Dational Intelligencer.

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DEBATE IN THE SENATE.

SPEECH OF MR. LEIGH, (OF VIRGINIA,) On Mr. Benton's Expunging Resolution.

Monday, April 4.

Mr. LEIGH said he wished the Senate, and especially his friends who concurred with him in sentiment on this very peculiar and important question, to understand that private cares, from which he could not withdraw his mind had alone prevented him from giving that undivided attention to the subject which would have enabled him to call it up for consideration at an earlier day.

He said the resolution of the 28th March, 1834, decla ring "that the President, in the late executive proceedings in relation to the revenue, had assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both," presented, in itself, two questions for consideration: 1st. Whether the proposition there affirmed was just and true, in point of fact and in point of law? and, 2d. Whether it was within the constitutional competency of the Senate to entertain such a resolution, and to determine upon it? And it was upon the negation of these two points, for reasons set out in the preamble, that the gentleman from Missouri founded the proposition now made, to expunge the resolution from the journal. Now, (said Mr. Leigh,) it is most obvious, that if the gentleman had proposed a preamble and resolution, reciting that the resolution of March, 1834, was false and unjust in fact and in law; that it was an assumption of the powers of the House of Representatives; an impeachment, trial, and prejudication of the President, on a criminal charge; and resolving, therefore, that the resolution be rescinded—this would have been as strong a censure of the resolution, as effectual an exoneration of the President from all blame, as effectual an expression of that sentence of condemnation, which, we are told, the People have pronounced on our conduct, and of the judgment imputed to them, of acquittal and approbation of the President, as this resolution to expunge the entry of the former resolution from the journal. No one doubts the constitutional right of the Senate to rescind the resolution of March, 1834, if it really think the proceeding a usurpation of power, incompatible with our duties, unjust in fact and in law, and mischievous. And his mind must be strangely constituted, who does not see that the right of the Se nate to expunge the resolution from the journal is, to say the least, questionable. The very argument of the gentleman from Missouri on the point, and much more that of my colleague, evince that, even in their own sense, the right is not free of doubt; that of my colleague seemed to me to betray not a little skepticism. The known, the recorded hesitancy of many Senators at the last session, as to the right of expunging, who were ready and desirous to rescind, ought, I should think, to satisfy gentlemen that the right to expunge is, at best, doubtful. Why, then, is that course, as to the constitutionality of which there is no question, and which would present the whole merits of the contested resolution for consideration, relinquished, and this course, the constitutionality of which even its advo cates, though they have reasoned themselves into a belief that it is right, must, I presume, admit to be somewhat questionable, preferred and resorted to?

"Expunge," says the gentleman from Missouri, "ex-

punge is the word"—because it serves to fix a mark of disgrace on the conduct of the Senate—because it condemns not only our resolution, but our motives—because it pro nounces sentence on the Senate (as a reward to the Presi dent) of "dishonor, denunciation, stigma, infamy;" because "it is the only word that can render adequate justice to that man who has done more for the human race than any other mortal who has ever lived in the tide of time;" and because, says my honorable colleague, (if I rightly apprehend his meaning,) the Senate is the most irresponsible body in this Government; for I can conceive no reason for this allegation of irresponsibility against the Constitution of the Senate, in the present debate, but to show the wisdom and necessity of humbling it, or to rouse against it the in-dignation and jealousy of the Public, which may stand in place of a reason for the proposed sentence of condemnation

As to the panegyric on the President, I shall only say, for the present, that if he desires this poor triumph over his political opponents—a triumph more humiliating to him-self, in truth, than to them—as Cato's image, drawn in Casar's train, detracted nothing from the fame of the dead patriot, but only showed the pusillanimity of the victor— "ignobly vain and impotently great;" this alone would be sufficient to evince that he deserves no such panegyric. I agree with the gentleman from Missouri, that the Presilent's name and memory will live as long as the history of these times shall be extant: but, whether they will live for whether he shall be regarded, in aftertimes, as the benefactor of his country, or as the destroyer of its free institutions—whether his history shall be written by some future Plutarch, or by a Tacitus or Sallust—whether his name and deeds shall be the theme of immortal praise, or "damn'd to everlasting fame;" this, let me tell the gentleman from Missouri, it is no more within his competency to decide or foresee, than it is within mine. All-trying Time can alone determine. Henry VIII. was lauded, during his life, for piety, generosity, and justice, and James I. for his wisdom; Cicero paid the forfeit of his life for his patriotism and virtue and Libb De Witterstam in the De Wit tue; and John De Witt was torn in pieces by the People, to whose service, to the establishment of whose civil liberty and republican institutions, he had devoted his whole life and his great abilities. But History has been impartial.

I am sorry my honorable colleague thought it proper, on

this occasion, to denounce the Senate as the most irre sible body in this Government. I must say, that it is of a piece with the denunciations of the Senate, that have been, for some time, going the round of the ministerial newspapers. It is truly astonishing to me that any statesman should entertain such an opinion. The President, wielding the west temperature of the resident, wielding the west temperature. ing the whole of the vast patronage of this Government and being, in the nature of things, the head of the dominant party for the time being, is, in every practical view, far less responsible than the Senate; and, if the gentleman's opinions of the constitutional powers and rights of the Executive be correct, I shall show him, before I have done,

that the President is absolutely irresponsible.

But, if my colleague founds this allegation of irresponsibility against the Constitution of the Senate on the length of its term of service, I think he must admit, upon his own principles, that the judiciary is yet more irresponsible; and therefore, I apprehend, that when the Senate shall be disposed of, when it shall be reduced to insignificance and ment will be taken up for subversion under pretext of reform. Indeed, the note of war against it has already beer sounded. I presume my honorable colleague will not deny that this alleged irresponsibility of the Senate, if it exist, is ordained by the Constitution; and then, I ask him, whether lousy and indignation against it, to degrade, to humble it at the foot of the Presidential throne, is not an attempt, so far forth as it may work, to effect a practical change in the constitution of the Senate? and this for the very reason constitution of the Senate? and this for the very reason that it has approved itself capable of fulfilling (though but for a brief space) the purposes of its institution; namely, of exercising a check on the Executive power and on the national popular branch of the Legislature. If the Senate be

ing the resentment and indignation of the Public against it. And it was with surprise and chaggin that I heard my colague urge this imputed irresponsibility of the Senate, in

The constitutional question involved in the proposition of expunge the resolution of March, 1834, lies, in truth, in a very narrow compass—whether such expunction be consistent with the provision of the Constitution, that each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts shall, at the desire of one-fifth of those present, be entered on the journal? I stand on the supremacy of the Constitution, and the plain meaning and intent of the express requisition, that the Senate "shall keep a journal of its proceedings;" and my task is to expose the fallacy of those glosses, by which the advocates of the expunging process ould persuade us to avoid the constitutional provision

efeat its purpose.

My honorable colleague told us with admirable gravity hat, as it has been the known, invariable, and indispensable practice of every legislative body to keep a journal of its proceedings, the constitutional injunction upon each House of Congress to keep a journal, taken substantively by itself, is wholly supererogatory; and that every legislative body has an absolute discretion over its own journal, inherent in the very nature of parliamentary institutions; an unlimited right to make what disposition in respect to them it thinks proper, and say exercise such discretion at any time; which he did not attempt to prove by argument, but only to establish by precedents. And so he concluded, very logically, that we have a right to expunge the entry of this offensive resolution from the journal of the session of 1833lensive resolution from the journal of the session of 1833– 4. Never have I read or heard any thing put in the form

f argument, that was so perfect a specimen of the petitio principii. The gentleman has begged the whole question. had taken for granted. Give him his premises; grant that the constitutional requisition that we shall keep a journal is the constitutional requisition that we shall keep a journal is supererogatory, and so of no effect; allow him to expunge those words from the Constitution; and grant, too, that every legislative body, the two Houses of Congress not excepted, has an absolute, unlimited discretion to do what it thinks proper with its journal, and then I myself should not controvert the conclusion, that we may expunge this entry of the resolution of March, 1834, from our journal. But he cannot show a right to expunge this entry from our ournal, unless he can show a right to expunge the injunc-

journal, unless he can show a right to expunge the injunction to keep the journal from the Constitution.

When gentlemen propose to expunge the resolution of March, 1834, from the journal of that session of the Senate, what do they mean by expunging? The English verb to expunge has (according to Dr. Johnson) only two senses; 1. to blot out, rub out; 2. to efface, annihilate. The word is used taphorically, when, in any thing written for the purpos being fairly copied or printed, a word or passage is struck out by running the pen through it, which prevents it from being copied or printed, and so expunges it in effect. It is in being copied or printed, and so expunges to hence. It is in this sense that Swift uses it in the passage quoted by Johnson as an example. "Neither do they remember the many alterations, additions, and expungings, made by great authors, in those treatises which they prepare for publication." But in this sense gentlemen do not mean to expunge our resolution from the journal; they do not profess an intensity of the profess and intensity of the sense of the se

the Constitution? The argument is, that the injunction upon each House of Congress to keep a journal is simply a requisition to make one, which is to be printed and published, and is to be made only for the purpose of being of form. If this be true, what is it? I ask, in the name of common sense, what is it gentlemen are proposing to do? Not to expunge an entry from the journal of a for mer session of the Senate, but only to deface a piece o waste paper they have found in the Secretary's office

which they, or the Secretary, or any body else that can lay his hands upon it, may destroy without fault or blame; which they might carry to the President, lay it at his feet, and invite him to trample upon this cast-away memorial of the transactions of the refractory Senate, or throw it into the flames, or order it to be burnt by the common hang-man; which any man may, without fault or hazard, the moment after the expunging process shall be completed, tear in pieces, and give to the winds. Do gentlemen seritear in pieces, and give to the winds. Do gentlemen seriously desire to expunge the resolution from the journal, in efligy? Can they really think that expunging in this wise, defacing a piece of waste paper, "is the only word that can render adequate justice to that man who has done more for the human race than any other mortal who has lived in the tide of time?" What an appropriate act to signalize their real estimate of the merits they so highly extol! What a glorious triumph, what a pleasing gratification, must this "avenging word expunge," thus understood and applied, afford to the President!

But what in truth is the inversal of the Seneta? The

But what, in truth, is the journal of the Senate? The riginal manuscript journal, made out from the minutes of r proceedings, according to the rules and orders of the enate, read over every morning, amended and corrected erroneous, and finally deposited in our archives? or, the umerous printed copies, made from a copy furnished by the Secretary to the public printer, distributed to members of Congress, to the federal, executive, and legislative offices, the State Governments, foreign ministers, universities, and public libraries? Gentlemen say, the printed copy; eccause, forsooth, a printed copy of the journal published and printed copy is received as primary evidence in the courts. y authority is received as primary evidence in the courts justice. True, it has been held to be so admissible; this is on a principle of general convenience; because hardly ever questioned or questionable; and because, to rease in which such a document may be wanting for evidence would lead to unnecessay delays, trouble, and expense But to bring this question to a plain decisive test: Suppose the journal of the Senate should be offered as evidence of any right or claim, and it should be alleged that the printed copy published by authority varies from the origina manuscript journal, and this should be made to appear by inspection of the original; which would be respe e printed copy or the original manuscript journal? ne who has the least notion of the law of evidence will esitate for the answer. The original manuscript journal

the evidence which the court must respect.
The printed editions of the Constitution and laws of the United States, published by authority, are resorted to as vidence of the law in all the courts of justice of the Union tate and Federal. Is it to be, therefore, inferred that the riginal manuscript enrolments of them are no longer o e rolls of parchment on which they are written? Tha y purpose to which they can be applicable? as the Monks the dark ages used the parchments on which the Latin ssics were written, for inditing their own worthless

eatises of theology.

There are two facts in the history of our legislation which traish a most apt and perfect illustration of this part of the

In Bioren's edition of the Constitution and laws of the United States, published by authority, and daily resorted to or evidence of the law, in all our courts of justice, there is ound a 13th amendment of the Constitution, ordaining nat "if any citizen of the United States shall accept laim, receive, or retain any title of nobility or honor, or hall, without consent of Congress, accept and retain any ever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or projet under them, or either of them." But we all know that ratified by a sufficient number of States to make it so. An I see that in the copies of the Constitution printed unde the superintendence of our Secretary, and furnished to the members of the Senate, it has been, very properly, wholly omitted. Now suppose that any man should receive and retain a present from a foreign potentate: suppose, for exam-

would afford, that this provision is not a part of the Consti

At the last session of Congress, there was a bill that bassed one House, but was not, in fact, passed by the other jet, through inadvertence, it was enrolled, signed by the House, and actually approved and signed by the President The mistake (as I understand) was discovered before the acts of the session were printed and published. But sup-pose the discovery had not been so timely made, and the

ing and publication of it, by what possible means shall the true history of our proceedings be ascertained? If the act I have mentioned, which, though passed by only one House, was enrolled and signed by the presiding officers of both Houses, and approved by the President, should be adduced, with all these evidences of authority upon it, as the foundation of any right claimed under it, and it should be shirted that e objected that the act never received the assent of the enate, the answer would be plausible, if not conclusive that, for aught that appears, the Senate may have expung ed the entry of its assent to the act, after it had been per fected by the approbation of the President, and that the ac must be regarded as law. The answer certainly could no nust be regarded as law. The answer certainly could not be refuted by an appeal to any authentic written evidence beseech gentlemen to reflect upon the possible consequences of this "avenging" process of expunging—wha loubts it may bring upon the evidence of our proceeding—how it may impair the authority of our acts—how it may berehance, have the effect of giving authority to acts a

aws, which, in truth, have never been passed.

The original manuscript journal is the journal; that ournal which the Constitution commands us to keep. But centlemen insist that the constitutional provision, that each House shall keep a journal," imports only that the all make one, without requiring that they shall preserve This Anglo-Saxon word to keep is generally used in strict literal sense, and then always imports to preserve, an nothing else or more. It is used in divers metaphoric senses, which, from frequency, have the appearance, at fir view of height literal days. l, or commanded. It is never used as synonymous with aking any thing. Every child of three years old knows making any thing. Every child of three years old knows when his mother tells him to keep any thing, that she mean he is to take care of it. The very instances stated by the centleman from Missouri serve to show that to keep doe not mean to make, but to preserve or to continue indefinitely Γ ake a few of the least obvious of them for specimens

To keep company," does not mean to make the company one keeps, but to frequent one or more persons, often and habitually, not to pay a single casual visit. "To keep the company of the casual visit." nill, attend to the working of it, preserve the corn formiding, and, after it is ground, preserve the meal for use To keep a store," or "to keep a bar," most certainly doc of mean to make the goods or the liquors, nor (as he su But let us resort to better authority than either the gen

eman or I can pretend to be. The English translation of Bible is one of the best authorities we have in the lar phrases; it is "the well of English underlied." This work keep is very often used in Hely Writ, and always imports the idea of careful preservation or endless indefinite con tinuation. "The Lord's portion is his people; Jacob is the lot of his inheritance. He found him in a desert land and in the waste-howling wilderness; he led him about, he instructed him, he kept him as the apple of his eye." "Except the Lord keep the city, the watchman walketh about while I was with them in the world, I kept them in thy name. All thou gavest me I have kept, and none of them is lost but the sons of perdition." "Hold fast the form of which is no session child. That good many which as committed unto thee, keep by the Holy Ghost." So the catechism of the Protestant Episcopal Church, the cild is taught, as part of his duty to his neighbor, "to keep the catechism of the Protestant Episcopal Church, the Protestant Episc is hands from picking and stealing, and his tongue fron vil-speaking, lying, and slandering." No one would b villing that his children should be taught that they are no bound to keep themselves steadily in the practice of honesty, truth, and charity throughout their lives, and unde nay suit their convenience or gratify their passions. On more instance, taken from Locke: "If we would weig nd keep in our minds what we are considering, tha ould-instruct when we should or should not branch into

Our business is to ascertain the meaning of the phrased in the Constitution, which expressly requires us seep a journal of our proceedings. Gentlemen say the eep a journal of our proceedings. Gentlemen say thin all yrequires us to make a journal, and to print and publish but not, after having made and published it, to preserve also. To give even a plausible color to this construction entlemen should at least have shown that there can be n possible use in preserving the original manuscript journal after the publication of the printed copies. But this the ave not attempted, nor (apparently) even thought of. ay that, to keep a journal means to make one, and to pre-erve the very journal made; and I have shown the reason

he use, the necessity for doing so.

For the meaning of the phrase, in common speech, we have a safely confide in Johnson. A journal is "an account capt of daily transactions." And the example is extracted om Hayward on Edward VI.—"Edward kept a most jucious journal of all the principal passages of the affairs of nis estate." If that precocious Prince only made, and took no care to preserve his journal, how came Hayward to know

that he made one, and a most judicious one?

The technical parliamentary meaning of the phrase. scertainable without difficulty and beyond all doubt. Th nost careful preservation. But I find a conclusive a nority in a passage of the printed speech of the gentlema com Missouri himself. "The clerk of the English Hous of Commons was the keeper of the journal, and he took are bath to make true entries, remembrances, and journals of the things done and passed in the House of Commons. As are back as 1641, the clerk was moved against for sufferlared that the clerk, who is the sworn officer, and entrus with the entries and the custody of the records of the House, ought not to suffer any journal or record to be ta en from the table, or out of his custody; and if he sha cereafter do it, after this warning, that at his peril he shal o it." This account is truly taken from Hatsell; and i journal, faithfully and truly, and of preserving the journal so made, carefully, in his own custody. And Hatsell else where informs us that in January, 1661, upon information given to the Commons, "that the clerk of the Lords' House rmitted the original rolls of acts of Parliament to be car his particular; but I hope our rolls are never sent to the rinter. I presume our acts are printed from the engrosses

My honorable colleague says that the consultation to keep a journal of our proceedings is mere matter of inducement to the requisition immediately following in the same sentence, to publish the same from time to time; so that we are bound to keep, only for the purpose of publishing, and, when we have published, our whole duty is fulfilled. Indeed! He finds two positive injunctions in the Constitution respecting the same thing, and thinks he may absolve himself from the obligation of the first, by complying with the last! This is a novel specimen of that kind of ingenuity by which constitutions and laws have been

appeared to some gentlemen trivial, and to many superfluous; but I hope it will be remembered that I have entered into it only for the purpose of exposing the fallacy of other verbal criticisms, by which the plain meaning of the plain words of the Constitution has been obfuscated, and the duty it imposes sought to be avoided. If I have ascertained the true meaning of the constitutional provision, that "each House shall keep a journal of its proceedings;" if that requires us to make and preserve a journal—a fair and full, not a false journal, garbled, mutilated, or defaced; and if the original manuscript be the journal, the question, one would think, is at an end. But no; precedents have been brought to bear upon the subject—forced, indeed, into the service—the authority of which, it is supposed, will outweigh the conclusions of reason.

service—the authority of which, it is supposed, will out-weigh the conclusions of reason.

