

GAZETTE

VINCENNES.

SATURDAY, MAY 3, 1831.

On Saturday night last, the thermometer in this place stood at 26°, (as cold as at any time in December last,) and ice was formed half an inch in thickness.—The fruit and mast, of which there were indications of abundance, are all destroyed; and many of the forest trees, such as the white oak, &c. are much injured.—Most of the garden vegetables are cut off. We do not remember ever to have known the cold so intense in this month here, excepting on the 11th April, 1826, when water was frozen in the open air nearly an inch in thickness.

We give in to-day's paper, on the first page, an insertion of a highly interesting letter from our worthy and esteemed Representative the Hon. John Ewing, to a gentleman in this place. But for unavoidable circumstances it would have appeared last week. It will prove, we doubt not, to our readers as it has to us, a rich treat. It displays the accustomed ability of our Representative—and a spirit of devotedness to the interests of his constituents and to our common country pervades the whole.

NEW SCENE IN THE DRAMA.

In the National Intelligencer of the 13th inst. we find the following:

"The moment the Senate was called to order yesterday, the Private Secretary of the President of the U. S. presented a Message, protesting against the Resolutions of the Senate, touching the removal of the public Deposits. The Message seemed to have been expected, at least during the morning; for there was gathered an unusual early audience of both sexes. The Senate, however, was not full. Mr. Webster, Mr. Chambers, and Mr. Bell, were still absent; Mr. Forsyth, Mr. Preston, and Mr. Porter, were casually absent—and Mr. Clay, had accompanied his Lady, who is in ill health, on her way to a watering place in Virginia, where she is to stay some weeks. As soon as the last word of the Message, at its reading was concluded, felt from the lips of the Secretary of the Senate, Mr. Poinsett addressed the Chair. In indignant terms he denounced the Message, which he declared could not be considered an Executive Message, as not pertaining to any of the public occasions on which the President of the United States is authorized by the constitution to address himself to the Senate. He considered it an unofficial paper merely signed by Andrew Jackson. In any view, considering it a document not respectful to the Senate, he moved that it be not received. On the motion, a debate ensued, which continued until 5 o'clock, in which the motion was supported by Mr. Poinsett, Mr. Sprague, Mr. Frelinghuysen, and Mr. Southard, and opposed by Mr. Benton and Mr. King of Alabama. But before taking any question, on motion of Mr. Leigh the Senate adjourned. And so the matter rests.

In the Globe of the 13th we find the document which is referred to in the above paragraph. In due time we shall lay it before the public. It is unprecedented both in form and substance; and we trust that the Senate, instead of receiving it and entering it upon their records, will throw it back with scorn into the face of its author. The President, if he pleases, may make his appeals to the people, but he is not authorized by the Constitution to transmit to the Senate such a Message or "Protest" as that before us, which does not even profess to give information as to the State of the Union or to recommend the adoption of any public measures, but simply denounces and vilifies a co-ordinate branch of Government for the course which it has thought proper to pursue.—It has no more right to a place upon the Senatorial records than the late insane and miserable ravings of the President in his interviews with the people's committees.

Our comments, to day, upon the "Protest" of the Executive must of necessity be brief. The resolution of the Senate, at which he is principally exasperated, is the following: "Resolved, That the President, in the late Executive proceeding in relation to the public revenue, has assumed authority and power not conferred by the constitution and laws but in derogation of both." He claims that the members of the Senate, in thus pronouncing an opinion that his conduct is unconstitutional, are themselves guilty of a violation of that instrument. He holds that they have no right to express any such belief. He denies their right to charge him with an infraction of the fundamental law, but at the same moment he charges them with a most palpable and monstrous infraction of it. At different periods in his Veto messages and other documents, he has spoken not only of the present and every past Congress but of all his predecessors in the Chief Magistracy as guilty of breaking the constitution.—He has accused every Congress and every President of exercising "power not conferred by the constitution and laws but in derogation of both." He has habitually represented the whole legislation of the country from first to last as a continued series of usurpations and encroachments. How preposterous that one who has thus been hurling his charges for years and is still hurling them in all directions, should seem horrified at what he affects to consider the lawless and outrageous conduct of the Senate in uttering the belief that his own acts are unconstitutional. How pre-

posterous that one, whose constant pastime it has been and still is to make a particular charge against all the functionaries of Government past and present, should persuade himself that the very foundations of the Republic are sundered or about to be sundered because the same charge is preferred against him. To-morrow we shall endeavor to do his protest some sort of justice.

