come out and he ask'd the General what on earth he was cuttin down that tree for, that it was one of the best bee trees on his farm, and had supplied his family and the neighbors round with honey for a good many seasons; and that the bees were jest swarin agin in it.

And with that the General got wrothy, and telled the Niggers to cut away, and down went the tree, right across the orchard fence; and says the General if the ragoon aint there go on and cut down the apple orchard, till you find him; and the Niggers kept at it, but afore they cut down many trees the old farmer larnt wisdom; and he come to the General and tell'd him he was right arter all, for the ragoon was just where he thought he was, and he has jumped from one apple tree to another, and was now in his cellar; and with that the General he call'd off the Niggers, and tell'd the farmer it was well he had found the ragoon as soon as he did, for he'd a cut down every tree in his orchard; and so I tell'd him says the General, he might keep the ragoon for larnin wisdom.

Now, says I General, what was your notion? why says he, Major, if I hadn't done jest so, it would agone all around the country that I know'd nothin about ragoonin; and it's jest so with the Bank—if I give up my notion now, folks will say I know nothin about bankin, and afore I'll do that, I'll break every man in trade, from one end of the country to the other. I'll let folks know, afore I am done, that Andrew Jackson knows as much of Bankin, as he does of Raekoonin.

Well, says I, General, I don't see how you get sich notions. Nor I don't nother, Major, says the General, but it has always been my way when I git a notion to stick to it till it dies a natural death—and the more folks talks agin my notions the more I stick to em. Now says I General, that was a pretty good story you've been tellin, and I'd like to tell you one—and the General he filled his pipe, and I began: A spell ago says I, my old grandmother Danforth by my mother's side—you know says I General, my mother was a Danforth—and so I telled the General as far as I could all about the hull Danforth family, and gittin that straight I got back agin to my old Grandmother Danforth—well, says I, she owned an old hen that was one of the curiousest critters that ever clock'd. This old hen was never remarkable for laying eggs—but she was a master hand in hatchin on em—my old Grandmother Danforth used to keep this old critter always busy, and as fast as she hatch'd one hatch, she'd stick under her another—it got so at last all the fowls about the place would come and slide themselves in along side this old hen and lay their eggs in her nest—sometimes ducks—sometimes geese—and sometimes dunghill fowls and Bantams,—it made no odds which; this oldhen would hatch em all out and was just as tickled every morning when the young ones would crawl out of the nest as though she had laid the eggs herself—and was all the while ruffled and rumped, and ready for a fight—and so I tell'd the General a good long story about this old hen—and about her troubles—and how the other fowls used to impose upon her, and so forth.

The General was a good deal taken with this story, and he has been tellin on't to Mr. Van Buren, and Amos Kindle and the rest of the Cabinet—and one o'em came to know what bearin that story had on The Government—and all I could say about it was that the General tell'd me his ragoon story, to show how important it was for him to stick to a notion right or wrong—and as he didn't know exactly how he got his notions, I thought I'd tell him the story of my old grandmother Danforth's hen, and see if that would throw any light on't.

Then they wanted to know if I intended to compare the General to that old hen—and I tell'd em it was so much more as