The precedents of expunging entries from the journals of either House of the English Parliament can, by no vio-lence, be made applicable to the purpose. The journals of the two Houses of Parliament are kept in pursuance of a simple order of each House; and in the expunging of any entry from the journal of either, the House merely disre-gards its own order, which, as it was ordained by its own several authority may by its several authority. own several authority, may, by its several authority, too, be suspended, avoided, or contravened, at its discretion. The duty of the two Houses of Congress to keep competent to annul or dispense with. The rules, orders and usages, by which each House of the British Parlia ment governs itself, are not law, in the absolute sense o the word, much less constitutional law. But the rules pre scribed to the two Houses of Congress by the Constitution are part of (what Bacon justly and happily calls) the leges legum—the laws by which the Legislature itself, and the laws it makes, are governed, controlled, and limited. Mr. Jefferson says, in the preface to his Manual, that "the law of proceedings in the Senate is composed of the precepts of the Constitution, the regulations of the Senate, and where he Constitution, the regulations of the Senate, and, where these are silent, of the rules of Parliament," and this is quoted as a warrant for appealing to parliamentary precedents, on a point where the Constitution is not silent!—wher

It is true that, in the theory and practice of the British Government, the Parliament is omnipotent: the Constitution itself may be changed by the act of the three estates. First Levis and Cappens appropriate Andrews by the House of Commons is required to keep a journal of the proceedings; and thence they infer that the precedents are an authority for us to expunge an entry from our jour nal. The statute they allude to is that of 6 Henry VIII. ch

eir proceedings were matters of record, in the legal meanng of the phrase, but only that their journals should be cept in the way records are kept. Not to pass over without notice other authorities referred

to by gentlemen, to show that the duty of the two Houses of the British Parliament to keep journals of their proceedings rests on a like foundation with our duty to keep a journal of our proceedings, I have to tell the Senate that the passage in Hatsell referred to by my honorable colleague (3 Hats. 28, 29) only states that, in March, 1606 the Commons insisted that their House was a court, while at the same time, they have always denied that their jour nals were public records. The Lords denied that the Com mons were a court. The Commons referred to the statute of 6 Hen. VIII. ch.16, requiring leaves of absence to be extered of record in their journal, by way of argument to support their claim; but the point was left, and yet remains, undecided. Hatsell further informs us that the great law yers of those times entertained different opinions on the question; that Coke earnestly maintained that the Com-mons were a court of record. But it appears from 4 Inst. 23, 24, referred to by the gentleman from Missouri, that Coke only held that the Commons are a court of record in

ses where they act judicially. the keeping of the journals of the two Houses of the British Parliament is required only by the orders of each House, made by itself, and for itself, severally, no precelents of either House, dispensing with or contravening it ony authority or any apology to us, who are commanded by the Constitution to keep a journal of our proceedings for expunging any part of our journal. The same rea soning applies with equal force to avoid the authority of any precedent of expunction ordered by any Colonial of State Legislature in our own country, before or since th Revolution, whose journals have been kept in virtue of it wn orders, and not in pursuance of any constitutional pro

But the precedents of expunging in the British Parliay colleague, are so pregnant with instruction on other to ics of this debate, that they cannot be passed over withou articular consideration. Really, sir, one that did not ollected and referred to for the purpose of confuting some f the leading arguments of the gentleman from Missouri, or they are more apposite to that purpose than to any

The first instance he mentioned was that which occurred in the memorable proceedings of Parliament in the case of ship-money, during the reign of Charles I. The account he gave of the transaction was so different from my recolection of it, that it surprised me not a little. He suppose for the twenty shillings of ship-money assessed upon him was cancelled by an order of the House of Commons, (i which he was probably misled by the concise account of th casen, to enter into details,) and he represented it as an intrace in which the process of cancellation or expunction as applied even to a judicial record. The fullest and

King's prerogative in that respect, delivered in the Star chamber, and enrolled in the courts of Westminster, the warrants for levying ship-money, called ship writs, and the judgment in the Exchequer against Mr. Hampden, were all contrary to the laws of the realm, the rights of property, the liberty of the subject, former resolutions of Parliament, and the petition of right. And they afterwards delivered these votes to the Lords at a conference of the two Houses and, at the same time, they gave in articles of impeachmen against Sir Robert Berkley, one of the judges of the King' ench; in which they accused him (among other thing ctions, were so spoken and done by him, traitorously and vickedly, to alienate the hearts of his Majesty's liege peo ple from his Majesty, and to subvert the fundamental law the Lords, though they were to sit in judgment upon the criticles of impeachment against the judges who had affirmed the prerogative of the Crown to levy ship-money, conlemned the act of the judges as strongly as the Commons, who had impeached one judge, and might, and probably would, impeach the others. On the 20th February following, the House of Lords ordered that all the rolls containing the opinions of the judges, the judgment against Mr. Hampden, and the records of the proceedings, should be brought into the House; that vacats thereof should be entered "by the judgment of the Lords, spiritual and temporal, in the court of Parliament;" and that the rolls should be rased cross with a pen, and subscribed with the clerk of Parliament's hand." And this was accordingly done. Let me pause here, and ask my honorable colleague whether he thinks this proceeding a precedent that we may safely follow throughout? Whether, if the Supreme Court should give a judgment ever so plainly illegal and unconstitutional, we could in like manner vacate and can

[Mr. Rives explained. He was understood to say that ne was not uninformed of the particulars of the proceedings in Parliament on the case of ship-money, as they had been tated by Mr. L., and that he had not referred to them as a precedent for cancelling or expunging a judicial record, bur simply as an instance in which cancellation had been re-

I understood my colleague to refer to these proceedings as a precedent of expunging which might serve as an authority for our expunging—then to cite his other English precedents for the like purpose—and, after stating them as precedents in poist, to recommend them as good guides for ess of expunging had been employed to accomplish. e knows his own purpose best, and I cheerfully take his

of the House of Lords is not to be regarded as a case-cancellation by mere authority of that House. It will b "by judgment of the Lords, spiritual and temporal, in the court of Parliament." They professed to act judicially; and, in doing so, they assumed jurisdiction to vacate and cancel a judgment which had not been brought before them by appeal. They had claimed a like jurisdiction before; but, as they well knew, it had been disputed and denied. I'herefore, they ordered a bill to be prepared, to confirm their racats and cancellations; which bill was passed; and it is upon the strength of this act of Parliament that the legalities of the strength of the strengt ty of the cancellation rests.

to keep a general journal of its proceedings—is absolutely certain. For Hume says, it was not till the reign of James I. namely, in July, 1607, that an order was entered by the Commons, for the first time, for the regular keeping of their journals: and we learn from Hatsell, that this order was repeated in May, 1621, by a resolution of the Commons, that "all their proceedings should be entered there, and at all their proceedings stitute be chief that all dent on a criminal charge, though the resolution alleged eir proceedings were matters of record, in the legal meanty of an impeachment against the President, for the act which the resolution declared illegal and unconstitutional and though it is perfectly obvious that the illegality impute ment, without the least intentional wrong. And thus thi precedent, which my colleague has brought with commenda tion to our notice, serves to confute the argument of hi friend from Missouri; and it serves no other purpose.

The case of Skinner against the East India Company which was the next precedent referred to by my colleagu (as an instance of expunging even a judicial decision,) he been considered important in England, only because it re sulted in an informal but effectual settlement of a dispute of civil judicature. Skinner had gone to the East Indie upon a mercantile adventure, but he purchased an island and endeavored to establish himself upon it as his own de of their rights, and they took away his goods, and drow him from his island. Skinner preferred his petition to Kin Charles II for redress. The King referred the case fir t to the House of Lords, that it might administer justic the East India Company to answer Skinner's petition overruled a plea put in by the Company to the jurisdiction and finally gave judgment for Skinner for 5,000t. Mean while, the Company presented a memorial to the House of Commons, complaining of the proceedings of the Lords, as an unwarrantable assumption of original jurisliction in a civil cause, which deprived the Company of its nmons remonstrated against the jurisdiction claimed b the Lords, as unjust, oppressive, illegal, and against con mon right; and the Lords, on their part, remonstrate gainst the conduct of the Commons, in receiving a pus complaint against them and their proceeding. d angry controversy ensued between the two Houses are Commons resolutely forbore to act on the bills of supply to the Government. The King, hoping to put an end to the quarrel, in December, 1669, prorogued the Parliament to the February following. But, when Parliament met again, the Commons renewed the quarrel with increased warmth. The King, finding that he was to get no supply (which was all he cared about) till the controversy between the two Houses should be terminated, made a speech to them, in which he proposed and recommended that each should expunge from its journals every entry relating to the subject, so that no memorial should be preserved of the edings of the Lords against the East India Company or of the controversy between the two Houses that grev cessity of compliance. The Lords expunged all, without exception; the Commons entered the King's speech on their journal, and expunged all the rest. The House of risdiction in any civil cause. expunging of entries from the journals by the concurrent act of the three estates, King, Lords, and Commons, though ever will attentively examine the history of the transactio tional popular branch of the Legislature. If the Senate be not sufficiently responsible, that may be a good reason for making the supposition, since no one can believe the making the supposition, since no one can believe the making the supposition, since no one can believe the making the supposition, since no one can believe the making the supposition, that I know of the State Trials; and office, and not delivered to the printer, but that the copies, that would have been accomplished; for had a bill been introduced in the state of the state trials, and the supposition in making the supposition in the classed at the House of Burgesses threw away the the House of Burgesses threw away that I know of the State Trials; and office, and not delivered to the printer, but that I know of Burgesses threw away that I know of Burgesses threw away that I know of the State Trials; and office, it is reported in the State Trials; and office, it is reported in the discrete that I know of Burgesses threw away that I know of the State Trials; and office, it is reported in the State Trials; and office that there was no other way in which the object of the State Trials; and office in the House of Burgesses threw away that I know of the State Trials; and office in the House of Burgesses threw away that I know of the State Trials; and office in the House of Burgesses threw away that I know of the State Trials; and office in the House of Burgesses threw away that I know of the State Trials; and office in the House of Burgesses threw away that I know of the State Trials; and office in the II know of the State Trials; and office in the House of Burgesses threw away that I know of the State Trials; and office in the House of Burgesses threw away that I know of the State Trials; and office in the House of Burgesses threw away that I know of the State Trials; and office in the House of Burgesses threw away that I know of the State Trials; and office in the I know of the State Trials; and office in the I know of the State Trials; and office

onte concerning other kindred points of jurisdiction claimed by the Lords, and the quarrel between the two Houses yould have been renewed.

But this case serves to show how and why the process of expunction was originally introduced, and its meaning, purpose, and effect. It began at a time when the two Houses of Parliament were not in the habit of printing and publishing their journals promptly after each session, and when, of course, the expunging of an entry from the journal had the effect of preventing the entry from appearing on the journal at all when it should be printed and published. They expunged in the sense in which Swift speaks of the "expungings made by great authors in those treatises they prepare for publication." They did the very reverse of that which it is proposed we shall now do. It will be found by an examination of the printed journals of Parliament for the time (they are in our library) that no trace of the proceedings in or concerning this case of Skinner against the East India Company is to be found in them. The same remarks are probably applicable to the expunging of the protest of the tory Lords in 1690, which was the next precedent referred to by my colleague.

In the first Parliament regularly called, after the expulsion of James II. and the accession of William and Mary to the throne, a bill was introduced in the House of Lords for recognising the title of the King and Queen to the Crown, in which a clause was inserted, declaring that the acts passed by the Convention Parliament "were, and are,

Crown, in which a clause was inserted, declaring that the acts passed by the Convention Parliament "were, and are, laws." The tory Lords, in the progress of the bill, succeeded, by a small majority, in having this clause struck out; and the whig Lords protested. In the sequel, the clause was reinstated in the bill by a majority of six votes; and the tory Lords, in their turn, entered a protest, the terms of which indicated disrespect towards the majority, but the principal objection to it was, that it, in effect, denied the legal authority of the Convention Parliament, and so impugned the fundamental principles of the settlement that had been so happily accomplished by the Revolution. The whig Lords immediately ordered this protest to be expunged from the journal. I pray the attentive consideration of the Senate to the circumstances of this transaction. The tory Lords (as my colleague truly observed) had an undoubted acknowledged right to enter a protest upon the journal, expressing their dissent from the opinion of the maundoubted acknowledged right to enter a protest upon the journal, expressing their dissent from the opinion of the majority, and their reasons for it: the majority, notwithstanding, expunged the protest; and this proceeding is quoted with approbation, and held up to us as an example and authority. The President of the United States, who has no manner of right to judge of our rights and privileges, of which the Constitution makes us the sole judges—who has no color of right to protest against any of our proceedings, sent us a protest against our resolution of the 28th March, 1834, and the loudest complaints are made against us for refusing to consent to this irregular quanthorized interference. 1834, and the loudest complaints are made against us for refusing to consent to this irregular, unauthorized interference with our proceedings, and for declining to receive the protest, and enter it on our journal! It is said the President's protest was respectful and temperate. That is matter of taste; but, granting that that is the true character of the protest, the Senate would still, in my opinion, have been wanting in a just sense of self-respect, careless of its own privileges, wholly unmindful of the place which the Constitution has assigned to it in the system, if it had received such a paper, and entered it on its journal, and thereby set a precedent of acquiescence in the pretension of the Executive to remonstrate against its proceedings.

Executive to remonstrate against its proceedings.

As to the famous case of the Middlesex election, it is true that the resolutions of the House of Commons, in 1769, would have been in point to the present purpose of gentle-men, but for this little circumstance—that the House of Commons is not, as the Senate of the United States is, bound by a constitutional provision, to keep a journal of its

senger for filegal arrest and imprisonment, till he entered into a recognizance to appear and answer an indictment for the offence. This recognizance was entered in the book kept for the purpose; and as it was, in case of forfeiture, to be the foundation of a judicial proceeding, it was of the nature of a judicial record. The Commons, angry at this resistance of its authority, brought the Lord Mayor to their bar, and thought proper to wreak their vengeance upon the recognizance he had exacted of their messenger, by expungng it from the book in which it was written. Now, it happened that, not long after the proceedings against the printers, a motion was made in the House of Lords to exclaiming all right to express any opinion on the proceedings of the Commons in the case of the Middlesex election; and his proposition to expunge the resolution of the Lords from the journal was earnestly supported by Lord Chatthan in debate. But, in a speech he made about the same time, on a motion for an address to the King to dissolve the Parliament, speaking of the misdeeds of the House of Commons, he referred to their expunging of the recognizance, (which he justly regarded as a judicial record,) and said that it was the act of a mob, not of a Parliament. In his opinion, then the Levis wirely expuners a receluion recognization. on, then, the Lords might expunge a resolution previously dopted, from their own journal, which was kept only uner authority of their own order; but when the Commons der authority of their own order; but when the Commons expunged a judicial record, which the law requires those entrusted with its custody to keep, he denounced it as the act of a mob. In what words would that great and virtuous statesman have described such an act as that now proposed to the Senate—the defacement of an entry from the ournal of the proceedings of a legislative body, which the Constitution of the country, superior to the law, expressly enjoined it to keep!
With respect to the case of expunction by the Legisla-

With respect to the case of expunction by the Legislature of Massachusetts, I have only to say that the journals of that body are only required to be kept by its own rules or usages, not by any constitutional provision. I am surprised that the proceeding in the Senate of Tennessee should have been referred to at all. That body, sitting as a court of impeachment, we are told, entered judgment of acquittal one day, and the next day, the court being not yet dissolved, expunged the entry. The case is precisely the same, as if a jury bringing in a verdict are sent back to reconsider it, and upon reconsideration return a contrary verdict. Do not gentlemen know that the judgments of every court of justice are in its own breast during the whole term at which they are pronounced, and that that is the reason why the court is competent to alter, set aside, or

cancel them at any time during the same term My colleague tells us that the House of Burgesses of Virginia expunged the last, and far the most important, of Mr. Henry's celebrated resolutions in 1765, and that the worthiest of our patriots concurred in the act. If that resolution was expunged, the precedent would be nothing to the ovision requiring the Colonial Legislature to keep journals But though the fact is stated on the highest authority, I acknowledge, yet I cannot help thinking there may be some mistake about it. There is evidence nder Mr. Henry's own hand, that he was not aware that the resolution was expunged; and if it was expunged, all accounts agree that it was done in his absence. It is upon the strength of that very resolution that we have claimed for him the honor of having been the first to set the ball of the Revolution in motion. If the resolution was expunged,

My colleague, with a view to recommend the expunging process to especial favor, took the pains to explain to us that, in every instance which has been resorted to in the English Parliament, the purpose and the effect have been to vindicate some important principle of civil liberty. The warmth of his zeal prevented him from perceiving the con-trast which the story of the proceeding we are engaged in will present to the world and to posterity. It is as striking

Thus, in the famous case of ship-money, the House of Lords vacated and cancelled the opinions of the judges, and the judgment against Mr. Hampden, in order to condemn, and showest factors was the same than the property of and abrogate forever, a dangerous prerogative, claimed by the Crown upon the strength of old precedents, to raise re-venue for itself, without consent or authority of Parliament but the purpose of the proposition to expunge our resolution of March, 1834, from our journal, is, and its effect will be, to affirm and establish the Executive prerogative claimed by the President, to exercise a complete control over the custody of the public treasure, and to give the use and profit of it, in the interval between the collection and disbursement to persons of his eye relation. We have seen the ment, to persons of his own selection. We have seen, teo that the House of Lords, in the course of the ship-money transaction, passed a resolution, condemning, in the strongest terms, the cenduct of impeachable officers as illegal an unconstitutional—though an impeachment against one of them was actually pending, and impeachments against others, on the same grounds, were anticipated, which impeachments that House was the tribunal to try and deter mine—without incurring the blame of prejudging the cause of him who was accused, and of all that might be accused of participation in the act declared illegal. But it is one of the main objects intended to be accomplished by expunging ing an addition to operate as a limitation upon, its legisla re powers; and that the Senate cannot express an opinio against the legality of the measures of the President, or, by consequence, of any other impeachable officer, without exposing itself to the reproach of impeaching, trying, and condemning, without hearing, the officer who may, by possibility the measure of the process of the president of the process of the president of the process of the president of the preside

The expunging of the proceedings and judgment of the House of Lords, in the case of Skinner against the East India Company, my colleague says, and says justly, was intended (and, in fact, accomplished the object) to vindicate the common right of the subject to trial by jury in due course of law. And he coursely us to Sympage our resolucourse of law. And he counsels us to expunge our resolu-tion, for the purpose of acknowledging and confirming the power of the President, without judge or jury, to take away the public deposites from the Bank of the United States, which the bank claimed by virtue of a contract, upon a charge alleged by himself of criminal conduct in the bank, which the President bipself declared afforcied instance.

which the President himself declared afforded just ground for a judicial proceeding against it, to revoke its charter.

The expunging of the protest of the tory Lords in 1690 was designed to vindicate the principles of the glorious Reventions 1600. volution of 1688, which finally established and confirmed to the People of England the blessings of civil liberty—the security of a government of laws, as distinguished from a government of will; and pursuing that end, the whig Lords expunged a protest which impugned the principles of the Revolution, though the protesters had an undoubted right to enter their protest. The Senate of the United States is now to be condemned for refusing to receive, and insert in its journal, a protest of the President against its proceedings, who had no color of right to make any such protest; and the justice of the President's protest is to be acknowledged, by expunging from our journal the entry of the proceeding against which he protested.

The House of Commons expunged its resolution in the case of the Middlesex election, and thereby acknowledged the eligibility of all persons, not under some known legal incapacity, to a place in that House, and (what was infinitely more important) the right of the People to be represented by the man of their own choice. Our expungers have never thought of expunging the proceedings on the subject of the Sedition law—a statute which invaded the to the People of England the blessings of civil liberty-th

subject of the Sedition law—a statute which invaded the constitutional rights of the People, which, in the almost unanimous opinion of the nation, uniformly maintained for thirty-five years, was plainly unconstitutional, and which therefore, had its beginning in wrong. They only have recourse to the process of expunction, in order to vindicate

recourse to the process of-xpunction, in order to vindicate and confirm Executive power.

I cannot, for my part, look at this contrast, without mortification and alaria. The Parliament of England, professing monarchical principles, have exercised the power of expunging obnoxious proceedings, in order to establish principles in their nature truly republican. American Senators, professing (sineerely, I do not doubt.) democratic republican principles, flushed with recent victory over their opponents, are endeavoring to apply this same processing expunction, in order to establish a power in the Executive, which appears to my anxious mind monarchical prerogative. I do not impute the design to them—I do not, I cannot, suspect them of any such purpose. I am speaking only of the tendency and effect of the principles they are maintaining.

[Here Mr. Leien gave way for a motion to adjourn.]

Tuesday, April 5.

Mr. Leigh resumed the debate. He said the principal purpose of the remarks he had addressed to the Senate yesterday, was to show that the original manuscript journal of our proceedings was the journal which the Constitution required us to keep; that the requisition to keep the journal imposed on us the duty to recover it to preserve it persons. mposed on us the duty to preserve it—to preserve it perma ently and carefully, without defacement or mutilation that no authority for expunging any entry from our journal could be found in English parliamentary precedents, or in those of any legislative body in America, whose duty to keep a journal was not imposed by a constitutional provision; and that, consequently, the Senate could met expunge the resolution of March, 1834, from the journal, in the literal sense of expunging, without a violation of the Constitution. He had taken the more pains to establish this conclusion on grounds of irrefragable reason, because this conclusion on grounds of irrefragable reason, because in his opinion, it involved the whole question. It seems to him, indeed, that the gentleman from Missouri and hi colleague, both, thought so, too; for they had exerted their faculties to the utmost to prove the right of the Senate to expunge, literally and absolutely, as an essential ground of the argument for expunging, in the typical manner pro posed. And he supposed it would be very hard for any man who sincerely thought that the Constitution forbad us to expunge literally, to reconcile it to reason or conscience

For, (said Mr. Leigh,) granting it to be true that those who have a right to expunge and annihilate any written in strument or evidence may do any thing short of actual expunction and destruction, which shall indicate the intent to expunge and destroy; those who have no right to expunge and annihilate the evidence of any particular transaction have no right to declare their will to expunge and destro it, in any form of words or action whatever, and to substi tute such manifestation of their will in place of the act t which they are incompetent. To illustrate this: A testato has a right to cancel or destroy his own will; and if he run a single stroke of his pen across it, with intent to cancel it, or write "cancelled" in the margin, without actuall cancelling it—or, if he tear it, with intent to destroy, with out actually destroying it, no doubt such an indication of his purpose is proper enough, and may stand for the act h might rightfully perform. But no one can cancel or destroy his own deed; and, therefore, if he happen to get it into his possession, he has no right to avoid the guilt, and yet accomplish the purpose of destroying it, by any manner of defacement his ingenuity can devise. In sound morality, men may make an indication of their will stand for their act, if they have a right to do the act; but if the act be criminal or vicious, even the will to do it, without a single step towards the accomplishment of it, is not blameless. the present case, sir, so entirely does the right to expung the resolution in question from the journal, in the embler atical manner proposed, depend on the right to expunge it actually and literally, that, if we shall adopt this notable device for expunging it, this may and will be regarded as a precedent, in all future times, to justify an actual obliteration, mutilation, erasure, or other destruction of the jour-

nal, as to any obnexious proceeding.

There is another objection to this scheme of typical expunction, which weighs much on my mind. I hold it the duty of every man to speak the simple truth on every oceanics, without sion, without mental reservation or equivocation; and especially is this the duty of men acting or speaking in public stations, under the sanction of an official oath. Now what is it that is proposed to us? Why, that we shall pass a resolution to expunge an entry from our original manuscript journal, by drawing black lines around it, and writing "expunged by order of the Senate" across it; and, in order to obviate a constitutional objection to any defacement of our journal, this is explained in argument to be no expunging at all, because it will leave the whole entry still perfectly legible; and more, that it will not be an expunc-tion of the journal, for the original manuscript is not the journal. I mean no offence to any body, but I must sa that, to my heart and understanding, this is exactly what is called an equivocation. I have taken into my head, dur-ing the present session of Congress, to read Pasehal's Pro-vincial Letters, which I had not read before for thirty

man that it is within the competency of the Senate, at this session, to exhaust the whole power of the Senate in all times to come, over this or any other subject; and yet the act which we are urged to commit, will, in reality, have the effect of preventing the counter-action of any future Senof March, 1834, from the journal—to blot it out: how shall the Senate at a future session, entertaining a different opinion of the merits of the resolution, expunge the expunc-tion? How shall it blot out the blots? Shall it erase then and reinstate the words of the resolution? Then another vent the possibility of ever afterwards replacing them or the journal, let the paper on which it is written be never so substantial. Suppose the typical process of expunging the entry shall be adopted and carried into execution; a sucreeding Senate, entertaining different opinions, and following our example as to the manner of manifesting and en ng them, must draw black lines around our black lines write a sentence of expunction across our senten sent party heats shall subside, the process may be reiterated. This would be farcical, to be sure, but public bodies, acting under the influence of strong party feelings, are often unmindful of their true dignity, and, sometimes sacrificing it to the indulgence of their resentments, incur the from my heart that the proceeding was only ludicrous. I hope and trust, most sincerely, that the example of this "avenging" process may never be followed; but I am most serious when I tell gentlemen that they are proposing to do what they have not the moral or the legal power to do; they are vainly attempting to anticipate and prevent the judgment and action of their successors in all times to come, and to pass and execute final and irrevocable sentence of condemnation on the Senate of 1833-'4.