Louisville Journal

REMARKS OF MR. CLAY.

The Kentucky Senator, on the 14th inst. made a noble speech on presenting certain memorials from various parts of New York, demanding from the Government an abandonment of its experiment upon the happiness of the country. The orator had just heard of the glorious result of the election in New York city, and his spirit glowed, and brightened, and expanded at the intelligence. The great triumph in the commercial emporium imparted fresh boldness and energy to his thoughts and gave an added loftiness to his ever lofty tone. He even offered his congratulations to Mr. Van Buren; but that was cruel. The Senators as well as the audience were amused beyond measure at the piteous situation of the Vice President and his evident writhings and contortions. The Telegraph says: "We never knew congratulations offered with more unction, nor received with less grace on the part of the person congratulated." Although we have little room to spare, we cannot withhold the following remarks of Mr. C. a single day from our readers:

Louisville Jour.

I congratulate you, Mr. President, and I hope you will receive the congratulation with the same heartfelt cordiality with which I tender it, upon the issue of the late election in the city of New York. I hope it will excite a patriotic glow in your bosom. I congratulate the Senate, the country, the city of New York, the friends of liberty every where. It was a great victory. It must be so regarded in every aspect. From a majority of more than six thousand, which the dominant party boasted a few months ago, if it retain any it is a meagre and spurious majority of less than two hundred. And the Whigs contended with such odds against them. A triple alliance of State placemen, Corporation placemen, and Federal placemen, amounting to about thirty-five hundred, and deriving, in the form of salaries, compensations, and allowances, ordinary and extra, from the public chests, the enormous sum annually of near one million of dollars. Marshall drilled, disciplined, commanded. The struggle was tremendous, but what can withstand the irresistible power of the votaries of truth, liberty and their country? It was an immortal triumph—a triumph of the Constitution and the Laws over usurpation here, and over clubs and bludgeons and violence there.

Go on, noble city! Go on patriotic whigs! follow up your glorious commencement; persevere, and pass not until you have regenerated and disenthralled your splendid city, and placed it at the head of American cities devoted to civil liberty, as it now stands pre eminently the first as the commercial emporium of our common country! Merchants, mechanics, traders, laborers, never cease to recollect that, without freedom, you can have no sure commerce or business; and that without law you have no security of personal liberty, property, or even existence! Countrymen of Tane, of Emmet, of Macneven, and of Sampson if any of you have been deceived, and seduced into the support of a cause dangerous to a American liberty, hasten to review and correct your course! Do not forget that you abandoned the green fields of your native island to escape what you believed the tyranny of a British King! Do not ladure you, lend yourselves, in this land of your asylum this last retreat of the freedom of man, to the establishment here, for you, and for us all, of that despotism which you had proudly hoped had been left behind you, in Europe, forever! There is much I would fain believe, in the constitutional forms of government. But at last it is its parental and beneficent operation that must fix its character. A government may in form be free, in practice tyrannical; as it may in form be despotic, and in practice liberal and free.

It was a brilliant and signal triumph of the whigs. And they have assumed for themselves, and bestowed on their opponents, a denomination, which according to all the analogy of history, is strictly correct. It deserves to be extended throughout the whole country. What was the origin among our British ancestors, of those appellations? The Tories were the supporters of Executive power, of royal prerogative, of the maxim that the King could do no wrong, of the detestable doctrines of the passive obedience and non-resistance. The Whigs were the champions of liberty, the friends of the people, and the defenders of the power of their representatives in the House of Commons.

During our Revolutionary war, the Tories took sides with Executive power and prerogative, and with the King, against liberty and independence. And the Whigs, true to their principles contended against Royal Executive power and for freedom and independence.