I cannot be so wanting in respect to the gentlemen who have so gravely and so earnestly recommended this typica expunging (which, they tell us, is really no expunction) of our resolution of March, 1834, from the original manucript journal, (which, however, they say is not the journal of the Senate,) as to suppose that they have taken so muc pains to accomplish an act which, in their own opinion, will be in itself absolutely vain and nugatory. And, therefore, I take it for granted that they intend, in the proceeding they propose—while they leave the verbal record of our resolution on the journal substantially unimpaired—to annihilate its efficiency; and this, in truth, upon the supposition that it is within our competency so to expunge the resolution, must be the legal effect of such an expunction. Now let of our executive or judicial proceedings; that we have the same duty to perform, and have as large discretionary powby invalidate the act it records, we may expunge and in an entry on our legislative journal, we have a right to expunge and annihilate the legal efficacy of any entry on our executive or judicial journal. And then I ask gentlemen to give their serious and calm consideration to the conse

quences.

If the Senate may expunge, and by expunging (in any form or manner) invalidate the resolution in question, there is no good reason why it may not, in like manner, expunge its legislative capacity. Suppose, among the numerous private acts passed at the session of 1833-4, there was on granting land, money, or any other property to an individu-al, which, in the opinion of the Senate at the present session, was corruptly passed by the majority of the Senate at that session, (as a reward, for example, for partisan serviits proceedings manifesting its assent to such acts to be expunged from the journal, as it is to expunge this resoluournal of the evidence of their having been passed by the hold the laws valid, notwithstanding the expunging of the proceedings of the Senate upon them, must admit that the

the act of confirmation afterwards expunged by order of the Senate? Would he be an officer or not? If not, no man can feel perfectly safe in exercising the functions of any office depending on the appointment of the President, by and with the consent and advice of the Senate; or, the Senate may, without the concurrence of the President, remove the officer, expunge him from office. If, on the contrary, in spite of our expunging the confirmation of his appointment from our journal, he would still be entitled to his office, then our act of expunging the entry of confirmation is unauthorized and void. But the consequences are yet more glaring and rmous when we come to consider the possible application of this expunging process to the journal of our judicial proceedings. A man is impeached before the Senate of high crimes and misdemeanors, tried and convicted, and sentence of incapacitation for public office solemnly pronounced upon him; the court is dissolved; the Senate, afterwards, becoming convinced of the injustice of the judgment and sentence, order the entry of them to be expunged from the journal If the Senate is really competent to invalidate the judgmen by expunging it, his sentence is in effect reversed, and his incapacity removed; and, at any rate, if he shall be elected a member of the Senate while the expunging Senate is in power, he will be permitted to take his seat there. But suppose the accused acquitted, and the Senate, at a future day, honestly imputing the acquittal to partiality or corruption in the Senate that tried his cause, should order the judgment of acquittal to be expunged from the journal, and then a new prosecution should be commenced against him fit of that inestimable principle of justice so dear to the People of this land, that no man shall be twice brought in copardy for the same offence? how could he plead his for her acquittal, and show the record of the fact? If the judgment should have been literally expunged from the journal, it would be impossible for him to make good his defence. And if it should have been typically expunged, and the record should be produced, with black lines drawn around it ("black," as the gentleman from Missouri says "black as the injustice,") and with the "avenging" ser tence of expunction written across it, his doom, I appre head, would be equally certain if it should be his hard fate t be arraigned before the same Senate that had thus expunge the former judgment of acquittal. Again I implore gentle men to forbear. I pray God to put it in their hearts to pause, to reflect upon the consequences involved in the principle they are maintaining, and to spare our country the establishment of a precedent that may be alleged here-

atter as an example and authority for wrongs like these.

But to all appeals, and all arguments, of this kind, m colleague has one general, compendious, all-sufficing an swer: that it is not fair to argue, from the possible abuse of a power, against the existence of the power. Did he not perceive that that remark, as he applies it, would equally serve as an answer to all objections to an assump-tion of any power whatever, which should be dangerous in self, as well as unconstitutional? Or, does he think that an unconstitutional power is less liable to abuse that a constitutional one? Sir, the argument I am urging volves other principles plainly unconstitutional; and how the application of which it is susceptible, to other uses of the same kind, in order to expose the inherent vic of the proposition itself. I have not been arguing from the abuses of this expunging process, but from the uses which the principle, if constitutional and just, would as well justify as the use to which it is now proposed to apply it. And no one, I should think, ought to be more sensible. than my honorable colleague; of the extent to which the authority of precedents may be strained; for he has given us a notable example of it himself, in the application h expunging that have been found in the proceedings of the

As to one of them, I have only to state it. Mr. Ran dolph, having received information of the death of Mr. Pinckney, announced it as a fact to the Senate; and the Senate, to testify its respect for the memory of a man wh vincial Letters, which I had not read before for thirty years; and whoever will take the trouble to look at the ninth letter, will find this doctrine of equivocations, as laid of the adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment, which was entered by the Secretary of the memorials of the abolition immediately adjournment.

down by Filintius and Sanchez, and the convenient uses to which it is applicable, fully explained.

But, sir, I presume it will not be affirmed by any gentleman that it is within the competency of the Senate, at this down the serious property of the Senate, at this down the serious property of the Senate, at this down the serious property of the Senate, at this down the serious property of the serious property Mr. Pinckney's death- to be expunged from the journal. This was not, indeed, as my colleague says, a correction of a mistake of the Secretary in making the entry; but it Senate as to correcting mistaken entries in its journal, no one thought of inquiring at the time, and I shall not now stop to inquire: the correction was intended to be made in with that rule of the Senate, for making up th ournal, which the Constitution requires the Senate t

> The other instance of expunging by the Senate is hardly more important in itself, but it calls for a more particular consideration. On the 21st April, 1806, being the very last day of the session, it appears, by the rough minutes taken at the table, that Mr. Adams presented two petitions ef S. G. Ogden and W. Smith, and the first entry on the minutes in respect to them is, "read, and to lie;" then, "motions be rejected;" then the words be rejected struck out with a pen, and, instead of them, "leave to withdraw" out with a pen, and, instead of them, "leave to withdraw" inserted. After this, there is an entry more in detail—that "Mr. Adams communicated two memorials from S. G. Ogden and W. S. Smith, stating that they are under a criminal prosecution for certain proceedings, into which they were led by the circumstance that their purpose was fully known to and approved by the Executive Government of the United States," (the prosecution, we know, was for the part the memorialists had taken in Mina's expedition) complaining of such maltreatment by the district pedition,) complaining of such maltreatment by the district udge of the United States at New York that the grand ury had made a presentment against the judge for it, an oraying relief from Congress; and then the entry is, "or oction, ordered, that the memorialists have leave to wit therefrom, it passed in the affirmative, by yeas and nays, 13 to 8.* The adjourning order follows immediately. It has been said that all the republicans voted for and the federalists against the motion—how that is, I do not know. Now, the first remark that occurs is, that this is manifestly an expunction from the *minutes*, not from the *journal*; an order that, in making up the journal, those entries on the is, that the reasons of the expunging nowise appear; they are not stated in the proceeding itself, and, I understand, no notice of the transaction is to be found in the newspapers of the day. For aught that appears, the previous entries might have been expunged, because they did not truly state the fact when they represented that the memorials had been received, and leave given to withdraw them; and pinion of the Senate on the subject at the time the memooriginal of the Schate on the subject at the third in the right of the state of the son of expunging the entries concerning those memorials was, that they contained disrespectful imputations upon the Chief Magistrate and a judicial officer; in which his conecture may be right, and I think it probable enough that it.
>
> But, thirdly, the least attention to the circumstances f the transaction will suffice to convince every mind that hardly any thought was bestowed upon the expunging, as very little could have been given to the proceeding ordered to be expunged; that both probably passed sub silentic; that the constitutional question as to the right of the Senate to expunge any proceeding from its journal was not suggested, much more discussed. And is such a precedent of expunging as this—an expunction from the minutes of xpunging as this—an expunction from the minutes of Secretary, not from the journal made up by the Senate to be kept—founded on what reasons, no one knows, and none ever inquired, done in haste, and amidst the confu sion of the last moments of an expiring session—erdered without discussion, and probably without a question made as to the constitutional propriety of the proceeding, so passed as to attract no attention, to elicit no investigation—is

> ed as to attract no attention, to elect no investigation—is such a precedent to be gravely, much more triumphantly, quoted as an authority in this debate?
>
> But suppose that vote of April, 1806, was (what it certainly was not) a deliberate expression of the opinion of the Senate on the very point, that the Senate may constitutionally exercise a discretion to expunge from its journal, at any time, the entry of any proceeding which it disapproves as irregular and unjust: it would only add another instance to the thousands with which all history abounds of the truth of the common observation, that it is

during the administration of the most popular Chief Magis-trates that precedents dangerous to liberty are most to be apprehended, most to be deprecated, and most earefully to be avoided; not on account of any design on their part, or If justly said) is the eternal price that men must pay for To do Mr. Jefferson justice, it must be remarked that there is not the least reason to believe that he approved, or even knew of that expunging order of the Senate in April, 1806, much more counselled or wished t. Whether the present Chief Magistrate has taken any pains, or expressed any wish for the accomplishment of the expunction now proposed, I do not know; though I could give a shrewd guess.

rewd guess.

There was another precedent during Mr. Jefferson's adinistration, which I shall mention, to illustrate the won-derful power and influence of precedents in human affairs. In December, 1787, Mr. Jefferson wrote a letter to Mr. Madison on the subject of the present Constitution of the United States, then recently framed, but not yet adopted, in which one of his chief objections to that instrument was the omission of a bill of rights, providing (among other things) for "jury trial" and "the eternal and unremitting force of the habeas corpus laws;" and he repeated the objection in letters to another correspondent afterwards. H was not then content with the provision of the Constitu-tion (art. I. § 9,) that "the privilege of the writ of ha-beas corpus shall not be suspended," (that is, even by Con gress,) "unless when, in cases of rebellion or invision, the public safety may require it"—he thought there eight to be "no suspensions of the habeas corpus;" for my part, I am content with the security provided by the Constitution, it it shall be fairly observed. Now, in the winter of 1806-'7, General Wilkinson made a military arrest of three person in New Orleans—Swartout, Bolman, and Alexander, and sent them to Washington; and it was not till they got her that they were discharged on a habeas corpus by the Supreme Court. They belonged not to the army; they were nowise amenable to martial law. As to the two first, there was reason to believe that they were implicated with Cole nel Burr in his projects, whatever they were; for, to thi day, the public is not informed what they were. Bu against Alexander no evidence of guilt, no ground of sus picion, that I remember, ever appeared; no colorable pretext was stated to the public for his arrest. Did Mr. Je erson consure these illegal arrests, made by an officer su ect to his absolute control? did he disapprove this viol ion of the personal security of the citizen, by military power? did he call the General to any account? did he order any inquiry? I only know that the President of the United States gave the General his countenance, ap probation, and support; and the confidence of the public in the President's prudence and justice, and their detestation of the guilty schemes imputed to Colonel Burr, had the effect of exempting General Wilkinson from blame. And in September, 1810, Mr. Jefferson wrote a letter to a Mr. Colvin, in which he deliberately justified Gen. Wilkinson's conduct when the ground of the necession. Gen. Wilkinson's conduct, upon the ground of the necess cessity that ever was imagined: the letter has been pul thed by his grandson. The fact of his entertaining suc lished by his grandson. The fact of his entertaining such an opinion, was generally known, or at least reported at the time. The necessity of the case might (for aught that know) have afforded an excuse for Gen. Wilkinson's con duct—might have entitled him to pardon and indemnity but it could not have afforded him any justification; and say, before high Heaven, that if all the great and good men of the Revolution had signed that letter with Mr. Jefferson would still lift up my voice to protest against the dar erous unconstitutional doctrines it inculcates. There en, was a precedent of military arrest, set even during Mr. Jefferson's administration, without being seriously questioned, and without exciting any jealousy or alarm i the public mind. And some few years afterwards, Ger al Jackson, charged with the defence of New Orlea gainst an invading army, improved upon the precedent brogated the privilege of the writ of habeas corpus for a progated the privilege of the writ of habeas corpus for me, proclaimed martial law, and turned the State Legisl time, proclaimed martial law, and turned the State Legislature out of doors. His conduct, too, may have been prudent and founded in laudable motives; he, too, might have been entitled to complete indemnity; but he violated the Constitution of his country—he suspended, for the time and place,

* Mr. LEIGH forgot to ask what those gentlemen would think f the authority of this precedent, who maintained the opinion that the Senate had no constitutional right to refuse to receive in memorials of the abolitionists, or any other petition not disespectful to the Senate or some member of it, or any petition,

his fame as a general rests more on his spirited and judi cious attack upon the enemy on the 23d December, than on his crowning victory of the 8th January. Allow his the fullest meed of praise: still, the sense of that brillian and most important public service, the gratitude it deserved the admiration it excited, the glory it achieved for the Gen care for the Constitution. He was entitled to honor and gratitude for the good he did, and to indemnity for any wrong he committed through necessity, and with virtuous motives; and that was the most. He knows nothing of the principles of the Constitution, and nothing of the influence of dangerous precedents, who is willing that that conduct of Gen. Jackson should be represented as justifiable. Durng the second administration of Lord Chatham, a procla ing the second administration of Lord Chatham, a procla-mation was issued, under an apprehension of scarcity, pro-hibiting the exportation of corn, and thus suspending the statute law of the land; and he and Lord Camden, too, insist-ed that the proclamation was strictly justifiable. They sup-posed a necessity, (of which the King was to judge,) and, founded on that necessity, attributed to the Crown a legal founded on that necessity, attributed to the Crown a legal power to suspend the operation of a statute, not given by the statute itself; and they even opposed an indemnifying bill. They incurred the reproaches of their warmest friends and admirers, for holding such language—the only language, perhaps, that ever fell from the lips of either, which offended against the general principles of civil liberty. Junius told Lord Camden that an Englishman "should not suffer dangerous precedents to be established because the givennstances are favorable or, radiiating."

because the circumstances are favorable or palliating; that, "instead of asserting that the proclamation was lega

ustified, on the ground that the constitutional privilege of the writ of habeas corpus did not extend to the territories of the United States. He has been since twice elected to the high office of Chief Magistrate of this great and free country; and if his admirers had been content with saying that the People have elected him because, in their estimate, his merits and services far outweigh his faults and errors, though I never have concurred, and never can concur, in that opinion, I should not have adverted to the disagreeable topics I have now mentioned; but we are con stantly told that the People have approved, justified, sand tioned all his conduct. Since he has been in the adminis tration of affairs, precedents favorable to the extension of executive power, to a degree that I had never imagined the possibility of, have been multiplied, and are multiplying. I look to the consequences with terror. God grant I may be mistaken in my impressions of the past, and my fore-bodings of the future; but I must declare my opinion, that never did any Republic make such rapid strides towards pure monarchy as we have done within these few years past. Saying this, let me be understood. I impute no such designs to any body, much less do I impute any inclination for monarchy to the great body of the People. I believe no republican people ever, knowingly and of purpose, gave up the blessings of free government; but in the heat of violent political contentions, the official agents of the People and the People themselves, have but too often unwarily concurred in introducing and sanctioning princi-ples of administration which, once put into operation, work with uncontrollable effect, beside and beyond the original purpose and design, and, in the end, endanger the very being of the Republic. And this, in my opinion, is what we have been and are now doing. The very confidence we have been and are now doing. The very confidence we have in ourselves and in our institutions, as it stifles in we have in outselves and in out institutions, as it sines in the public mind that jealousy, vigilance, and care, so essen-tial to security, is a principal source of our danger. Well was it said the other day by the gentleman from South Carolina, (Mr. Calhoun,) that precedents apparent-ly trivial are often of the utmost importance, because they

hay be applied, stretched, or perverted to cases never ap-rehended or foreseen; and that precedents affecting con-citutional questions are rarely resorted to as authority for the exercise of any but doubtful powers, for the plain reason that the authority of precedents is never necessary, unless the power they are wanted to sustain is doubtful. Witness the use now made of the two precedents of exresolution never to give way so far as to make the least breach in the Constitution, through which a million of abuses and encroachments will certainly in time force abuses and entroachments will certainly in time force-their way." I quote the words of Swift, a monarchist and a tory to be sure, yet they are the words of political pru-dence and wisdom; they embody the lessons and the warnings of experience, which the republicans of this

country will do well to hearken to and remember.

And now, sir, I think myself well warranted in saying that the expunging of the resolution of the Senate of the 28th of March, 1834, from the journal, literally or figuratively, is wholly irreconcileable with the Constitution, upon any fair construction of its words; and that no authority

I understand the gentleman to insist that it will not suffice to reverse, repeal, rescind, annul, make void, the resolution of March, 1834, because "all these admit either a legal or an innocent beginning;" and that expunction is the proper remedy, because "that implies an original wrongful proceeding, which infers misconduct as well as error, and requires rebuke as well as reversal." And his leading argument to prove that the resolution began in arrang, is, that the Senate had no right to entertain and act upon such a resolution; that it was an act of a judicial nature, not belonging to us in our legislative capaci at all, and incompatible with our judicial functions and d ties; that the resolution is an impeachment of the President of a high crime or misdemeanor, which the House of Representatives alone has the power to prefer; that we impeached the President, tried him without a hearing, preimpeached the President, tried him without a hearing, prejudicated his cause, convicted him, and only abstained from passing sentence of incapacitation upon him. This argument was first suggested to my mind by a gentleman from New York, (Mr. WRIGHT,) in a speech in the debate on the resolution; and I then weighed it well. It was repeated in the President's protest against our proceedings, and in the debate which ensued; I re-examined it; I expected to hear it reiterated on this occasion; but if it be well considered. I am prograded it will never be repeated examined.

idered, I am persuaded it will never be repeated again.
The resolution declares "that the President, in the late executive proceedings in relation to the revenue, had assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both The words cannot be tortured into an allegation that th President wilfully assumed and exercised illegal and unpressly or by implication; the language is (and was, in fact, intended to be) carefully confined to the acts of the President, without impugning or touching his motives at all. If this is not plain upon the face of the resolution it-

self, no argument can make it plainer. The gentleman from Missouri, as if sensible that the re-

solution itself imported no criminal charge, has, in the pre amble to the resolution he has now offered us, recited the resolution which was first proposed concerning the remov-al of the public deposites from the Bank of the United States, as a key, I suppose, to unlock the meaning of the resolution that was adopted; and, in his speech, he has referred to speeches made in the debate on the subject, in order to ascertain from them that criminal motives and design were intended to be imputed to the President. to my mind, the first resolution proposed, concerning th removal of the deposites, does not vary, in this particula from the resolution that was finally adopted: there is n charge of criminal intent, no imputation on the President' motives, in the first any more than in the last. But sup pose there were—with what color of reason or justice can the gentleman from Missouri, in order to ascertain the meaning of the language which the Senate used, have re-course to language which it did not use? resort to a resoution, which the Senate did not adopt, to find a reason fo reprobation of that which it did adopt? As to the speeches that were made on this floor, which, in the gentleman's apprehension, distinctly imputed wilful guilt to the President, I cannot take upon me to contradict him, for I was not then here, and did not hear them: the debate wa drawing to a close when I took my seat in the Senate. any violent denunciations of guilt and crime, at all answer-

great and liberal Powers of the world;" and he traces our dearest institutions to English origin. I hope we have not forgot to borrow from them freedom of parliamentary dethat, "instead of asserting that the proclamation was legal, he should have said—I know the proclamation was legal, legal; but I advised it because it was indispensably necessary to save the kingdom from famine; and I submit myself to the justice and mercy of my country." And, sir, that is the true doctrine.

But Gen. Jackson succeeded in establishing a second precedent in our history, of an unquestioned violation of the privilege of the writ of habeas corpus. And afterwards, again, in time of profound peace, at Pensacola, he established a third precedent of the same kind; and this again passed unquestioned; indeed, it was defended and justified, on the ground that the constitutional privilege of the imputation: if the fact, without any criminal intent,

> gainst Sir Robert Berkley, for his extra-judicial opinions and his concurrence in the judgment against Mr. Hamp ture can examine, or even inquire into, the subject in its legislative character, much more pass an act to remedy the mischief. The House of Representatives must first resolve itself into a grand inquest; examine the President's conduct in that character; impeach him, if it find just cause for impeachment; prosecute him before the Senate, and prosecute him to conviction by the judgment of two-thirds of the Senators sitting on the trial; and then, and not till then, the two Houses may set about devising measures to counteract the unconstitutional and illegal measures of the Executive. And furthermore, as the Senate cannot convict the President, without being satisfied in its conscientious judgment that his unconstitutional proceedings are justly imputable to criminal motives and designs, no unconstitutional acts of the President can be corrected Government of His Majesty's realm of England." hree of the articles of impeachment against Judge Chase, and (as I understand him) in one of the articles against prosecutions for misdemeanor. That article alleges the leparture from the law, but omits to allege that he did so Judge Pickering, in which the gentleman supposes no crim-nal intent was laid, imputes to the judge the grossest in-temperance and indecency in the judgment seat; nor could ficial misconduct could be more clearly criminal, however it might be more heinous,) have been more strongly and ex-pressly charged. He was convicted upon this charge. The gentleman says that, in fact, the judge was insand and was incapable of crime. How the gentleman got hi

duct, and I had been called upon to decide his cause as one of his judges, upon all the evidence then (or, indeed, yet) known to me, touching the motives of his conduct, my voice must have been for his acquittal. I could not have found

the wilful criminal intent essential to constitute guilt.

The gentleman from Missouri loudly reprobates the re-

solution in question, on the ground that its allegations ar vague and indefinite; not perceiving that that very circum-

stance furnishes the strongest proof that a criminal accus

ion was not made or intended. The idea of impeaching the

President of crime or misdemeanor never entered into the thoughts of any Senator who voted for the resolution; and

as imagined the possibility of an act of impeachment by th

House of Representatives; the case of such impeachment was only supposed in argument, never apprehended

It is said that the resolution of March, 1834, cannot be

regarded as a proceeding in our legislative capacity; and in proof of this, it has been observed that no legislative

asure was founded upon it, and that none was intended This appears to my mind the most gratuitous assumption that ever was made. It was the opinion of the mover in

hose proceedings, that the public deposites, at least of th

revenue which should afterwards accrue, ought to be restored to the Bank of the United States; and it was pro-

revenue was adopted, there was an inquiry into the state of the Post Office Department, and the administration of its affairs by the then Postmaster General, Mr. Barry; and that proceeding of the Senate resulted in the following resotion of his official oath "to preserve, protect, and defenthe Constitution of the United States." Now, in the first the Constitution of the United States." Now, in the first place, let us advert once more to the proceedings in the ship-money case, which my colleague has quoted with so much approbation, where the House of Lords declared the extra-judicial opinions of the judges, and the judgment against Mr. Hampden, illegal and unconstitutional, in the lution, passed on the 27th June, 1834: "That it is proved and admitted that large sums of money have been borrowed at different banks by the Postmaster General, in order to make up the deficiency in the means of carrying on the any fair construction of its words; and that no authority for such expunction can be found in any precedent whatever at all applicable to the purpose, or entitled to the least weight. I think myself warranted in saying, too, that if the Senate shall adopt this proposition, and carry it into execution, it will set a precedent fraught with the most dangerous and pernicious consequences. But there was one position taken by the gentleman from Missouri, (which indeed I consider as the main ground of his argument,) so important in itself, that I have reserved it for a separate important of the most of the Constitution, at it is a plain violation of the Constitution, at; in declaring my opinion (as I do most conscientiously) that it is a plain violation of the Constitution, at; in declaring my opinion of the Constitution, at; in declaring my opinion of the Constitution, at; in maintaining that this expunging process they are so intent upon is unconstitution at; in declaring my opinion (as I do most conscientiously) that it is a plain violation of the Constitution, at; in maintaining that this expunging process they are so intent upon is unconstitution at; in declaring my opinion (as I do most conscientiously) that it is a plain violation of the United States, all such contracts for loans by the of the United States, all such contracts for loans by the of the United States, all such contracts for loans by the of the United States, all such contracts for loans by the of the United States, all such contracts for loans by the of the United States, all such contracts for loans by the of the United States, all such contracts for loans by the of the United States, all such contracts for loans by the of the United States, all such contracts for loans by the of the United States, all such contracts for loans by the occur to them that the fact of extra-judicial illegal conduct in the united States, all such contracts for loans by the occur to them that the fact of extra-judicial illegal conduct in the united States, all such co It has been said that, if men's passions could be mad to enter into the question, they would differ and dis

illegal conduct of the Postmaster General was imputable to criminal motives and designs. Enough had appeared to satisfy my mind that the grossest abuses and corruptions had crept into the administration of the Department; enough to convince me that Mr. Barry was wholly unfit for his office; but the very circumstance of his unfitness, and much pute upon the plainest proposition in Euclid; and there is no passion so apt and so potential to influence and determine the judgments of public men as party spirit. Gen-tlemen, in both Houses of Congress, are daily alleging that measures strenuously maintained by others are unconstitutional, plainly unconstitutional; yet no one ever thinks more besides, that came to my knowledge, inclined me to take a charitable view of his conduct and character; and I more than once publicly intimated this sentiment. And now that he has gone to his grave, I find a real pleasure in of giving or taking offence, which, surely, all would do they thought that to allege unconstitutional conduct is to charge wilful guilt. The President has often put his veto on acts passed by both Houses of Congress, on the ground that he thought them unconstitutional. I can hardly besaying that I saw no evidence to implicate him in any intentional guilt. The resolution concerning his conduct was adopted by the unanimous votes of the Senators present. It is manifestly upon its face liable to exactly the lieve that he meant to charge the majority of both Houses with an intentional violation of the Constitution and breach of their official oaths. I have heard the judgments of the Supreme Court publicly impugned, as being contrary to the Constitution. I have heard Chief Justice Marshall's opinsame objection now made to the resolution of March, 1834; namely, that it imported a criminal charge against the Postmaster General, an impeachable officer; and, therefore, it was not within the competency of the Senate in its legislative capacity to entertain and act upon it. The gentleman from Missouri voted for it; and, to avoid the charge ons so impugned by men who entertained the highest re spect for his abilities and integrity, and would have consider of inconsistency, he now tells us that "the proceeding against Mr. Barry was objected to, and that in the first that they had imputed to the court a wilful departure from right, truth, and justice. Sir, there is but one hypothesis upon which the allegation made in the resolution of March, 1834, that the President's conduct was illegal and unconstitutional, can imply crime, and that is, that his judgment is infallible, and that it is morally impossible for him to do an illegal and unconstitutional act, through error of judgment. stages of it, upon the same grounds on which we now stand in the case of the President," (and of this he adduces proof,) "and the vote which was given by me and my friends, was a vote forced on us by the majority of the Senate, and, being so forced upon us, was given, as we believed, according to the truth and the fact. I well recollect that ment. That is very far from my opinion. There is n man whose judgment I should esteem infallible on such subject, and the President is one of the last men to whom should attribute any such infallibility. And, though I be vote, and the conversation among us to which it gave rise. Some thought we should vote against it on the ground that the proceeding was unconstitutional, and that a vote in its favor would commit us on that point; others, of whom I was one, objected to the negative vote, because it would be against evidence, and would subject us to the imputation of voting as partisans and not as Senators, and because a negative rote admitted the jurisdiction just as much as an experimental control of the lieved at the time I gave my vote on the resolution of March, 1834, that the conduct of the President therein re ferred to was illegal and unconstitutional, and though the is still, and probably will always continue to be, my firm undoubting opinion, I have no hesitation in saying that, the President had been regularly impeached for that cor

Now, I ask, if a negative vote admitted the jurisdiction just as much as an affirmative one, in Mr. Barry's case, how is it that the negative vote which the gentleman gave in the President's case had no effect to admit the jurisdic tion of the Senate to entertain and pass the resolution of March, 1834? But this may be thought an argumentum ad hominem, which is never quite fair. I am afraid myself that it is not fair; because, though this is one reason which the gentleman assigns for his course, it is not the only reason; and because he has vindicated his general consistency in relation to this question, by showing that he maintained the same opinion he now contends for in February, 1831. I did not myself perceive the inconsistency between the vote against the resolution of the 28th March, 1834, and the vote for that of the 27th June, until it was pointed out to me; and my impression was, that it might be accounted for by the hurry of business when the last vote was given, and the little importance of the subject of that vote, compared with the vast import-ance of the subject of the first; so that the principle in-volved escaped attention when the last resolution was adopted. The only question at all material is, whether the principal the configuration provides and provides the principal of the configuration of the config the opinion the gentleman now advances concerning Mr Barry's case, is right or wrong? I have no wish or care to convict the gentleman of inconsistency, nor was that my purpose in adverting to this topic. My purpose lies much deeper. I pray the Senate to observe that it is now ing the description he has given. But here, again, I ask, what right has he thus to take the sentiments of particular whether (for the reasons assigned by the Executive) they should interdict the Senate, in its legislative capacity

rotes with him, on any question which he debates, enters nto all the feelings, motives, and sentiments, adopts all arguments that influence his judgment and conduct, and makes them his own? But I recall the attention of the cenate to this singular method of detecting offence in the esolution of March, 1834, chiefly for the purpose of showng the manner in which it affects the freedom of speech n this body, and the reverential awe with which it suppos es we ought to examine the official acts of the President All proper decorum and respect ought to be preserved to wards him, I agree—for his sake, for our sake, out of re-spect to the public, out of a just sense of the dignity of the government; but shall those strong (if you please, too ality or legality of any act of the President; and let us see, too, the extent of the principle. It is supposed that the judicial power vested in the Senate, as the court for the trial of impeachments, operates as a limitation upon the action of from gentlemen in the ardor of extemporary debate, which, perhaps, in cooler moments, they would have left unsaid orever before their eyes, present in their thoughts, inviolable in their speech? No such sanctity hedges the im peachable ministers of the British Government. Lord ter (the prime minister) had advised the King to tell a de-liberate falsehood. The gentleman from Missouri says, the conduct of the President as unconstitutional, neither is it competent to pass a resolution approving his conduct as constitutional and proper; for it can be no more within the competency of the Senate to prejudge the President's cause, and acquit him, than to prejudge and condemn. Partiality in judges towards the accused is as vicious as prejudice against him. Nay, more: it is the duty of every Senator "we have borrowed largely from our English ancestors, and, because we have so borrowed, results the precious and proud gratification that our America new ranks among the

mind against all information on the subject; to hold his judgment in suspense. Nor is this all. The Senate and House of Representatives are made by the Constitution co-ordinate branches of the Legislature, and their legislative powers are co-equal, too, with the single exception, that money-bills can only be originated in the House; and then a distinct judicial function is assigned to each. The House is the grand inquest of the nation to accuse and impeach; the Senate is the court to try and determine. As to all matters of criminal accusation and impeachment, the action of the House is just as much judicial in its nature as the action of the Senate; the only difference is, that their judicial functions are different. If the Senate, in its legisfound in them applicable to our own. I am content to bear the imputation: if the fact, without any criminal intent, constitutes guilt, I must be convicted: I know no metho of acquiring a thorough knowledge of our own institutions but by cultivating a knowledge of English institutions. In all impeachments that I have ever seen, the facts of

misconduct are specifically alleged, and some criminal intent, more or less heinous, expressly imputed to the accused. We have seen that, in the articles of impeachment den, in the case of ship-money, the opinions and the judg-ment are set out at large; the fact that they gave them, and the gross illegality of them, are distinctly alleged; and then it is charged that all those "words, opinions, and actions were so done and spoken by the said Sir Robert Berkley, traitorously and wickedly, to alienate the hearts of His Majesty's liege people from him, and to set a division betwixt them, and to subvert the fundamental laws and established whoever will search the numerous precedents of articles of impeachment in England, I will answer for it that he will find this precedent substantially complied with, in charging the facts and laying the criminal intent. The gentleman articles against Judge Chase, except one; that, namely, in which it is alleged that, in Callender's case, he did not conform with a statute of Virginia regulating the process in wilfully, or even that he was aware of the provisions of the statute; and upon that charge he was, of course, unani-mously acquitted. The article of impeachment against information, I do not know; he certainly did not get it from the record. [Hore Mr. Leight referred to the record of the impeachments and trials of Judge Pickering and Judge Chase, in the journals of the Senate, and showed the exact

President is, in every practical view, absolutely irresponsible; that he is a more absolute potentate than any prince, king, or emperor, in Europe, except, perhaps, the Autocrat of all the Russias, and the Grand Signior of Turkey. And this process of expunction of our resolution of March, 1834, is to be resorted to on the supposition that this dectrine is just and true, and to establish it as a constitutional principle of this Federal Republican Government!

During the same session of 1633-24, at which the resolution concerning the President's conduct in relation to the state of the facts.]

The resolution of the 28th March, 1834, declares that the President's conduct in relation to the revenue was illegal and unconstitutional, without more. Gentlemen say that the fact alleged implies crime; that it implies a violation of the conduction of the con

business of the Post Office Department, without authority given by any law of Congress; and that, as Congress alone possesses the power to borrow money on the credit of the United States, all such contracts for loans by the

a bill for the purpose. The course pursued is usual in all legislative bodies. As it was, I have not the least doubt that the known state of opinion in the House of Repre-

passed a joint resolution directing the deposite of the pub-ic moneys to be made with the Bank of the United States

and its branches. The House never acted upon it.

But let us examine more closely the reason and founds

tion of this opinion, that the Senate cannot, in its legisla-tive capacity, discuss and determine upon the constitution-

to avoid the forming, and expression of, an opinion on the constitutionality of the President's conduct; to close his

lative capacity, is incompetent to examine the constitutionality of the President's conduct, and express its opinion

apon it, the House, also, in its legislative capacity, is inmpetent to do so. If, therefore, the President shall, upon any occasion

adopt any measure questionable on constitutional grounds no matter how mischievous the measure may be in its opera-

decisive legislative action, to correct the procedure and ar-rest the progress of the evil—neither branch of the Legisla-

ings are justly imputable to criminal motives and designs, no unconstitutional acts of the President can be corrected by any legislative measures of Congress, if the President's violation of the Constitution and laws shall appear to be justly imputable to an innocent error of judgment as to the

extent of his own powers—an error into which (of all others that can be conceived) men in power are most apt to fall. Meanwhile, the measures of the Executive continue in operation, and perhaps work their full effect, unchecked,

unembarrassed, by any manner or counteraction which the Legislature can constitutionally devise and provide. Sir

f this doctrine that the Senate, and, by parity of reasoning the House of Representatives also, are incompetent, in their

egislative capacity, to examine and determine upon the onstitutionality or legality of Executive acts, shall be es-

tablished, then I say that the Executive is, really and tru-ly, the Government, and the whole Government; that the

I shall not now enter upon a discussion of the question whether it was true, in point of fact and in point of law, as the resolution of March, 1834, declared, that the President's proceedings therein referred to were illegal and unconstitu tional; because, supposing that declaration not just and true, yet, if the Senate had competency to act upon the sub ect, its action did not begin in wrong, and the remedy to correct our error by rescinding, not by expunging, the not going the length of expunging every proceeding of the ple and in fact. The question of the competency of the Senate to pass the resolution of March, 1834, lies at the bottom of the argument of the gentleman from Missouri, in support of his motion to expunge, in preference to rescinding. That question I have now discussed. I wish to con fine myself to what affects the question of expunging only If a motion shall be made to rescind, though I shall have no new argument of my own, I may find it my duty to re capitulate the conclusive arguments of others to show that the resolution of March, 1834, is just and true in all respects, and that the principle it asserts is essential to the maintenance of our free institutions.

The gentleman from Missouri said that "expunge is a

severe remedy, butit is a just one. It reflects reproach, but the fault is not ours, but of those who compel us to it. Le us go on, then, and neither compromise for difficulties, nor despair for failures. If we fail now, let us try again. If we continue to fail, and have to retire before the good work is accomplished, let us transmit and bequeath it to the democracy of America. Let us give it to the aged sire, that he may hand it down to his heir—to the matron, that she may deliver it to her manly son—to the young mother, tha she may teach her infant babe to suck in the avenging she may teach her infant babe to suck in the avenging word expunge, with the life-sustaining milk which it draws from her bosom." As to that young mother who shall be willing to mix the bitterness of that "avenging word expunge," or any other vengeance, with the milk which, with the sweetness of maternal love, she should minister to her babe, it is to be hoped she will never have any more offspring; and if the unhappy babe shall suck the spirit of vengeance with his mother's milk, what deeds he may verform in his mature manhood, it is revoluting to reflect may perform in his mature manhood, it is revolting to reflect. But none of the young mothers are going to take this advice—that I am sure of. And if the Democracy of America shall be willing to accept the legacy, which the gentleman from Missouri is so bountifully desirous of bequeathing to them, and to improve it to the degree of which it is susceptible, I fear some future advocate of monarchy may find ceptible, I fear some future advocate of monarchy may find cause to remember and apply to us the contemptuous language which the toryism of Swift has applied to all democratic States—"that an usurping populace is its own dupe—a mere underworker, and a purchaser in trust for some single tyrant, whose state and power they advance to their own ruin, with as blind an instinct as those worms that die with weaving magnificent habits for beings of a nature superior to their own." And, sir, I venture to warm and country ware, that if they would avoid the represent of my countrymen, that if they would avoid the reproach of being dupes, they must never indulge the vain-glorious imagination that they are incapable of being deluded; that they must distrust and watch their agents, distrust and watch themselves, watch over their Constitution, their laws, and especially their public treasure, upon which the rights they so dearly value essentially depend.

IN ISS E. MARCILLY'S ACADEMY for the instruction of Young Ladies, No. 11, South Charles street, Baltimore.—This Academy is situated in a pleasant part of the city of Baltimore, and enjoys all the facilities for instruction which may be derived from a numerous and literary community. The patronage with which, for a num ber of years, it has been favored, and the accomplishments of the young ladies who have left it, are the surest pledges of the ex-cellence of the mode in which instruction is conveyed, and o

cellence of the mode in which instruction is conveyed, and of the attention paid to the deportment of the pupils. To those who wish to acquire a knowledge of the French language, this institution offers peculiar advantages. It is the language of the family, and all the pupils are compelled to use it in the class rooms, and during their hours of recreation.

The course of instruction embraces Reading, Writing, Grammar, Rhetoric, Composition, Arithmetic, Algebra, Geography, Astronomy, History, Chronology, Mythology, Logic, Ethics, Natural Philosophy, Chemistry, French, Spanish, Music, Dancing, Drawing, Plain and Ornamental Needle Work.

The discipline of the Academy is mild, but firm and regular. The emulation of the pupils is excited by every gentle means, and their success is rewarded by an annual distribution of premiums.

The institution is provided with a good library.

The pupils are not permitted to walk out unattended. Their visiters are always received in the presence of some member of the family. During recreation, they are under the superintendence of one of their teachers.

TERMS. Board and tuition, per annum, Half boarders, tuition not included,

EXTRA CHARGES. French, per annum, - - - Spanish, Music, Drawing, and Dancing, at the Pro-Ordinary infirmary charges, not including Doctor's

Each scholar must be provided with bed and bed-ding, or pay \$10, if furnished by the institution, Washing, per annum,

Boarders pay the current charges half yearly in advance

Day scholars quarterly.

Parents and guardians residing at a distance are required to appoint a responsible agent in the city.

The vacation commences the Monday on or after the 25th o July, and lasts until the first Monday in September.

REFERENCES.—The Most Rev. Dr. Eccleston, the Rev. Dr. Deluol, the Rev. John J. Chance, the Rev. Dr. Wyatt, the Hon. R. B. Taney, Philip E. Thomas, W. E. George, Richard Caton, L. Wethered, T. Ellicott, James Howard, W. Woodville, Esqs. Dr. Potter, Dr. Chatard, the Hon. B. Roman, and the Hon. Geo. A. Waggaman, of Louisiana, the Hon. W. Gaston, of North Carolina, L. A. Parker, of Chaleston, South Carolina Carolina, L. A. Petray, of Charleston, South Carolina.

The Editor of the Richmond Enquirer and New Orlean Advertiser will insert the above advertisement once a week for three months, and send their accounts to this office.

PNIRUSTEE'S SALE. By virtue of a deed of trust from William W. Lowe, and Christiana, his wife, dated on the 1st of April, 1831, the subscribers will sell, at public auction, on the premises, at 12 o'clock M. on Monday, the 9th of May, 1836, all the right, title, and interest of said Wm. W. Lowe, and Christiana, his wife, in and to lot A, of the subdivision of lot No. The said lot has a two-story brick house and other improve-

ments thereon.

The terms will be made known at the time and place of sal Upon the final payment of the purchase money, a deed will be given for the property by us.

C. H. WILTBERGER, W. HEWITT, EDWARD DYER, Auctioneer.

ASH FOR FUR.—The highest prices will be paid for Muskrat, Otter, Mink, Rabbit, &c., by
S. W. HANDY,
Manufacturer and importer of Beaver and Silk Hats,

between Gadsby's and Brown's Hotels An elegant stock of Handy's Russia Hats will be ready

for wholesale and retail in a few days. It would be useless to speak of the superiority of those Hats. Those wishing to purchase will call and examine them.

S. W. H. ERCER POTATOES.—The schooner Pallas, Capt

Nickerson, has arrived at Foulke's Wharf, where the steamboat lands, with a quantity of first quality Mercer Potatoes All those who have bought of the same, and those who want are requested to attend to it speedily.

ap 16—3t

DUBLIC SALE .-- By virtue of an order of the Orphans Gourt of Prince George's county, the subscriber, as administrative of the late Heary Waring, will seell at public sale, or Thursday, the 21st day of April, 1836, at Mount Pleasant, the late residence of the deceased, all the personal estate of the said deceased, with the exception of the negroes, consisting of a great variety of household and kitchen Furniture, Horses, Cattle, Sheep, &c., Plantation and Farming Utensils, and a variety of the property belonging to the deceased. The terms of saic sale are, a credit of six months on all sums over ten dollars notes with approved security to be given by the purchasers; and for all sums of ten dollars or under, the cash will be required. ap 16-ts Surviving Administratrix of Henry Waring.

TWENTY-FOURTH CONGRESS FIRST SESSION.

IN SENATE.

THURSDAY, APRIL 14.

Petitions were presented by Mr. McKEAN, Mr. SWIFT, Mr. KNIGHT, and Mr. WALKER.

Mr. McKEAN, from the Committee on Contingent Expendires, to whom was referred the resolution concerning the allow ace of the expenses of the Committee on Public Lands at the

ast session, reported the same with an amendment.
Mr. KNIGHT, from the Committee on Manufactures, to
whom were referred a petition and resolution, suggesting the
xpediency of repealing the duties on coal, made a report ad-Mr. WEBSTER offered the following resolution; which was

considered and agreed to:

Resolved, That the returns for the three last months from the Bank of the United States, and the different deposite banks, communicated to the Senate on the 14th of January last, be printed.

Mr. LINN offered the following resolution; which lies for con-

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Helena, seat of justice of Pettis county, Missouri, to the seat of justice of Benton county.

Mr. BENTON adverted to the estimates transmitted in a mes-

age of the President on Friday last, which had been printe sage of the President on Privay last, which had been printed and laid on the table this morning, and gave notice that, as soon as gentlemen should have had an opportunity to look over these estimates, he would move the Senate to take up the Fortification

A number of bills received from the House of Representatives resterday, were read a first and second time, and referred to propriate committees. The reports of committees and resolutions which were lying

n the table, were taken up, and agreed to.
On motion of Mr. EWING, of Ohio, the Senate proceeded to on initial in the bill to give effect to patents for public lands issued in the names of deceased persons.

An amendment, which was pending when the bill was last

nder consideration, was agreed to.