And what is the present but the same contest in another form? The partisans of the present Executive sustain his power in the most boundless extent. They claim for him all executive authority.—They make his sole will the governing power. Every officer concerned in the administration, from the highest to the lowest, is to conform to their mandates.—Even the public treasury, hitherto regard-

ed as sacred, and beyond his reach, is placed by them under his entire direction and control. The Whigs of the present day are opposing Executive encroachment, and a most alarming extension of Executive power and prerogative. They are ferreting out the abuses and corruptions of an Administration, under a chief magistrate who is endeavoring to concentrate in his own person the whole powers of Government. They are contending for the rights of the people, for civil liberty, for free institutions, for the supremacy of the Constitution, and the laws.—The contest is an arduous one; but, although the struggle may be yet awhile prolonged, by the blessing of God and the spirit of our ancestors, the issue cannot be doubtful.

The Senate stands in the breach, to defend the Constitution, and to relieve the distresses of the people. But without the concurrence of another branch of Congress, which ought to be the first to yield, the Senate alone can send forth no act of legislation. Unaided, it can do no positive good; but it has vast preventive power. It may avert and arrest evil, if it cannot rebuke usurpation. Senators, let us remain by the Constitution and the country, in this most portentous crisis; let us oppose to all encroachments and to all corruption, a manly, resolute, and uncompromising resistance; let us adopt two rules from which we will never deviate in deliberating upon all nominations. In the first place, to preserve untarnished and unsuspected the purity of Congress, let us negative the nomination of every member for any office, high or low, foreign or domestic, until the authority of the Constitution and laws is fully restored. I know not there is any member of either House capable of being influenced by the prospect of advancement or promotion; I would be the last to make such an insinuation; but suspicion is abroad, and it is best, in these times of trouble and revolution, to defend the integrity of the body against all possible imputations. For one, whatever others may do, I here deliberately avow my settled determination, whilst I retain a seat in this Chamber, to act in conformity to that rule.

And in the next place, let us approve of the original nomination of no notorious brawling partisan and electioneerer; but, especially, of the re-appointment of no officer presented to us, who shall have prostituted the influence of his office to partisan and electioneering purposes.—Every incumbent has a clear right to exercise the elective franchise. I would be the last to controvert or deny it. But he has no right to employ the influence of his office, to exercise an agency which he holds in trust for the people, to promote his own selfish or party purposes.

Senators who have a highly respectable and arduous position; but the people are with us, and the path of duty lies clearly marked before us. Let us be firm, persevering and unmoved. Let us perform our duty in a manner worthy of our ancestors—worthy of American Senators—worthy of the dignity of the Sovereign States that we represent—above all, worthy of the name of American freemen! Let us "pledge our lives, our fortunes, and our sacred honor," to rescue our beloved country from all impending dangers.—And, amidst the general gloom and darkness which prevail, let us continue to present one unextinguished light, steadily burning, in the cause of the people, of the Constitution, and of Civil liberty.

From the Richmond (Va.) Whig.

NEW DESIGNS.

We have heard from an intelligent source, lately, that the President contemplated attending the Senate in person, when engaged in Executive business, as it is said (though the intelligence is new to us) he has a right to do, under the Constitution. We find in the Columbia Telescope, that the report has reached that paper in a shape to have received credit. The Telescope says:

"Our latest intelligence from Washington gives us distinct intimations from various quarters, of the extreme probability of the President's actually proroguing Congress. When we spoke of the check, upon such a course, in the refusal of Congress to pass the appropriation bills, we forgot to add, that this check was, itself, only effectual, where the Executive had some regard for the laws that fence the treasury. Mr. Jackson has the purse in his own hands; and this will be appropriation bill enough.