The bill was reported, and, the amendments being concurred a, was ordered to be engrossed, and read a third time.

PUBLIC LANDS. The Senate proceeded to consider the bill to provide for the istribution of the proceeds of the public lands, and giving lands Mr. BENTON moved to strike out the words granting lands

Mr. WALKER moved to strike out the words granting lands o Mississippi.

to Mississippi.

These propositions were discussed by Mr. BENTON, Mr. WALKER, Mr. PORTER, Mr. CLAY, Mr. BLACK; when the question being varied in its form so as first to take the question on the amendments proposed by the Committee on Public Lands, the first of which is to strike out the words "on educain the part specifying the objects of grants to the ne

Mr. EWING, of Ohio, briefly explained the reasons which milenced the committee to propose this amendment; and the mendment was concurred in.

The second amendment of the committee was to strike out

several lines in the second section, specifying education, internal mprovements, &c. as the objects to which the surplus revenue, when apportioned among the several States, shall be applied; which amendment was agreed to.

which amendment was agreed to.

The third amendment was to strike out the proviso at the end
of the second section, that nothing in this bill shall be construed
o restrain the future action of Congress in regard to the public or restrain the human action of the analys; which was also agreed to.

The fourth amendment was to strike out "1837," (the limit of duration of the bill,) and insert "1841;" which was concur-

of duration of the bill,) and insert "1841;" which was concurred in—yeas 19, nays 11.

The fifth amendment was to strike out the fifth section, which provides for an annual expenditure of \$80,000 for completing the surveys of the public lands.

Mr. EWING, of Ohio, explained the reasons which induced the committee to propose this amendment, and expressed his own willingness now to concur in it.

After a few words from Mr. KING, of Alabama, Mr. HEN-

DRICKS, Mr. CLAY, and Mr. BENTON, this amendment was

DRICAS, Mr. CLAI, and Mr. BENTON, and amendment was not concurred in.

The sixth amendment was to strike out the sixth section, which refers to a contingent re-arrangement of the land districts in case of the existing districts not yielding sufficient by sales to pay the salaries of the land officers therein.

The reasons which led to this amendment were stated by Mr. EWING, of Ohio. EWING, of Ohio.

Mr. WALKER resisted the discontinuance of land offices,

s proposed by this amendment.

The amendment was then concurred in.

Mr. EWING, of Ohio, moved an amendment in the third see

Mr. EWING, of Onio, moved an amendment in the third sec-tion to make the dates correspond with the other part of the bill; which amendment was agreed to.

The next question being on the motion to amend by striking out the words "Mississippi" from those of the new States to which 500,000 acres of land each are to be After some remarks from Mr. BENTON, the bill was laid or

the table until to-merrow.

The Senate proceeded to consider the message from the House of Representatives, insisting on their amendment to the bill to establish a territorial government in the Territory of Wisconsin.

Mr. BUCHANAN moved to appoint a committee of confer-

once, Mr. KNIGHT wished to be first assured whether there was not a majority of the Senate who would be willing to recede, and called the yeas and nays on the motion, and they were ordered. The question was then taken on the motion of Mr. BUCHANAN and decided as follows:

YEAS-Messrs. Benton, Black, Brown, Buchanan, Calhoun Crittenden, Cuthbert, Ewing, of Illinois, Goldsborough, Grundy Hubbard, King, of Alabama, King, of Georgia, Linn, Porter Rives, Robbins, Robertson, Ruggles, Walker, Wall, Webster

NAYS—Messrs. Clay, Davis, Ewing, of Ohio, Hendricks, Hill, Kent, Knight, Mangum, Morris, Naudain, Nicholas, Niles, Prentiss, Shepley, Southard, Swift, Tomlinson, White—18. was then ordered that the committee of conference consis

of three Senators; and,
On motion of Mr. PORTER, they were appointed by the
Chair, and ordered to consist of Mr. Buchanan, Mr. Webster

The Senate then took up a resolution to correct mistakes in any locations of the reservations among the Pottawatamie Indians; which was ordered to be engrossed.

On motion of Mr. KING, of Alabama, the Senate took up the bill for the relief of Arthur Bronson; which was discussed at considerable length, and was rejected—yeas 9, nays 19.

The Senate then adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, APRIL 14. Mr. DROMGOOLE asked the House to take up the resolu

The resolution was read as follows:

Resolved, That the Secretary of the Treasury be directed to communicate to this House full information of the mode and manner of selecting banks in the several States or Territories for the deposite of the public money, of the United States; of all contracts, agreements, or stipulations entered into with said banks for the safe keeping of said moneys; that the Secretary of the Treasury also state what agents have been employed, the nature and extent of their agency, and the compensation which such agents have received in any way from the Government of the United States; and that he also state what officers or agents on the part of said banks have in any way participated or been instrumental in the formation of any such contracts, agreements, stipulations concerning the deposite and safe keeping of sais

moneys in said banks.

Mr. WISE moved to amend the resolution by striking out all after the word "resolved," and inserting the resolution heretofore offered by him, as follows:

Resolved, That a select committee be appointed, with power and respect to inquire into the mode or

to send for persons and papers, to inquire into the mode or agency of selecting the banks of deposite for the public money; the contracts with the Treasury Department, by which they are regulated; the manner in which, and the persons by whom, such contracts are or have been made; into all correspondence whatsoever touching contracts for the deposite of the public money; and into all connexion or relation, official or unofficial, which exists or has existed the tween any person or persons and which exists, or has existed, between any person or persons and the Treasury Department, or between them and the deposite banks, or any individuals or banks, touching the custody and the banks, or any individuals or banks, touching the custody and the control and deposite of the public money; or between any department of the Executive, and any individual or individuals or banks, touching the disbursements of the public money, appropriated or unappropriated by law; and into the amount of compensation of any or all agents whatsoever, official or unofficial, connected with the said Department, or said banks, touching the disbursement, safe keeping, or deposite of the public money; and that said committee have leave to report by bill or otherwise.

Mr. WISE, spoke in support of the motion to amend till one clock; when

Mr. PATTON moved that the House proceed to the Orders the Day; which was agreed to by a vote of S1 to 72.

Mr. THOMAS moved to suspend the Rules for the purpose

enabling him to present a resolution giving priority to certain bills in relation to the boundaries of Ohio and Michigan, and to the admission of Michigan and Arkansas into the Union. Mr. GRANGER called for the yeas and nays, which were orered, and were—yeas 119, nays 70.

Mr. PEYTON gave notice that, if the motion prevailed, be nould move to amend the resolution so as to embrace the bil regulating the deposite of the public moneys in certain loca

Mr. CAMBRELENG asked if the resolution went to exclud ne appropriation bills altogether. Mr. THOMAS said it did, until the bills designated in the re

solution should be disposed of.

Mr. CAMBRELENG. Then I shall vote against it.

Mr. THOMAS asked for the yeas and nays; and they were ordered.

The question being taken, it was decided in the negative-yeas 1 9, nays 70, not two-thirds. Mr. STORER moved to suspend the Rules to enable him to of resolution setting apart Truesday next, after 12 o'clock, to

insider the bit establishing the normal boundary of Olio hich motion was rejected.

Mr. PATTON moved to take up the bill to establish the Tertorial Government of Wiscousin, which the Senate returned after wing agreed to two of the amendments of the House, and disacced to the third amendment reducing the salary of the Government of the Covernment of the rom \$3,500 to \$2,500, for his services as Governor and as Su

Mr. PATTON moved that the House recede from the amend Mr. UNDERWOOD hoped, he said, that the House would

ot recede, and asked the yeas and nays; which were ordered.

After a few words from Messrs. JOHNSON, of Louisiana,
JONES, of Michigan, HARDIN, UNDERWOOD, VINTON,
ASHLEY, BOON, G. LEE, and PATTON,
The question was taken, and the matient to recede rejected—

The question was taken, and the motion to recede rejectedion of Mr. CAVE JOHNSON, the House then insisted

GENERAL APPROPRIATION BILL. GENERAL APPROPRIATION BILL.

The House then went into Committee of the Whole on the tate of the Union, (Mr. PATTON in the chair,) for the purpose proceeding in the consideration of the bill." making appropriation for the civil and diplomatic service of the Government for eyear 1836."

ne year 1836."

The motion pending was to strike out the appropriation of 250 for the commissioner of the sinking fund.

[The appropriation was objected to because the necessity of the office had expired, and there was no duty to perform; and it is insisted upon on the ground that it was a salary office, and to long as it existed, and was not abolished by law, let the duty a more or less the salary established by law north to be raid.

be more or less, the salary established by law ought to be paid.

After some few remarks by Mr. CAMBRELENG, Mr. CAVE
JOHNSON, Mr. PEARCE, of R. I. and Mr. MASON, the mendment was rejected without a count.

Mr. WISE moved to strike out the clause appropriating

Mr. WISE moved to strike out the clause appropriating "for contingent expenses of the Secretary of War, 3,000 dollars,"
[The opposition of Mr. WISE was upon the ground that the money was not wanted for any known object, and he did not see why 3,000 dollars should be wanted in addition to the general appropriation for the Department. It was replied that the money was wanted for expenses in detail; such as printing, stationary, &c. necessary to the business of the office.]

After a few observations by Messrs. CAMBRELENG, SHEP-PERD, MASON, and WISE, the motion was withdrawn.

[Mr. WISE again objected to the number and variety of the items for contingent expenses for every department, which amounted to so large a sum in the gross; and, after some explanation by Mr. CAMBRELENG, he withdrew his objection, and al-

amounted to so large a sum in the gross; and, after some explanation by Mr. Cambreleng, he withdrew his objection, and allowed the Clerk to proceed in the reading of the bill, till he came to the appropriation of \$5,500 for the contingent expenses of the Commissioner of Pensions, which, as a branch of the War Department, he thought could not require so large a sum. Unless some satisfactory explanation could be given, he should move to strike it out. Mr. Cambreleng replied, that every member of Congress knew that the business of the office was very expensive, and the numerous calls upon it in every way rendered the expenses for stationary and other well known numerous expenses as great, or greater, than any other department. Mr. Wise then wished to make the appropriation specific; so that it could not be appropriated to any other purposes.]

Mr. Wise then moved to strike out the words "for contingent expenses," and insert, "for stationary and other similar expenses," of the Commissioner of Pensions, \$5,000.

Mr. A. H. SHEPPERD considered the appropriation proper. He had examined the subject, and was satisfied that the money was required; and he could not vote to strike it out, or to reduce the sum.

Mr. ADAMS thought there would be no essential difference.

Mr. ADAMS thought there would be no essential difference ounted for, and the accounts must be expenditure must be accounted for, and the accounts must be settled, he thought the tentleman's fears were not well founded. He then went on the contract of the contract y that he hoped the abuses spoken of by the gentleman wer unded in mere rumor, and had no real existence. He knew at such abuses crept into all Governments; but he knew tha cion, jealousy, and slander often raised prejudices agai st men. The remedy, if there were abuses, the reme n the strict performance of their duties by the committe

Mr. WISE agreed perfectly that abuses should be inquire to, and that was what he had been anxious to have done by the louse for the whole session, but the House would not inquire spoke of the stories about the East Room, which never had been furnished till General Jackson came into office, and then it was furnished at the expense of \$45,000. Without inquiry the truth could not be known; and it must be strict, stern, republican inquiry. To inquire of the Heads of Departments would be in vain, for they would let truth fall by the way. He had mentioned abuses, because investigation was stifled; and he went on to contrast the conduct of the present party and Government, which will not allow inquiry, with that of Mr. Adams; and he was informed, that when his Administration was charged with extravagance, waste, and corruption, neither the Government nor the party ever in one instance resisted an inquiry into abuses. He concluded with saying that he had no special objection to the item, and would withdraw his amendment.

Mr. ASHLEY moved to amend the bill in the 226th line, by striking out "two" and inserting "one."

riking out "two" and inserting "one."
[This referred to the subject of a salary for a land commis

noner.]
The amendment was adopted.
Mr. ASHLEY then moved to allow an additional sum for clerk ire to copy and bring up the records of the Land Office, \$2,000, and for copying and preserving notes at the seat of Govern-

ent, \$420. Mr. A. remarked that this was a usual allowance, and was ne essary to secure the Government against the chance of seriou sses and inconveniences.
Mr. CAMBRELENG and Mr. C. JOHNSON briefly opposed e motion, on the ground that no appropriation ought to be ade, when the office has not previously been created by law the office is wanted it should be created by a law for the pur-

se, and not make it a practice to create these offices, incintally, in appropriation bills. A bill for this purpose had bee

prepared.

Mr. SEVIER thought the appropriation was proper, and that the clerks ought to be employed; and he hoped the amendment would prevail.

Mr. HARPER approved the course adopted by the committee, and hoped it would be persevered in. He thought it very loose legislation to continually insert these additional items in appropriation bills, without any other provision by law for the office. He thought the clerks alluded to were needed, and he thought they ought to be paid; but as they would be provided for in another bill, he hoped the amendment would not be inade in this.

After some suggestions from Mr. CAVE JOHNSON, Mr. ASHLEY withdrew his motion to amend.

Mr. SEVIER then moved a similar amendment, in application to Arkansas. Rejected.

Mr. LAY moved to strike out all the appropriations for the xpenses of the Territorial Government of Michigan.

A message was here received from the Senate, stating that

A message was here received from the Senate, stating that ley had adhered to their disagreement to the amendment of the House to the bill establishing the Territorial Government of Wisconsin, and asked a conference on the same, having ap

Visconsin, and asked a conference on the same, naving ap-ointed conferees on their part.]

Mr. STORER spoke at some length on the subject of the mo-ion, contending that Michigan had put herself out of the pale of the Government of the United States, and was no longer en-itled to its protection. He stated that, as he had understood, here was no Governor of Michigan except their own State Go-renor and no courte except these of her own state Go-

ernor, and no courts except these of her own state Ga-ernor, and no courts except those of her own establishing.

Mr. CAMBRELENG said we had not yet acknowledged the adependence of Michigan, nor admitted her into the Union. Intil we had done one or the other, we were bound to provide in the expenses of the Territorial Government. The money rould not be drawn unless it was wanted.

would not be drawn unless it was wanted.

Mr. CAVE JOHNSON suggested an amendment to the moion, providing that the salaries of the officers of the Territories of Arkansas and Michigan be paid in proportion to the time which should elapse before those Territories were admitted into be Union.

Mr. LAY accepted the amendment as a modification of his

Mr. J. Y. MASON said there was no necessity for this amend ent. The salaries were paid by law, not by the appropria-n bill, and would be paid pro rata till the time when their actions ceased from death, resignation, or a change in the

lations of the Territory.

After some remarks from Messrs. STORER, JONES of Minigan, VINTON, TOUCEY, LAY, and SEVIER, the motion On motion of Mr. CAMBRELENG, the bill was amended by ting for the expenses of the Legislative Council of Florida

On motion of Mr. WHITE, the bill was amended by striking t of the appropriation for assistant counsel and district attor y in Florida the words "assistant counsel," and the sum of

S420.

Mr. WHITE offered an amendment to provide for the payment of the Judges of the District Courts in Florida, under the act of 3d of May, 1828, for the year 1830, \$800; and for the years 1835 and 1836, \$600. In favor of this appropriation Mr. White said the Judges had performed extra duty, under the act alluded to, and were legally entitled to compensation. He want life to appropriate of the duty and the right ent into an explanation of the nature of the duty, and the righ

Mr. CAMBRELENG suggested that some of the eviden noken of had not been known to the committee, and that the nendment had better be withdrawn, and presented again in the The question was taken, and the amendment was rejected.
Mr. HARRISON, of Missouri, moved to insert "for the costs certain land suits in Missouri and Plorida, decided against the

nited States, \$1,000:"
[This amendment was supported on the ground that the Unit-d States were bound to confirm all valid claims to public lands, the title was doubted, the claimant, by a special law, was alwed to have his claim ascertained by the United States courts, and the "costs were to abide the final decision, as in all other cases, efore said courts." Here the claims were held to be valid, and the "Government as any other party, outly to pay the costs of the Government, as any other party, ought to pay the costs of the adjudication. It was stated, in opposition to the amendment that the subject had been examined by a gentleman of the com-

unanimously determined that the claim ought not to be al-red. It was entirely a legal question, and depended upon the astruction of the law above cited.]
The question was debated by Messrs. WHITE, SEVIER,

MITH, CAMBRELENG, TOUCEY, KENNON, and HAR

The question was then put, and there appeared to be year 60

The question was after put, and determined anys 55; which was not a quorum.

The committee then rose, and reported that fact to the House, Mr. CARTER moved that the House do adjourn.

Mr. CAMBRELENG desired the year and nays; which were

The motion to adjourn was then taken, and decided in the egative—yeas 65, nays 72.
The question was then taken on Mr. Harrison's amendment, ad the vote was, yeas 57, nays 48; so there was no quorum.
Mr. CAMBRELENG moved that the committee rise; which

notion was carried in the affirmative.

Mr. CAMBRELENG moved that the bill be made the Order the Day for to-morrow and next day.

Mr. CAMBRELENG moved a suspension of the Rules, to The vote was taken, and there were yeas 86, nays 32. So

the CHAIR remarked that there was evidently a quorum in ouse, . CAMBRELENG moved a call of the House. Mr. RENCHER moved an adjournment.
Mr. CAMBRELENG asked for the yeas and nays; which

question was then taken on the motion to adjourn, and de-

The question was then taken on the motion to adjourn, and decided in the negative—yeas 53, nays 73

Mr. CAMBRELENG then renewed his motion to suspend the Rules to make the bill the Order of the Day for to-morrow and next day, and take precedence of all other business.

Mr. WHITTLESEY called for the yeas and nays; which were ordered, and the question being taken, it was decided in the affirmative—yeas 95, nays 45.

The CHAIR decided that the bill was made the Order of the Day

the Day.

Mr. WHITTLESEY understood that it was a suspension to allow the gentleman to make a motion.

The CHAIR said he put the motion direct on the suspension of the Rules, but would ascertain the understanding of the House.

A motion was then made that the bill should be made the Order of the Day for 12 o'clock, and carried in the affirmative.

The House then adjourned.

FRIDAY, APRIL 15. Immediately after reading the journal, Mr. DENNY rose to

Immediately after reading the journary and a notion; when Mr. HOWARD requested him to yield the floor to enable him to bring a subject before the House, in which he felt a personal interest. Mr. DENNY having complied, and leave being grant-

Mr. HOWARD said that he wished to call the attention of the Mr. HOWARD said that he wished to calf the attention of the flouse, and of the gentleman from Virginia (Mr. WISE) to the mperfect manner in which his (Mr. W.'s) remarks, made on the day before yesterday, were reported in the National Intelligencer of this morning. It would be remembered by the House hat considerable debate occurred upon a motion of a gentleman from North Carolina, (Mr. SHEPPERD.) to strike out a part of the contingent fund provided for the State Department and which from North Carolina, (Mr. Shepern,) to strike out a part of the contingent fund provided for the State Department, and which nvolved, in its range, the propriety of the appointment by the President of two commissioners to proceed to Ohio and Michigan, after the adjournment of the last Congress. Mr. H. said hat, as was well known, he had the honor of being selected as one of these commissioners, associated with a distinguished gentleman (Mr. Rush) who had filled many honorable stations under the Government. With what success or ability they had performed their duties, it was not for him to judge, being satisfied with the approbation of the President, expressed on the surfader of the trust; but he would say, that they were undertaken of the trust; but he would say, that they were undertake ender of the trust; but he would say, that they were undertaker with a single eye to the preservation of the peace of the country hen threatened with imminent danger of violation. In the course of the debate, the power of the President to make sucl ppointments had been freely discussed. This was a matter properly open to debate, and gentlemen had a fair right to scruinize it strictly. He had listened to the remarks of the gentleman from Virginia, (Mr. WISE.) as he always did, with attention and the properly open to debate the second strictly. on, and was perfectly sure that the report of them, who ould ask the Clerk to read, was not an accurate report. lebate having turned exclusively upon the appointment of the ommissioners, the gentleman from Virginia is made to say to

The Clerk then read this extract: "Mr. WISE said, the discussion showed the necessity of examining these contingent appropriations. What would gen tlemen say (he asked) if it should turn out that this very appropriations. of appointment, and contended that the President had no power of the kind contended for. The contingent appropriations (he said) were applied to all sorts of illegitimate purposes; an even one portion of a system of corruption, which had increased the said.

ed to a most enormous extent."

Mr. HOWARD said that, in the passage just read, it might be inferred by some readers, that the epithet contained in the ast sentence was applied to the appointment of the commissioners, which, he was perfectly sure the gentleman from Virginia did not do. The remarks which were made by member of the Hause, in debate, were of great consequence, but those which were reported to have been made were equally so, because they went forth to the nation, instead of being confined the House; and, having called the attention of the gentlema from Virginia to the imperfection in the report of his remarks.

om Virginia to the imperfection in the report of his remarks e left it to his own sense of justice what course to pursue.

Mr. WISE said it would give him a great deal of pleasure to a splain. He would say that he had spoken on the day alluder to without preparation and extemporaneously, and could not say that his precise words were, but he knew what his meaning that he meant to instance this appointment of commissioner to Michigan by the President of the United States, not as a core imite and corrupt applications of the public moneys. He d t mean to charge the honorable gentlemen from Maryland, a President, with corruption in the appointment, but he charge a President then, as he did now, with making an illegitima wever, a difference of opinion on that subject. At the uded to, he was debating the subject with his colleague Mason) of these contingent appropriations covering co tappropriations of the public moneys. He did not chan gentleman from Maryland (Mr. HOWARD) with corruption

the gentieman from Maryland (Mr. HOWARD) with corruption; and it such charge was intimated in the report, he would say with great pleasure that he was misreported.

Mr. HOWARD said that he was glad to find that the recollection of the gentieman from Virginia corresponded with his own. The constitutionality or legality of the appointment was properly open to debate, and gentiemen upon all sides had a perfect right to express their opinions upon it. He would no longer detain the House from its ordinary business.

[The House then proceeded to the regular business of the morning.]

In the sketch of some remarks of Mr. Wise, in yester ay's daily paper, a most provoking but obvious error of the ress occurs. When he spoke of the profit made by the deposit te banks on the public money, supposing it to be at the rationly three per cent. he said it was one million of dollars ponum, not nine millions, as it was printed.

DMINISTRATOR'S SALE. On Tuesday, the 5 day of April next, and from day to day thereafter till corpleted, at Oak Hill, the former residence of Col. James Monro seed, at Oak Hill, the former residence of Cot. Sames Monroe sceased, near Aldie, in the county of Loudoun, in Virginia ill be sold, at public auction, to the highest bidder, the very ege, valuable, and various personal property (slaves excepted the late Cot. Monroe, consisting of 35 or 40 horses, upwards of 0 head of cattle, including several yoke of good oxen; 150 sheep thogs; household furniture of the best quality, kitchen furning, a library of some thousand volumes, well selected, in varies harmages agricult and modern, some fine unitings furnions. languages, ancient and modern, some fine paintings

us languages, ancient and modern, some fine paintings, farming thensils of every kind, including three wagons and several carts, setween 200 and 300 barrels of corn, hay, &c.

The sale will positively commence at 11 o'clock on the first day, and as it is expected it will continue several days, it is proposed to offer the library on the 2d day of the sale. At the conclusion of the sale, the slaves of said decedent, about 43 in number, of all ages and descriptions, will be hired for the residue of the current year. At the sale, on all sums above \$10 a credit of nine months will be given, the purchaser giving bond with satisfactory security. For purchases of that amount and under, the cash will be required.

hich, for the extent, variety, and value of the property to b ld, is seldom equalled.

NOTLEY C. WILLIAMS, Sheriff of Loudoun, Committee, Administrate de bonis non of Col. James Monroe, de

ceased, by
WM. MERSHON, his Deputy Tr The above sale is postponed to Tuesday, 19th In consequence of the interference of the Cir-Superior Court of Loudoun, which will commence its ses-on the 18th instant, the above sale is again postponed till e day in the next month, of which due notice will be given.

ven, Conn.—G. A. DE WITT, Principal, (late Principal of Providence High School.) in Washington to Hon. John Forsyth and Hor

the South, he thinks he can duly appreciate Southern feelings. New Haven, April. ap16—ce1w

WASHINGTON.

Liberty and Union, now and forever, one and inseparable.97

SATURDAY, APRIL 16, 1836.

CONGRESS.

Little business of consequence was transacted in either House vesterday.

In the SENATE, amongst the morning business, was the presentation of a memorial from David Melville, lately a weigher and gauger in the Custom-house at Newport, in Rhode Island, who represents that he has been removed from his employment under circumstances of extraordinary oppression, &c. This memorial gave rise to a debate, which ended in referring it to the Committee on Commerce, and ordering it with the documents, to be printed.

After transacting some other business, the Senate resumed the consideration of the bill for the distribution of the proceeds of the sale of the public lands among the several States. &c. and adjourned at 5 o'clock, till Monday next, with out taking any question on the bill.

In the House of Representatives, after some explanation between two of the members (reported in another part of to-day's paper) con-cerning a passage in debate on Wednesday last and receiving reports, &c. the House resumed in Committee of the Whole, the General Annua Appropriation bill, and continued engaged in the discussion of the details of that bill all the remainder of the day's sitting.

The House has not yet acted upon the Senate's proposition to adjourn on the 23d of May. Any thinking reader will be able to determine what probability there is of an adjournment at that day, when he is informed that, besides the business yet before committees, there are no fewer than seven hundred bills depending between the two Houses of Congress, some of them of momentous importance and great urgency.

VIRGINIA ELECTION.

Delegates to the Legislature elected, in addi-

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Last evening's mail brought us the latest pa pers from Mobile and Savannah, but nothing new, either from Florida or Texas.

FROM TEXAS.

Rumors have been in circulation here of batles in Texas, subsequent to the date of the capture of the Alamo by the Mexican troops; but our papers do not furnish any confirmation of them. The following letter, which we find in the Natchez Courier, contains the only additional information furnished us by the late mails of the state of affairs in that country:

Washington, March 16, 1836. DEAR Sm: An opportunity offering, I write you, not with many pleasant feelings. The Alamo has fallen, and every unfortunate creature murdered and burnt, some ven before they were dead. A Mexican, whose daughter

live at Beasons, and another, came into Houston's camp at Gonzales, and reported, on the 10th, that on the 6th at day light the cavalry surrounded the fort, and the infantry, with scaling ladders, entered at the four angles of the fort, and were supported until all but seven of the Americans were killed: these called for Santa Ana and quarter, and were by his order immediately sacrificed. In the stories related by the two Mexicans, there is no material difference. Mr. McNeal (our Natchez friend) said that from La Bahia, whence he has just arrived, the country from La Bahia to Bexar is alive with Mexicans; that Fannin is probably surrounded, having attempted to march to the relief of Bexar, and was beat back. Our condition is very bad. Today we finish the Constitution, hurry through the rest of

JAMES COLLINGSWORTH, Col. CARSON, of North Carolina, and D. Burner, are in nomination for President (pro visional;) RUSK, BAILY, HARDIMAN, POTTER, and one of the first named will form the cabinet. Next Congress will re gulate land business. Yours, most truly,

C. B. STEWART.

IRA R. LEWIS, Esq. Natchez. Driving Business.—The Bangor Commercial Advertise says that, according to a statement of the City Clerk, intentions of marriage have been published by him of two hundred and twenty-one couple! and he thinks, if it had not been for fear of a French war, he should have had fifty

MARRIAGES.

On Thursday, the 14th inst., by the Rev. Mr. Slicer, Mr. JOHN L. SMITH, of Washington, to Miss RE-BECCA MARIA SHEPPARD, of Georgetown. On Tuesday evening, the 12th inst., by the Rev. Mr. Webster, Mr. BENJAMIN THOMAS, to Miss JANE GEORGE, eldest daughter of Mr. Isaac George, all of

On Wednesday, the 13th inst., by the Rev. Elias Harrison, FRANCIS L. SMITH, Esq., of Va., to Miss SARAH G., daughter of John C. Vowell, Esq., of Al-

DEATH.

A few days ago, after a long and painful illness, ALEX-ANDER JORDAN, Esq. Cashier of the Farmers' Bank of Virginia in Norfolk, in the 61st year of his age. No an sustained a better character through life than Mr

Tolumbian Horticultural Society. - An adjourne eeting of this Society will be held at the Aldermen's room, in the City Hall, on Saturday, the 16th inst., at 4 o'clock P. M. At 5 o'clock, a Lecrure on Vegetable Chemistry will be devered by Dr. Thomas P. Jones, a member, to which all who el an interest in the promotion of Horticulture are res

al Society will take place this evening, at the usual hour.
W. W. CURRAN, Sec'y.

Ta A Special Meeting of the Columbia Typographic

tomed to house service, a seamstress, a good washer and irone. Also, two or three likely boys or young men. For such the highest prices will be paid. Apply to Edward Dyer, of the

ISSOLUTION.—The copartnership heretofore exist-ing under the firm of LAMORIGHT & CORDELL is, by mutual consent, dissolved on the 11th inst. Geor imbright being duly authorized to settle the business of t e firm. LAMBRIGHT & CORDELL.

CANAL TRADE. Chesapeake and Ohio Canal trade for the week

ending on Thursday, at noon. DESCENDING, 65 BOATS—CONTAINING barrels, 10,174 do. 115 do. 32 bushels, 1,068 Whiskey, 104 5,132 4,591 Wheat, do. 3,446 Furniture, ASCENDING, 42 BOATS. bushels, 127 do. 20 barrels, 328 do. 1½ lbs. 4,480

NATIONAL THEATRE.

Positively the last night of the re-engagement of the celebrated HERR CLINE.

THIS EVENING, APRIL 18, Will be performed the interesting drama of THE GOLDEN FARMER; Or, the Last Crime. After which the extraordinary performance of Herr Cline, who will perform a great variety of interesting evolutions on the

THE CARNIVAL OF VENICE. To conclude with the laughable comedy of IS HE JEALOUS?

77 OOLOGICAL EXHIBITION.—The Managers of the Zoological Exhibition, from Baltimore, have the plea-are of announcing to the citizens of Washington City and its civity, that they will exhibit their grand collection of Beasts d Birds, for two days only, on the Public Square, near the entre Market, on Wednesday and Thursday, the 20th and 21st avs of April, instant.

Centre Market, all Wednesday and Thursday, the 20th and 21st days of April, instant.

The following are some of the prominent subjects of Natural History contained in the collection, viz.

4 Elephants, 1 Rhinoceros, 6 Lions and Lionesses

2 Java Tigers, 1 two-humped Camel, 2 Royal Bengal Tigers

3 Dromedaries, 1 Polar or White Bear

1 Gnoo, or Horned Horse; 2 Porcupines, 3 Lamas, 8 Leopards

5 Panthers, 1 Buffalo, 2 Quaggas, 1 Serveall, 1 Ocelot

1 Gazelle, 4 spotted Hyenas, 2 striped Hyenas, 2 Zebras

1 Onega, 1 Augora, 2 Emews, or South American Ostriches

2 Condors, American Eagle, Parrots, Macaws, Paroquets
Badgers, African Jackalls, Lynx of Japan, Red Alpacha
Simia tribe, Ichneumons.

The exhibition will be accompanied by a band of fifteen musicians, who stand unrivalled as to taste and execution.

The exhibition will be exhibited in Georgetown on Friday the

22d, and in Alexandria on Saturday, the 23d instant.

No Ladies admitted unattended by a gentleman.

No Ladies admitted unattended by a gentleman. Admittance, 25 cents. Children under 10, half-price.

MAELZEL'S CONFLAGRATION of MOSCOW! Now Exhibiting at the Masonic Hall. Doors open at 1 past 7, exhibition to commence at 8 o'clock

Admittance 50 cents; children half price. Tickets can be had at the Hall during the day and evening.
The front seat exclusively for children.

The front seat exclusively for children.

ap 12—tf

DYER.—Sale of Furniture.—

In front of Centre Market will be sold for cash, on Tomorrow, (Saturday,) at 8 o'clock A. M. a great variety of Household Furniture, consisting of
Sideboards, Bureaux,
Tables, Chairs, Carpets,
Bedsteads, Beds, Easy-chair,
Tougs and Shovels, Andirons, Fenders,
A large quantity of good Kitchen Utensils, &c.
An excellent Carryall, Market Cart, &c.
20 barrels of Apples.

ap 15

ED. DYER, Auct.

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ED. DYER, Auct.

AUCTION NOTICE.—Our sale of GOLD LEVER,
and LEPINE WATCHES and fine GOLD JEWELRY,
will be continued this and to-morrow evenings, embracing many
new articles just received, as Gold Lever and Lepine Watches,
Silver Levers; fine Gold Pins, paintings, emeralds, topaz, and
ruby; fine Gold Seals; enamel, chased, and set Rings; solid
gold Guard Chains, Seals and Keys; Earrings, Razors, &c.

ADDITIONAL.

100 dozen French and English Perfumery
15 cards fine Knives, assorted expressly for retailing
50 dozen Emerson's Razor Strops, with paste and hair
brushes.

P. MAURO & SON,
ap 14—d2t

TOY P. MAURO & SON,—Old, rare, and valua—

ap 14—dzt

PY P. MAURO & SON.—Old, rare, and valua—

Dile Books in Legal and Historical Literature.

This rare and almost invaluable collection of Books, heretofore advertised, comprising a great variety of standard works, including Lords and Commons Journals, 92 folio volumes, Annual cluding Lords and Commons Journals, 92 folio volumes, Annual Register, 45 volumes, Reports of Saunders Dyer, Borrows, Peers Williams, Coke, Yelverton, Kelynge, Raymond, Salkeld, Strange, &c., State Trials, 8 vols. folio; valuable works on Civil Law; Histories of England by Rapin, Speed, Smollett, Baker, &c.; Memoirs and Historical Works of Camden, Clarendon, Evelyn, Dugdale, Lord Somers, and Pepys; Thurloe's State Papers, 7 vols. folio, Collin's Peerage of England, 7 vols., Bacon and Viner's Abridgment, and numerous others of equal merit, is now arranging, and will be sold at auction on Saturday evening, 16th instant, at the Auction Rooms opposite Brown's Hotel. Members of Congress, gentlemen of the bar, strangers, and literati generally, will find this sale one of the most rare, and deserving their particular attention.

terati generally, will had this said of serving their particular attention.

Catalogues to be had in this city as above, and of J. H. Naff, Auctioneer, Baltimore, and will be forwarded to such as desire, per mail, whose orders will meet with prompt and faithful attention.

P. MAURO & SON,

Auctioneers.

CAUTION.—All persons are forewarned not to pay any bill due the late firm of Richey & Hamill, or myself, without a written order from me.

JAMES RICHEY.

ANTED TO HIRE.—A Boy between twelve and fifteen years of age, to serve as an assistant waiter. A slave would be preferred. For further particulars, apply to ap 16—3t E. DYER, Auct'r. Morring, 26th inst.—STOCK OF CLOTHS, &c.—At nine o'clock we will sell the stock in trade of Messrs, JOHN GIBSON & Co. who contemplate making a change in their business. The sale will take place at their own warehouse, No.

ausiness. The sale will take place at their own warehouse, No. 8, North Charles street, and be continued from day to day, unit the entire shall be closed. The Stock consists of—Super and extra super Cloths and Cassimeres
Summer Cloths, or Crape Camblets; Merinos, &c.
Silk Merino and Toilinet Vestings
Black and Fancy English and French Velvets
London foncy Onlitings and Shalleys

Condon fancy Quiltings and Shalleys
Plain, ribbed, and satin-ribbed Drilling.
With various other seasonable Stuffs, Paddings, Silk and Cotton
Serges, London Scarf Twist, Plain and Fancy Buttons, &c.
ap 16—ts

HOFFMAN & Co. Aucts. ap 16—ts HOFFMAN & Co. Aucts.

ERN-This machine for purifying and dressing new or old Feather Beds, is now in operation in this city, on 7th street, opposite the Patriotic Bank, and produces the following effects:

It cleanses new feathers from all impurities and offensive odors; it dries the feathers; it kills moths and other insects; it does not injure them as "baking," or "kiln-drying;" it takes out the dirt; it takes out disagreeable smell usually in new feathers; it renders them more light, clastic, and buoyant; it takes less feathers for a bed; it makes them sweet and clean; it brings them into lively action; it takes out the oily and unhealthy matter; it saves many from disease and (perhaps) death! in short, it is economy.

On old feathers it has the same effect as above; besides, it

On old feathers it has the same effect as above; besides, it makes them nearly as good as new; old feather beds that have become matted and almost useless, are rendered light and elastic, and much increased in bulk, oftentimes four beds making five. The expense is very little, compared to the advantages derived, and enough feathers are often left sufficient to pay expenses. No person is too poor to have their bed dressed; if it does not give perfect satisfaction, nothing will be charged!

The trouble to the housekeeper is little or nothing, as beds will be taken to the shop in the morning and returned at night, by giving a day or two notice. It also gives a fine apportunity to overhaul all the beds, get the ticks washed, or the feathers changed to new ticks, &c. &c.

If Ladies and gentlemen are respectfully invited to call and wincess the operation, where every information will be given with pleasure.

with fleasure.

Persons leaving orders at the establishment, or through the Post Office, (addressed "A. Lombard,") will be promptly waited upon. Beds will be called for in any part of the city free of expense.

A. LOMBARD, Superintendent. ap 16—cp3t (Met & Glo)

E, the subscribers, three of the Commissioners duly appointed by Montgomery Courty Court, to divide the lands held and seized by the late Edward Burgess, Sen., deceased, of said County, hereby give public notice that we, or a majority of our number, shall proceed, on or about the 27th day of April next, by virtue of said commission, to divide and lay Reference in Washington to Hon. John Forzyth and Hon. Rev. Mr. In New York: to Rev. Drs. Berriau and Anthon; Rev. Mr. In New York: to Rev. Drs. Berriau and Anthon; Rev. Mr. Is the Said County, hereby give public deads to the Ist of April next, by virtue of said County, hereby give public deads to the Ist of April next, by virtue of said County, hereby give public deads to the Ist of April next, by virtue of said County, hereby give public deads to the Ist of April next, by virtue of said County, hereby give public deads to the Ist of April next, by virtue of said County, hereby give full and Eirabellau for April next, by virtue of said County, hereby give full and Eirabellau for A

Mr. EWING, of Ohio, rose to present a petition, addressing the Chair to the following effect:
Mr. President: I am charged with some memorials praying for the aid of the United States in constructing a turnpike road from Zanesville, in the State of Ohio, to Maysville, in Kentucky, and I ask the indulgence of the Senate

while I say a few words in explanation of their object.

The great southwestern road, which diverges from the Cumberland road at Zanesville, and passes through Maysville and Paris, in Kentucky, and thence by its branches communicates with the whole southwestern portion of the United States, has long been and is still one of the utmost importance, in a national point of view. Before the continuation of the national road west of Zanesville, the travel upon this southwestern road very much exceeded that upon the present route of the national road westward. The national road westward. ture and the population of the country to which it leads would indicate, even to the most casual observation, that, with an equally good road, the travel upon it must still for some time be much greater than upon the other, and the mails which pass upon it are believed to be now of equal

importance.
In this situation of things, it was the understanding and belief of the people upon this road, and those to whose country it leads, that it would be carried on simultaneously country it leads, that it would be carried on simultaneously with the present national road, after they passed Zanesville, the point at which they separate. This, however, failed, in the manner mentioned by the Senator from Kentucky, (Mr. Clay,) the other day, while the Cumberland road bill was under discussion. Repeated efforts have been made since that time to obtain the aid of Congress in the construction of this road, or some part of it, but they have failed. The citizens of Kentucky (wealthy and public spirited as they are) have constructed the road from Lexington to Maysville, and it is one of the finest that I ever saw. There now remains to be filled up the distance from Zanesville to Maysville, about 145 miles, to make a road worthy of the nation, from Lexington (and now, perhaps, worthy of the nation, from Lexington (and now, perhaps some twenty miles beyond it) to Baltimore. The want o

that connexion is very deeply felt.

The citizens of the several counties of Ohio through which the road, if ever constructed, must pass, met last fal in their primary assemblies, and sent delegates to a genera in their primary assemblies, and sent delegates to a general convention, from, I think, eight counties; that convention petitioned the Legislature of Ohio for an act of incorporation, and the aid of the State in funds to assist them in the performance of the work. The Legislature granted the act of incorporation, but so great had been the expenditures for internal improvements for years past, that they felt that the additional means could not be furnished to effect even this great purpose. The People, still intent upon their object, are again meeting in their primary assemblies to petition Congress for aid: the memorials which I present come from organized meetings in two of those present come from organized meetings in two of those counties, Adams and Fairfield. They speak of the object, as it is felt by them to be one of great importance. They say, what I am well aware is the fact, that the expense of its execution is too great for the unaided means of the people of the country and towns through which it passes; bu that with aid from us here, proportioned to the advantage which the United States would derive from its construction. tion, they can and will effect it. They are willing to put their own shoulders to the wheel while they pray to Her-cules. They say that there are about five hundred thousand acres of the public lands south of that road which have be offered for sale about thirty years, and still remain unsold and they ask that two hundred thousand acres of that land or its proceeds, be applied to this object; in consideration of which they will engage to construct a good turnpike roa between those two points for the transportation of the mai free of cost forever to the United States. I ask the favora ble consideration of the Senate to these memorials, and move their reference to the Committee on Roads and Ca-

Petitions were also presented by Mr. PORTER, Mr BUCHANAN, Mr. EWING, of Illinois, Mr. KENT and Mr. WEBSTER.
Mr. BUCHANAN and Mr. SOUTHARD presented

petitions against the admission of Arkansas, without a modication of her Constitution on the subject of slavery; which Mr. SOUTHARD, from the Committee on Naval Af-

fairs, reported a bill for the relief of Loammi Baldwin; whic Mr. BENTON gave notice that he should, at an early

day, ask leave to introduce a bill to restore the constitutional currency called the federal currency.

Mr. CALHOUN offered the following resolution; which was taken up and agreed to:

Resolved, That the Secretary of the Treasury be directed

to report to the Senate, with as little delay as practicable the amount of money in the Treasury on the 1st of the month, where deposited, and the amount of liabilities of the several banks of deposite, respectively, with their means of meeting the same; and also the receipts of the Treasury for the quarter ending the 31st of March last, arranged under the heads of customs, public lands, and incidental receipts.

On motion of Mr. KING, of Alabama, the bill giving effect to the 8th article of the treaty of 1819, made with

The question being on its passage,
Mr. KING asked the unanimous consent of the Senate to
amend the bill by adding at the end a provise that nothing
in this act shall be taken to admit that the eastern part of
Louisiana, as ceded by France, does not extend to the river

There being no objection, after a few words from Mr. PORTER, the bill was so amended, and passed. The resolution to authorize the Commissioner of Public Buildings to rent out the public grounds for the purpos of planting mulberries, being taken up, on the question of its third reading,
Mr. SOUTHARD remarked that the resolution had

been passed through its two first readings yesterday, in manner not to attract the notice of the Senate. He di not see that the resolution could be justified either by propriety or necessity. The public grounds are intended to be public reservations, for public buildings, and for ornament, and the recreation of the citizens. There could be no propriety in renting out these grounds for a mulberr plantation. He had heard no reason assigned in favor of the proposition. If there was a desire to plant mulberrie in this District, there would be no difficulty in obtainin land from individuals for that purpose. There was sue to be found, just as convenient and suitable as the publi grounds, which was in private hands. The public ground might be required for other purposes before the terms fo which they might be rented would expire. For the pur pose of inquiry into the facts, he would move to refer th

resolution to the Committee for the District of Columbia Mr. NILES made a few remarks in a very low tone, in timating that the lands appeared to be in a waste and un-protected condition, going rapidly to ruin. He knew of no strong reasons for adopting the resolution, because he be lieved there were none. If there were any strong objec-tions to the measure, they ought to be stated. At present these grounds, instead of being in a flourishing condition looked as though they had heavy mortgages on them, with

out fences, and without any attempt to improve them.

Mr. SOUTHARD said he did not say these grounds were in a flourishing condition. But he thought it right that the subject should be inquired into by a committee. A proposition was at this time before the District Committee to place these grounds under the charge of some one, and to enclose some of them, which were lying west of the Capital.

The resolution was then referred to the Committee for the District of Columbia.

INCENDIARY PUBLICATIONS.

On motion of Mr. CALHOUN, the special order, be ing the bill prohibiting deputy postmasters from receiving of transmitting through the mail, to any State, Territory, of District, certain papers therein mentioned, the publication of which, by the laws of said State, Territory, or District may be prohibited, and for other purposes, being taken up Mr. BENTON expressed a wish to say something o the subject, but, being unprepared at this time, moved to lay the bill, for the present, on the table. He withdrew his

metion.
Mr. NILES then moved to amend the bill by striking out the first section, and inserting a substitute, which he sent to the Chair.

Some discussion took place, in which Mr. CALHOUN NILES, Mr. RUGGLES, Mr. MORRIS, and Mr

GRUNDY took part; when,
On motion of Mr. GRUNDY, the bill was laid on the table, with the understanding that it should be called up on

The amendment offered by Mr. NILES was ordered to be

The Senate then adjourned.

HOUSE OF REPRESENTATIVES.

On motion of Mr. HEISTER, On motion of Mr. Hels I Etc., Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route between the borough of Reading in Berks county, and the Blue Bell, in Lancaster count

Pennsylvania, by the way of the State road recently laid out, and opened, between those places.

On motion of Mr. BEAUMONT,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Wilkesbarre, via White Haven, Lowrytown, to Lausanne, in the State of Penn-

On motion of Mr. MARTIN. Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Bellefonte, in Jackson county, Alabama, by the way of Langston, to De Kalb Court-house, Cherokee Court-house, and thence to Jacksonville

Benton county, Alabama.
On motion of Mr. McCARTY, Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Good Hope to Lima, in Indiana.

Mr. DROMGOOLE asked the consent of the House

Mr. DROMGOOLE asked the consent of the House to offer the following resolution; which was read:

Resolved, That the Secretary of the Treasury be directed to communicate to this House full information of the mode and manner of selecting banks in the several States or Territories for the deposite of the public moneys of the United States; of all contracts, agreements, or stipulations entered into with said banks for the safe keeping of said moneys; that the Secretary of the Treasury also state what agents have been employed, the nature and extent of their agency, and the compensation which such agents have received in any way from the Government of the United States; and that he also state what officers or agents on the part of said banks have, in any way, participated or been instrumental in the formation of any such contracts, agreements, or stipulations mation of any such contracts, agreements, or stipulations concerning the deposite and safe keeping of said moneys in

Mr. WISE objected to the reception of the resolution

and asked leave of the House to state his reasons.

Objections being made, the CHAIR put the question whether the gentleman from Virginia should be permitted to assign his reasons for objecting to the reception of the

Mr. WISE demanded the yeas and nays; which were Mr. WISE, in justice to himself, wished, he said, to state that he did not intend to address the House on this subject, and that he asked leave merely to make a brief ex-

lanation of his reasons for objecting to the reception of The question being taken, it was decided in the nega-

tive—yeas 66, nays 68.

Mr. DROMGOOLE gave notice that he should renev

Mr. DROMGEOULE gave notice that he should renew
the motion for leave to offer the resolution to-morrow
morning, and, if the objection was then persisted in, he
should move the suspension of the Rules.

Mr. WISE said he would give the gentleman an opportunity to offer his resolution to-day. He now asked the
consent of the House to offer the following resolution;
which be read:

which he read:

Resolved, That a select committee be appointed, with power to send for persons and papers, to inquire into the mode or agency of selecting the banks of deposite for the public money; the contracts with the Treasury Department by which they are regulated; the manner in which, and the persons by whom, such contracts are or have been made; nto all correspondence whatsoever touching contracts for the deposite of the public money; and into all connexion or re lation, official or unofficial, which exists, or has existed, be tween any person or persons and the Treasury Department, or between them and the deposite banks, or any individuals or banks, touching the custody and the control and deposite of the public money; or between any department of the Executive, and any individual or individuals or banks touching the disbursements of the public money, appropriated or unappropriated by law; and into the amount ompensation of any or all agents whatsoever, official onofficial, connected with the said Department, or said agents touching the dishursement, safe keeping or deposit banks, touching the disbursement, safe keeping, or the public money; and that the said committee have

leave to report by bill or otherwise.

The gentleman (Mr. Wise said) could offer his resolution as an amendment to this; and then, if the previous question was resorted to for the purpose of cutting off amendments, the gentleman's amendment, and not his re-

olution, would be excluded.

Objections being made, Mr. Wise moved a suspension of Rules, and thereupon demanded the yeas and nays, which were ordered.

The question being taken, it was decided in the negative as follows: as follows:

YEAS—Messrs. Chilton Allan, Heman Allen, Bell, Bond, Bunch, J. Calhoon, W. B. Calhoun, Carter, Childs, N. H. Claiborne, Clark, Corwin, Orane, Denny, Evans, Everett, P. C. Fuller, J. Garland, Granger, Graves, Griffin, H. Hall, Hard, Hardin, Harlan, Harper, A. G. Harrison, Hazeltine, Heister, Hoar, Howell, W. Jackson, J. W. Jones, Lawler, Lawrence, L. Lea, Lewis, Lincoln, Love, Loyall, Lyon, Martin, J. Y. Mason, Maury, McCarty, McComas, McKay, McKennan, Mercer, Milligan, Morris, Patton, Pettigrew, Peyton, Phillips, Potts, Reed, Russell, A. H. Shepperd, Shields, Slade, Sloane, Spangler, Standefer, Steele, Storer, Taliaferro, W. Thompson, Underwood, Vinton, Washington, White, Whittlesey, S. Williams, Wise—75.

, Wise—75.
YS—Messrs. Anthony, Ash, Barton, Bean, Beaumont, ee; Boon, Boyd, Burns, Cambreleng, Casey, G. Chambers, ey, Chapin, J. F. H. Claiborae, Cleveland, Coffee, Contral, Cramer, Cushman, Dickerson, Doubleday, Dromanday, Fairfield, Farlin, Fowler, French, Fry, W. K., Galbraith, Gillett, Glascock, J. Hall, Hamer, Haunegan, Harrison, Hawes, Hawkins, Haynes, Henderson, Holsey, S. S. Harrison, Hawes, Hawkins, Haynes, Henderson, Holsey, Hopkins, Hubley, Huntsman, J. Jackson, Janes, Jarvis, J. Johnson, R. M. Johnson, C. Johnson, Judson, Kilgore, Kinnard, Klingensmith, Lane, G. Lee, J. Lee, T. Lee, Leonard, Logan, Mann, Manning, W. Mason, M. Mason, May, McKim, McLene, Montgomery, Moore, Morgan, Owens, Page, Parker, Parks, Patterson, F. Pierce, D. J. Pearce, Phelps, John Reynolds, Seymour, Shinn, Sickles, Smith, Speight, Sutherland, Taylor, Thomas, J. Thomson, Toucey, Turrill, Wagener, Webster, Wooks, "

Mr. DROMGOOLE remarked that he had not intend ed to renew the motion for leave to offer the resolution in dicated by him till to-morrow; but, as the House was full the would offer the proposition for decision at this time.

He moved that the Rules be suspended until one o'clock, or the purpose of enabling him to offer the resolution indi-

Mr. HOPKINS asked the yeas and nays, and they were

The question being taken, it was determined in the affir-

The question being taken, it was determined in the anismative as follows:

YEAS—Messrs. H. Allen, Anthony, Ash, Barton, Beale, Bear, Beaumont, Bell, Bockee, Boon, Bouldin, Boyd, Bunch, Burns, W. B. Calhoun, Cambreleng, Casey, Chaney, Chapin, N. H. Claiborne, J. F. H. Claiborne, Clark, Cleveland, Coffee, Connor, Corwin, Craig, Cramer, Crane, Cushman, Darlington, Denny, Dickerson, Doubleday, Dromgoole, Dunlap, Evans, Everett, Fairfield, Farlin, Fowler, French, P. C. Fuller, William K. Fuller, Galbraith, J. Garland, Gillett, Glascock, Granger, Grantland, Graves, Griffin, Joseph Hall, H. Hall, Hamer, Hannegan, Samuel S. Harrison, Albert G. Harrison, Hawes, Hawkins, Haynes, Hazeltine, Henderson, Heister, Holsey, Hopkins, Howell, Hubley, Huntsman, W. Jackson, J. Jackson, Janes, J. Johnson, R. M. Johnson, H. Johnson, J. W. Jones, Judson, Kilgore, Klingensmith, Lane, Lawler, Lawrence, Lay, G. Lee, J. Lee, T. Lee, L. Lee, Le. Leo, Leonard, Lincoln, Logan, Loyall, Lucas, Lyon, J. Mann, Manning, Martin, J. Y. Mason, W. Mason, M. Mason, Maury, McCarty, McComas, McKay, McKennan, McKim, McLene, Mercer, Milligan, Montgomery, Moore, Morgan, Morris, Owens, Page, Parker, Parks, Patterson, Patton, Franklin Pierce, D. J. Pearce, J. A. Pearce, Pettigrew, Phielps, Philips, Potts, Reed, John Reynolds, Rogers, Russell, Seymour, A. H. Shepperd, Shields, Shina, Sickles, Slade, Sloane, Smith, Spangler, Speight, Standefer, Steele, Storer, Sutherland, Taliaferro, Taylor, Thomas, J. Thomson, Toucey, Turrill, Underwood, Vanderpoel, Vinton, Wagener, Ward, Washington, Webster, Weeks, S. Williams—158.

NAYS—Messrs. Bond, Buchanan, Carter, G. Chambers, Fry. Hard, Hardin, Harlan, Harner, Jarvis, C. Johnson, Kennon,

ster, Weeks, S. Williams—198.
NAYS—Messrs. Bond, Buchanan, Carter, G. Chambers,
Fry, Hard, Hardin, Harlan, Harper, Jarvis, C. Johnson, Kennon,
Kinnard, Lewis, Love, Peyton, Waddy Thompson, White,

The CHAIR said that, under the Rule of the House, the resolution must lie over one day. Mr. WISE moved to suspend the Rules of the House for the whole day, for the consideration of the subject;

which was not agreed to.

Mr. DROMGOOLE hoped, he said, that the resolution

would be considered now.

Mr. EVANS objected, and moved that the resolution be printed; which was acreed to.
On motion of Mr. SPEIGHT, the House proceeded to

the Orders of the Day.

The joint resolution from the Senate fixing a day for the termination of the present session, by the adjournment of the two Houses of Congress, was taken up. Mr. CAMBRELENG moved that the consideration of

this joint resolution be postponed to the first Monday of May. Mr. SPEIGHT objected to so long a postponemen and urged the expediency of fixing a day for the adjournment of Congress. Experience (he said) had shown that the despatch of business was expedited by fixing a limit to

Mr. CAMBRELENG said the 1st of May was only a fortnight off, and before that time it would not be practicable to fix a day for the adjournment. Before the bill regulating the deposites of the public moneys in the local banks was taken up and disposed of, he would not consent to fix a day for the termination of the session.

After a few words from Mr. SPEIGHT,
Mr. HARDIN said he hoped the motion of the gentleman from New York would prevail. We had at least five hundred bills to act upon, amongst which was a bill reported two years ago, for extending the benefits of the pension act of 1832 to those officers and soldiers who fought from the year 1783 till 1794, in the Indian wars, which were, in part, a continuation of the war of the Revolution. He eart, a continuation of the war of the Revolution. He hought that bill ought to be acted upon, and that the House

part, a continuation of the war of the Revolution. He thought that bill ought to be acted upon, and that the House had been remiss in not calling it up and passing it before this time. No man could tell now, within two weeks, at what time Congress could be ready to adjourn. When the 1st of May came, we could fix a day if we were ready, and, if we were not, we could postpone it a week longer.

Mr. TOUCEY hoped that the motion would be sustained. The House had been in session four months, but it had been employed in preparing business which was now ready to be acted upon. The committees had despatched nearly all their business. The long political speeches were now over, particularly those in relation to President-making, and the House had, for a few days past, manifested a disposition to attend to the public business. He hoped their first act would not be to fix a day of adjournment.

Mr. MERGER differed with the gentleman from North Carolina as to the effect upon the despatch of business by fixing the day of adjournment. It produced a conflict for the priority of business which obstructed its despatch. He remarked upon the embarrassments under which the business of the House had labored this session in consequence of the adoption of special orders. Thirty days of the time had been spent in taking questions on motions to suspend the Rules. No business could be taken up without a vote of two-thirds, in consequence of the special order, whereas the Rules. "No business could be taken up without a voted in two-thirds, in consequence of the special order, whereas the representatives of a free people, if they were capable of acting at all, ought to act by majorities.

The hour of one o'clock having arrived, the special order

GENERAL APPROPRIATION BILL.

GENERAL APPROPRIATION BILL.

The House went into Committee of the Whole on the state of the Union, for the purpose of proceeding in the consideration of the bill making appropriations for the civil and diplomatic service of the Government for the year 1836.

The question being on the amendment proposed on Tuesday, by Mr. A. H. Sheppero,

Mr. JOHNSON, of Kentucky, after some remarks, offered an amendment, which was decided to be out of order, pending the motion of Mr. Sheppero,

[The amendment provided that every expenditure under contingent appropriations should be accounted for, and the names given of the persons to whom money should be paid.]

Mr. SHEPPERD, having been requested to withdraw his motion, declined.

on, declined.

Mr. CAMBRELENG hoped the committee would proceed, ection by section, and not consume time by going from subject subject, throughout the bill.

Some further conversation to the same effect took place be ween Messrs. MASON and BELL, when
Mr. MASON proceeded to justify the conduct of the Executiv pon the subject of the mission to Ohio and Michigan. He spoke f that controversy as one of the most painful occurrences in the istory of the country; and he thought the message of the Prehistory of the country; and he thought the message of the President sufficiently explained the reasons for sending two distinguished gentlemen to endeavor to allay the excitement and prevent the threatened collision. Even if the President had overstepped his constitutional authority, he thought the emergency would justify the act. But he would not put it on that ground. He argued that the President was bound to support the laws, to preserve peace; and under that power he had taken a mild course, which would have been reasonably expected to prevent a conflict between the States. The gentlemen sent were in no sense ministers plenipotentiary, but were mere bearers of despatches, giving friendly counsel, and collect information necessary for the President in the discharge of his duties; because it might be his duty to remove the Government officers in Michigan, if they were disposed to encroach upon the rights of the State of Ohio. Mr. M. then compared our institutions with those of England in this respect, and referred to the constant practice of the Government, which he said had obtained from its earliest history, of sending agents to execute special business, and obistory, of sending agents to execute special business, and ob-in information. The occasion here he considered fully nough important to justify the measure, and he did not under-tand that any objection was made to the men, the occasion, or

tand that any objection was made to the men, the occasion, or he amount of compensation.

Mr. BELL thought the discussion upon this question as important as any that could arise, though he should be sorry to have the protracted. But he would not be deterred by taunts of making olitical speeches, and complaints of delays of business, from iscussing these important questions. He thought it had become no common to make imputations of political or other motives; thenever gentlemen rose to discuss important principles of ernment. Mr. Bell then went on to contend against round taken by Mr. Mason, that the President had a righ ground taken by Mr. Mason, that the President had a right to appoint public agents. He argued that there were public officers, appointed by law and by the Constitution, whose duty it was to perform this duty. The Governor and the Attorney for the Territory, public officers of the Government, were the proper officers, and should have been called upon to do the duty required. The President had no right to appoint such agents to act secretly, without the knowledge of the country, or the sanction of the Senate, which was necessary for all ministers and agents of this kind. He referred to some of the appointments alluded to by Mr. Mason, and said they also required explanation, as much as this. He objected, not so much to the occasions, the appointments, or the compensation, as to the principle upon which such appointments were made. He denied the right of the President to assume the power, which had been justified. As another opportunity would be had to discuss this subject, he would say no more at present.

Mr. SHEPPERD hoped the discussion would be confined to the immediate subject of the motion he had made.

Mr. WISE said the discussion showed the necessity of examining these contingent appropriations. What would gendemen

ning these contingent appropriations. What would gendeme ay (he asked) if it should turn out that this very appropriation of twenty-five thousand dollars was used to pay some of the ecret agents, appointed without any authority of the Constitution? He went into the examination of the right of appointment. secret agents, appointed without any authority of the Coastil tion? He went into the examination of the right of appointmen and contended that the President had no power of the kind co tended for. The contingent appropriations (he said) were a plied to all sorts of illegitimate purposes; and even one portion of a system of corruption which had increased to a most eno mous extent. They are presented in every form, in every guis and pressed upon the House as of the utnost importance. He protested against the necessity of contingent appropriations, under the ordinary administration of the Government; and would rather let these unknown public agents suffer, then put so der the ordinary administration of the Government; and would rather let these unknown public agents suffer, than put so much money at their disposal. The money was put into the hands of the most vile, low, unprincipled agents; and though, if they should prove pure, all would be well, yet they were suspected and accused of frauds, and improper uses of the public money, and they ought to be tried. But examination and trial could not be had. Resolutions for inquiry were suppressed. Mr. W. then went on to speak of the connexion of Reuben M. Whitney with the deposite banks and the Secretary of the Treasury. He said R. M. Whitney was not employed by the Secretary of the Treasury. He did not want to ask that question; and if it were asked what the truth was, and the Secretary should answer, he would not believe that answer any more than he would believe the reply of a common thief, who should plead not guilty. He wanted witnesses and answers upon oath.

He said he could establish the fact that R. M. Whitney did receive compensation indirectly from the Government. The public money was loaned without interest. The banks have it, and it is worth to them at least 3 percent.; and this would be at least a profit of one millions of dollars per annum; and how much of this one millions of interest was allowed to R. M. Whitney, no me could ascertain, no one was allowed to know; and any rutions having a tendency to ferret out and expose the corrupt lutions having a tendency to ferret out and expose the corruptions incident upon such connexion as that of the Secretary of the Treasury and R. M. Whitney, were rejected by the majority of the House. Although he knew that a majority of the members of the House approved of his resolution, yet the party tactics would not allow of its adoption. It was a political fraud upon the People. The Government was full of concealed corruption, and he would rather see it stop now, as it stands, and never do another act, than live in corruption and die by corruption. He went on to urge the necessity of inquiring now into the frauds committed upon the public treasure. He wanted to know if an agent of the Government, secretly appointed, had taken an appropriation of \$500,000, kept it ten months, speculated upon it, and made twenty, thirty, or forty thousand dollars. He made no pledge, but he believed what he said, and he wanted an inquiry into the truth of what he said. It had been said something no pledge, but he believed what he said, and he wanted an inquishould be done with the surplus revenue. He wanted to say,
and wanted his constituents to know, that nothing would be done
with it. There were three reasons to operate against it. One
was that the money had got into places from which it could not
be withdrawn. The banks which were operating upon it,
could not do without it, and, if it were ordered to be drawn by
law, it would smash the whole system. The one-headed monster,
which had been crushed, was far less dangerous than the manyheaded monster which had been established in its place. Another reason was that the money was wanted for the benefit of ther reason was, that the money was wanted for the benefit of R. M. Whitney & Co. It was wanted to be applied for the purpose of perpetuating the party and their government; and he contended that, so far as the House sanctioned contingent exenses, so far they sanctioned, by law, this robbery of the

penses, so far they sanctioned, by law, discretized country.

Mr. Wise continued to remark upon the difficulty of getting information, and the ignorance of the House in regard to unexpended balances, one of which had been suddenly found out after this appropriation bill had been reported. He then referred to a card in the Globe, signed Reuben M. Whitney, and desired to say that his business was not with Reuben M. Whitney, and the view of the total bring Levi Woodbury, his master—his colleague. If he could bring Levi Woodbury to the bar of public opinion, he would eare nothing for the conduct of Reuben M. Whitney; and he went on, at considerable length, charging frauds and corruption upon the Treasury Department, in the management of the public money for the advantage of individual speculators, who were sharing in the plunder upon the country. He

Mr. CAMBRELENG said the 1st of May was only a] concluded with stating that he knew the vilification and abus concinded with stating that he knew the vine atom and account to which he exposed himself by making these extensive exposures of misconduct on the part of so large a combination. He knew that when the bloodhounds were unkennelled, a man must be correct and pure himself, or he will be devoured. He had no fears upon that account, either personally or politically. He should always endeavor to expose corruptions, and would do more—he would strive to protect the rights and interests of his constituents.

his constituents.

Mr. SHEPPERD then took the floor, but gave way to Mr. BOND, who moved that the committee rise, as the hour was late, and he wished to hear the gentleman from North Carolina in reply to the remarks that had been made.

Mr. CAMBRELENG objected, and remarked that the business of the House could never be accomplished, if so much time was to be spent in debating trifling amendments.

Mr. BOND then withdrew his motion, as he understood the gentleman was willing to go on then.

entleman was willing to go on then.

Mr. SHEPPERD continued, and spoke in detail of the ex-Mr. SHEPPERD continued, and spoke in detail of the expenses of the State Department, and the retrenchment that might be made without inconvenience, according to his motion. The question then being taken on the motion of Mr. Shepperd, it was decided in the negative, by a vote of 55 to 67.

Mr. UNDERWOOD moved to strike out the following clause: "For the superintendent and watchman of the northeast Executive building, \$1,500."

After some remarks from Messrs. A. H. SHEPPERD and CAMBRELENG, the motion was rejected.

Mr. CAMBRELENG moved to increase the item of \$24,700 for compensation to the clerks and messengers in the office of the Third Auditor to \$27,000; which was agreed to.

Mr. LAY moved to strike out the clause for the compensation to the Solicitor of the Treasury \$3,500, and for compensation to the clerks in said office \$1,650; and after some remarks from Messrs. CAMBRELENG, LIAWRENCE, and JOHNSON, the

Messrs. CAMBRELENG, LAWRENCE, and JOHNSON, t committee rose, for want of a quorum, and reported that fact t Mr. HANNEGAN moved a call of the House.
Mr. VINTON moved an adjournment, and thereupon Mr
PARKS demanded the yeas and nays, which were ordered.
The question being taken, it was determined in the affirmative—yeas 78, nays 53.

The following resolution was offered on Monday last by Mr WHITE, of Florida, and then accidentally omitted in our repo Resolved, That the Committee on Private Land Claims ! instructed to inquire into the expediency of providing, by law that all claims and titles to land in Florida, which shall not be decided on the 1st of October next, shall be reported to Corgress, with the evidence filed in each case, and that the special purisdiction of the courts on that day shall cease.

The House then adjourned.

WASHINGTON.

FRIDAY, APRIL 15, 1836.

THE VIRGINIA ELECTIONS.

We have not thought it worth while to amuse our readers with returns of first day's voting in one county or precinct, second day's voting in another, &c. for Delegates to the Legislature of VIRGINIA, because they afforded no valuable information by which to form an estimate of probable results. Complete information has, however, now reached us from a sufficient number of counties to deserve enumeration. The re sults of the elections heard from in three and twenty counties are as follows:

actively training off the			WHIG	ADMIN.
Rappahannock-			1	
Frederick -				1
Caroline -				1
Chesterfield -		1	1	
Powhatan -	a dece	100 to 100	-1	
Henrico ·	-	-	1	
Albemarle -	55-86 At 12	\$155 P 155	-	2
Isle of Wight -	The second			1
Greensville -				1 -
Princess Anne			1	
Franklin -			2	
Rockbridge -			2	
Charlotte -	-	-	-	1
Montgomery -				1
Spotsylvania -			- 15 to 10 5	1
Gloucester -			1	
Sussex -	ENDER - OF	(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	383 × 172	1
Nottoway -	THE MELTING		4	1
Prince William		200		1
Stafford -		THE PERSON		1
Prince George	100	-	1	
Loudoun -	-		3	

These returns exhibit a gain of one Delegate (two votes) to the Whigs, and a yet larger nu merical gain among the People. The whole number of counties in the State is more than a hundred; and the election is likely to be, upon the whole, very closely contested.

The Charter Election of the City of New York began on Tuesday, and, continuing three days, would have ended last evening. Comparatively little interest appears to have been ex-Ward officers, in some of the Wards, between Whigs and Van Burenites; and in the whole city there has been a contest for the Mayoralty, which will have probably eventuated in the reelection of Mr. LAWRENCE, the present Mayor, election of Mr. LAWRENCE, the present Mayor, a worthy gentleman, but not a Whig. New York Commercial Advertiser gives the following account of the several candidates for this office:

" For the office of Mayor, there are four candidates in nomination, viz. Cornelius W. LAWRENCE, the present incumbent, and the regular Tammany candidate-ALEX-ANDER MING, Jr., the Loco-Foco candidate-Samuel F. B. Morse, Esq., by the Native American Associationand SETH GEER, Esq., by the Whigs."

APPOINTMENT BY THE PRESIDENT, By and with the advice and consent of the Senate. EDWARD N. ROACH, to be Register of Wills in and for the county of Washington, in the District of Columbia, in the place of Henry C. Neale, deceased.

PHILADELPHIA, APRIL 13. The venerable WILLIAM RAWLE, long known and respected as the father of the Philadelphia Bar, died in this city yesterday, at the age of 77 years. On the announcement of his death the Courts then in session immediately

adjourned.

PHILADELPHIA, APRIL 13.

Sale of the Banking House of the United States Bank.— We learn from the Philadelphia United States Gazette that the Exchange was crowded on Tuesday morning, at an ear-ly hour, each visiter anxiously waiting the offer of the real estate of the United States Bank, in Chestnut street, by Messrs. M.Thomas & Son, auctioneers. The lot fronts of Chestnut street 202 feet 6 inches, extending 225 feet t Library street. Besides the banking house, there are two large three-story brick buildings on Chestnut street, and smaller buildings on Library street. The bidding for a short time was animated, but the whole was finally knocked down to Thomas P. Cope, Esq. at \$388,000. It was understood that Mr. C. purchased the property for the understood that Mr. C. purchased the property for stockholders of the Pennsylvania United States Bank.

A FIGURE. -One of the Boston police reporters, in describing a complainant in court who had been pretty essentially bunged up in an affray, says—"His macerated visage spoke for itself. There was not a white spot as big as a four-pence on it: he looked as if he had fallen head foremost into a boiled huckleberry pudding, and had permitted its contents to dry on."

MARRIAGES.

In Stoystown, Pennsylvania, on the 11th instant, by the Rev. Mr. Coonrod, Mr. W. DOUGHERTY, Merchant, of this city, to Miss JULIA ANN KIMMEL, daughter of GEO. KIMMEL, Esq. of Berrien, Michigan.

On Tuesday last, by the Rev. Reuben Post, Mr. LEO-NIDAS COYLE, of this city, to Miss HARRIET L. EDMOND, of Vermont. DEATHS. On the 12th inst. after a lingering illness, Mrs. SARAH BILLMYRE, formerly of Alexandria, D. C. in the 65th

year of her age. At St. Louis, on the 1st inst. after a long illness, General BERNARD PRATTE, one of the most esteemed and opulent citizens of Missouri. CONGRESS.

To enable us to make some progress in Mr LEIGH's Speech, and to insert other matter promised to our readers, we are again obliged o defer to our next the particulars of yesterday's proceedings in both Houses of Congress.

The following paragraphs, however, embrace the principal business transacted in each House vesterday:

In the Senate, after some morning business the great bill to provide for the distribution of the proceeds of the Public Lands among the several States was taken up, and underwent discussion; which had not been brought to a close, when, near the usual hour of adjournment, the bill was laid upon the table until to-day.

In the House of Representatives, after two or three vain attempts to suspend the Rules to enable members to make motions-for, owing to the gross inconsistency of the Rules (as now construed) with common sense, it is only by suspending the Rules that any original motion can be brought within the Rules-the House resumed the consideration of the annual General Appropriation bill, and continued engaged in the discussion of it until 6 o'clock. Previous to the adjournment, the Rules were suspended, which assign Friday and Saturday for the consideration of private bills, and this bill was accordingly made the special Order of the Day for this day and to-morrow.

Perhaps it ought to be mentioned, further that, by moving an amendment to a resolution proposed by another gentleman, Mr. Wise succeeded in getting before the House, yesterday, his proposition for the appointment of a committee to investigate the nature of the connex ion of Mr. R. M. Whitney with the deposite banks and the Treasury, &c. The remarks of Mr. W. in support of this motion were arrested by a motion to proceed to the Orders of the Day, which motion, after the arrival of the hour of one o'clock, if carried, puts aside for that day all business which has not entered into the Orders of the Day.

TWO DAYS LATER FROM ENGLAND.

By the ship Argo, Captain Forley, from Livrpool, the Boston Centinel has received London papers to the evening of February 26th, and Liverpool to the 28th.

They contain nothing of much interest to readers on this side of the Atlastic. They are filled with debates in Parliament and English local matters.

Paris papers of the 24th are quoted. M. Theres, the new French Prime Minister, concluded a long speech in the Chamber of Peers, by assuring the Chamber that the recent changes of the Ministry contemplated a change of men and not a change of measures. He also stated that the Government must relax its severity towards the press and the liberal party, before it could expect the confidence

of the French people.

The Spanish civil war was still going on as heretofore In consequence of the severity of General Mina to French residents, he and the French Consul at Barcelona were on the "worst possible terms."

Many of the Masons have struck to-day for higher was. They could not have selected a better time, as there re hands here than could find employment even at the old prices.

FOR SALE, the Schooner Alligator, now lying at Blagden's Wharf, near the Navy Yard, Washington. This vessel is capable of carrying from fifty-five to sixty cords of Wood, and will be sold cheap, as her present owner has no use for her Paymeut will be taken in cash, good paper, wood, or other mer chandise. She will remain until the last of April, unless previously sold, at the wharf aforesaid, where application for fur ther particulars can be made to her owner.

mar 12—w7wcp

AN AWAY, on Sunday, the 3d of April, a Negro Man, of age; he is about 5 feet 10 inches high; he is of a light color, or dark mulatto, with very small face, with thick lips; when spoken to speaks loud and strong; he has but little beard, and that on his upper lip. His clothing is a brown colored cloth coat, cassinet pantaloons of the same color, with stripes, dark waist-coat, with yellow flowers. It is likely he may change his clothing, and try to pass for a free man. I will give \$50 if taken in the State of Virginia or the District, or \$100 if taken in the State of Maryland, or any other State, and delivered to me or Henry McPherson, at either of our residences in Georgetown.

ALLEN SCOTT.

county, whereon the late Thomas Snowden resided at the time of his death. This estate is highly improved. The soil is equally well adapted to the cultivation of wheat, corn, and tobacco. The meadows are extensive, and it is believed the Farm, for grazing purposes, would be equal to any Farm in the county. The improvements consist of a large and commodious Dwelling House, in good repair; an excellent Stone House, occupied by the overseer, with extensive quarters for servants; Barns, Tobacco Houses, Stables, and other necessary out-houses. The estate contains about Twelve Hundred acres of Land. It will be sold, entire, or in parcels, to suit purchasers. For further particulars, reference may be made to the Overseer on the premises, or to Robert Welch, of Ben., Esq., of the city of Annapolis.

On THURSDAY, the 2d day of June next, at 11 o'clock A. M., the subscribers will offer at public sale, on the premises, a tract or parcel of land in Anne Arundel county, near Ellicott's Patuxent Forge, containing about Six Hundred Acres. This estate is in a tolerable state of improvement. It abounds in Timber. It will be sold entire, or in parcels, to suit purchasers Persons disposed to purchase are referred for further information to Bushrod W. Marriott, or Benj. Brown, Esqus.

At the time and place last mentioned, the subscribers will also offer at public sale another tract or parcel of land, lying in the Fork of Patuxent, and containing about Two Hundred Acres. For information in reference to this estate, application may be made to Mr. Samuel Bealmear, who resides near the premises. And on FRIDAY, the 3d day of June next, the subscribers will offer at public sale, on the premises, another tract or parcel of land called "BROOKS," lying in Anne Arundel county,

And on FRIDAY, the 3d day of June next, the subscribers will offer at public sale, on the premises, another tract or parcel of land called "BROOKS," lying in Anne Arundel county, about two miles from the Savage Factory, and containing about Twelve Hundred Acres of Land. This land is in a superior state of cultivation, and the improvements thereon are excellent. The Baltimore and Washington Railroad passes through the farm. This land will also be sold entire, or in parcels, to suit purchasers. Reference for further particulars may be made to Mr. Zedekiah Moore, who resides in the neighborhood.

The foregoing lands will be sold on credits of six, twelve, eighteen, and twenty-four months; the purchaser to give bonds, with satisfactory security, for the punctual payment of the several instalments, with interest thereon from the day of sale.

HORACE CAPRON,
THOMAS S. HERBERT,
ap 9—lawts

TO DRUGGISTS .-- A Refail Drug Store in Baltimore for sale.—The subscriber, wishing to make an angements for going to the West, offers for sale the Stock, fix ares, and implements of every kind, attached to his Dru tures, and implements of every kind, attached to his Drug Store, which is centrally situated, and in one of the principal thoroughfares of the city. The Stockis of good quality, and comprehends a great variety of Medicines, Fancy Articles, Perfumery, and Patent Medicines, and is particularly adapted to the Prescription business. All of the fixtures of the Store are new, and were put up with due regard to durability, strength, and beauty, and will stand in need of no repairs or alterations for a considerable length of time.

A lease on the Store for a few years can be had by the purchaser, if preferred. Address X. Y., Baltimore, through the Post Office, with real name and address.

mar 19—epst

TRUSTEE'S SALE.—By virtue of a decree of Prince
George's County Court, as a Court of Equity, the subscriber will offer at public sale, on Saturday, the 23d day of Aprinext, at the door of the court-house in Upper Mariboro', two parcels flandlying and being in Prince George's county, contiguous to each other, and in the neighborhood of Piscataway, called 'China," and "The addition to China," containing three hun-

'China,'' and "The addition to Cmma, containing dred and forty acres, more or less.

This property will be sold on a credit of twelve months, the purchaser giving bond with security, to be approved by the trustee, bearing interest from the day of sale; and, on the final ratification of the sale by the Court, and payment of the whole purchase money and interest, the subscriber is authorized to convert the property to the purchaser in fee simple.

JNO. B. BROOKE, Trustee,

mar 12-w6w

PROPERTY AND TAXATION IN WASHINGTON. The following statement of the value of real and personal property in the city of Washington, as fixed by the general assessment of 1834; to which

TO THE EDITORS.

are added the additions of 1835; also, the direct tax on the same, at \$1 10 on each hundred dollars. The public buildings and grounds, exempt from assessment, would probably, at the same rates, amount to \$5,000,000 more. Yours,

J. SESSFORD. Wards Personal. Lots. Buildings. Total. Tax at \$110 \$114,600 \$601,490 \$644,455 \$1,360,545 \$15,117 16 108,700 607,322 903,200 1,619,222 17,991 35 207,400 1,399,071 1,507,190 3,113,661 34,596 23 27,750 177,214 198,460 403,424 4,482 48 13,700 175,679 132,875 322,254 3,580 60 22,825 154,596 145,541 323,962 3,599 57 \$494,975 \$3,115,372 \$3,541,721 \$7,143,068 \$79,367 39

CCOQUAN COTTON FACTORY FOR SALE OR RENT.—The copartnership between the subscribers being about to be dissolved, we offer for sale the abovenamed valuable property.

This Factory is situated at the head of sloop navigation, on the Occoquan river, in Prince William county, Va., 16 miles from Alexandria, and 22 from Washington City.

The house is substantially built of stone, and contains 1,088 Spindles, with a large proportion of Carding Machinery of the best kind and in good order. It has Twine Machinery, just completed, capable of converting nearly half the yarn into seine twine, and there is room in the building for looms and power to operate them.

operate them.

The local advantages of this Factory are great, being in a neighborhood where white help can be had in abundance. The situation is healthy, the water-power very valuable, and the cost of transportation by water to the District of Columbia is mode-

Terms of sale will be made known by a plication to the subscribers, who may be addressed by letter directed to Occoquan, Prince William county, Va.

If not sold in a short time, we will rent it to a manufacturer who can come well recommended.

ap 15—d3teo8t

S. M. & S. H. JANNEY.

100 DOLLARS REWARD.—Absconded from the subscriber, about the 29th ultimo, my servant-woman LUCY. There was intrusted to her care, by Mrs. Hanson, of Georgetown, a letter and a bandbox containing a new silk maroon color dress, and a black silk do, a little worn, and some

roon color dress, and a black slik do., a little wort, and some other articles. She had on a reddish new domestic calico and a brown cloak with a black collar and hood. She is about 18 years old; a handsome mulatto; shows about half-blood. If put in any jail, so that I get her again, I will give, if taken in the District of Columbia, or within ten miles of my residence, \$20; if further, \$30, and, if in any free State, the abovenamed reward of \$100; and I forewarn all persons from employing or harboring har in any manuar whatever. \$100; and I foreward and her in any manner whatever.

NOTLEY MADDOX,

Prince George's county, Maryland, near Washington.

A DMINISTRATOR'S SALE.—The subscriber will A offer for sale, at public auction, on a credit of six months, at Entaw, Charles county, Maryland, the late residence of G. W. and E. E. Stuart, deceased, on Thursday, the 5th day of May, if fair, if not, the next fair day thereafter, Household and Kitchen Furniture, Farming Usensils, several Yoke of good Oxen, Milch Cows, Sheep, Hogs, Horses, and Mules, and one Jack; also, twenty-one very likely Slaves, if not previously sold at private sale.

vate sale.

CHARLES B. STUART, Administrator.

The Alexandria Gazette will insert the above (country paper) until the day of sale, and send the account to me for payers.

C. B. S.

TO CAPITALISTS .-- A splendid Tannery, &c. at Harper's Ferry, Virginia, for sale.—The very valuable and eligible real property, belonging to the estate of Townsend Beckham, deceased, situated on the island of Virginius, at Harper's Ferry, is now in the market, at private sale. To those acquainted with the premises, a detailed description would be altogether unnecessary. As the property, however, is well worthy the attention of distant capitalists desirous of making a profitable investment in such property, their attention is respectfully called to the following facts, combining to render the establishment here offered unusually eligible.

It consists of an extensive Tannery and Machinery, supplied with abundant water to grind bark; a large number of Vats, with ample room for almost any additional number, many of them under roof; Shops, Bark-houses, and, in a word, every other appurtenance required to carry on the business on the most extensive scale. It is situated nearly at the mouth of the Shenandonh river, by which it connects with the Chesapeake and Ohio Canal, distant only a few hundred yards. The Winchester and Potomac Railrond, connecting at Harper's Ferry.

with the Baltimore and Ohio Railroad, and now finished, passes within a few rods. The transportation, consequently, to and from Baltimore and the District of Columbia, is reduced to the low rate of about twenty-five cents per hundred. It being the only Tanning establishment at the place, or for many mesy around, the abundant supply of slaughtered hides afforded ib Harper's Ferry and the vicinity, amounting to 1,000 or upwards, annually, is entirely open, with but little competition; the pulce has heretofore been, and still continues at five cents per lb. The same causes, together with the large quantity required by the United States Armory, afford an ample and advantageous market for the sale of the tanned leather.

An extensive range of mountains in the vicinity affords also an abundant supply of excellent bark; the price has been about five dollars per cord for chestnut oak, the kind principally furnished, and three dollars per cord for black oak.

Attached to the property are two commodious dwelling-houses,

nished, and three dollars per cord for black oak.

Attached to the property are two commodious dwelling-houses, the yards and garden of one of them highly improved, with all necessary out-buildings, an ice-house, slaughter-house, with several other buildings of different kinds.

Also, an excellent Oil Mill, supplied by an abundant water power, which, in consequence of the scarcity of flaxseed, has not for several years been in operation. The machinery and fixtures, however, can easily be adapted to other purposes requires

ing water power.

The above enumerated advantages, with many others, the detail of which would render this advertisement too lengthy, it is universally admitted, by all acquainted with the premises, constitute a property the most eligible of any which is to be found out of the large cities, and, perhaps, not inferior to the latter, if the low price of bark be considered.

This property being left in the occupancy, and under the management of a widow and young children, it will be disposed of on very reasonable terms, both as to price and extension of credit.

For further information apply either to JAMES P. BAY-LESS, Tanner and Currier, No. 1, Cheapside, Baltimore; JNO. FRAME, at Harper's Ferry; or ANDREW HUNTER, Esq., or Charlestown Victories

The ACE OF DIAMONDS—By Randolph's Rob Roy.—This very beautiful and high bred Horse will be let to mares the present season, commencing on the 25th of March, and ending on the 10th of July, at his owner's Mill Farm, about one mile above Tenally Town, and four from Georgetown, on the River road, at the very low rate of twenty dollars for bred mares, each, the season, which may be discharged by the payment of fifteen dollars, if paid within the season. Fifteen dollars for all other mares, each, the season, which may be discharged by the payment of ten dollars, if paid within the season. Thirty dollars for insurance in the first case, and twenty dollars in the second; and 25 cents in each case to the Groom.

There is no better bred horse than the Ace of Diamonds. For his pedigree in full see the Turf Register, vol. v, page 267. He ranks, too, among the best of our Race horses, combining speed with great endurance. He has been in the training stables of four respectable gentlemen. 1. Capt. Geo. H. Terrett, of Virginia, who first broke and trained him, and won many races with him, beating some capital horses. Among other things he says of him: "As a race-horse, at all distances, I consider him the best I ever had under my direction."

2. Dr. Duvall, in a letter to his owner, says, speaking of the Ace: "He is Lignum Vita—to be beaten by few horses, if any, in this country, when right." When with the Doctor, he won, at three heats, over the Central Course, beating some of the fleetest and best nags of the North and South. (See the Turf Register.)

3. Next he was trained and run by Mr. Richard Adams, pro-THE ACE OF DIAMONDS-By Randolph's

Turf Register.)
3. Next he was trained and run by Mr. Richard Adams, pro-prietor of the Fairfield Course, near Richmond, who repeatedly ran him four mile heats. He contended with Trifle, Junette, and ran him four mile nears. He contended with rime, Junctee, and others; and although he was beaten by these celebrated marcs, Mr. Adams says the Ace was always "well up;" particularly in the second heat over the Fairfield Course, which, he says, "was run in the unparalleled time of 7m. 51s." Mr. A., in a letter to the subscriber, says: "Indeed, he is the best whip horse I ever

4. Mr. Oliver, proprietor of the Washington Course, expresses a similar opinion of his game, and adds further: "While in sy stable last Fall, (1835,) I was convinced that he was a Raceorse at all distances; and with that belief I started him for be Jockey Club Purse of \$1000—4 mile heats. In this race he roke down in the second mile of the first heat."* For the investion of those who are unacquainted with this horse, it may formation of those who are unacquainted with this horse, it may be proper to add, that he is believed to be a little under 15½ hands high; with short legs, and great muscular power. His blood is equal to that of any horse; and good judges pronounce him to be exquisitely beautiful—free from every kind of blemish. His color, a rich dappled chestnut.

A good blue grass pasture, at 50 cents each, per week, will

His color, a rich dappled chestnut.

A good blue grass pasture, at 50 cents each, per week, will be furnished for mares, if required, and particular care taken of all such; but there will be no responsibility for accidents or escapes.

NATHAN LUFBOROUGH, Grassland, near Georgetown, D. C.

Note.—Any one owning a mare whose produce has won a race of four mile heats, may have her put to the Ace of Diamonds

* He was lame before starting, having been injured while in training the preceding Fall. mar 23—2td&w5tcp

The joint resolution referring the petition and papers of the heirs of Robert Fulton, deceased, to the Secretary of the Navy, to report thereon to Congress, was read a third