A new piece of insolence has also got into his head. In the outset of General Washington's presidency, he adopted, for a little while, a course, that the inconveniences and improprieties of the practice soon made him abandon—that of taking his seat, in the Senate (as the Constitution allowed him to do) whenever that body went into Executive business. Our autocrat, it is understood, says, that, following the example of glorious man, in whose steps he has so faithfully trod, he will revive the usage, and preside in the Senate, over all executive transactions. Before the actual terrors of his countenance, he thinks that the treasonous continuance of the Senate will not dare to stand off course, when he adopts this plan, he will go to the Capitol in State, attended by his high officers, and surrounded with a guard. The Kicking out of the Senators will then follow, in the most natural way possible; and will be no doubt, done, in the twinkling of an eye."

Jackson's design in such a step, if he really meditates it, is sufficiently obvious. His presence would certainly neither enlighten the wisdom of the Senate, nor expedite business. He expects to intimidate, by the terrors of his countenance, the freedom of censorious debate and the

liberty of decision upon Executive nominations. We wish most devoutly, he may fulfil the intention. Truth from the lips of freemen, could not fail to be salutary to him, accustomed to hear nothing but the incense of flatterers, and the honied accents of parasites, supplants and slaves. We predict that the Kitchen will veto the move.

We should like to be present when the hero first takes his seat, to witness the flashing eye, and the lip curling in proud and high disdain, of those master spirits of the age, Clay, Calhoun, Webster, Leigh, whose deliberations he came to overawe! Does the reader remember the scene in the House of Commons, when the tyrant Charles Stuart, whose head afterwards deservedly rolled in the dust, went thither to arrest in person, the five members, of glorious memory? The tyrant was saluted by the cry of Privilege! and retreating in confusion and disgrace, was pursued by the multitude with hisses and defiance, uttering the menacing and ominous cry, "To your tents, O Israel!"

We should like to hear the burst of indignant and thundering defiance, which the presence of our would-be master in the Senate Chamber, upon such designs as could alone carry him there, to overawe and control the deliberations of an American Senate, would extort from the men to whom this people look for the vindication of their rights, as did they of England to their illustrious prototypes in that House of Commons—Elliott, Pym, and Hampden. Let him go.

From the U. S. Telegraph.

The Globe, in pursuit of its avocation, charges the venerable patriot (Macneven) with being bribed, for daring to expose the dangerous and despotic doctrines now advanced and sustained by General Jackson and the Kitchen Cabinet. This has invariably been the cry which that prostituted vehicle of calumny has raised against all the distinguished gentlemen who have refused to aid the President in his war on the Constitution, the laws, and the liberties of his country. No man's character, however elevated, however pure, can shield him from the vituperative slander of the pensioned libellers who minister through the Globe, to the depraved appetite of the sanguinary and ruthless despot. If any man could escape the malice of the magdalen who are now wielding the energies of this country, and spreading desolation throughout the land, we would have supposed that man should have been Dr. Mackneven.—His whole life, from his boyhood, has been devoted to the great cause of civil and religious liberty. While the passages of Irish history record the illustrious deeds of her patriotic and eloquent sons, the name of Macneven will stand among the most gifted of her eminent and devoted champions. While the history of Catholic emancipation is remembered, Macneven will be revered for his liberality, eloquence, and generous sympathy towards his native country. And when some future Gibbon shall record the events which led to the decline and fall of constitutional liberty in this country, the name of Macneven, will be found among those whose eloquence was raised to arrest the desolating march of a corrupt, bold, and sanguinary despot. Instead of being his shield and armour, the lofty virtues of Dr. Macneven, his long career of distinguished usefulness, his unceasing and distinguished efforts in the cause of constitutional liberty, both in his native and adopted country, now serve only to render him a more striking mark for the poisoned arrows of official calumny and detraction. With Duane, Ingham, and all the disinterested and devoted friends who sustained Gen. Jackson when he was out of power, and before the silver veil was drawn aside and his deformity exposed, this eminent patriot must be hunted down; and the charge of being bribed, of being disappointed in pursuit of office, has been boldly advanced to ruin his character and break the force of his opinions. But by whom have these gentlemen been assailed? By Blair, Kendall, & Co. by men who supported Mr. Clay and Mr. Adams against Gen. Jackson—who would have continued their support if a few hundred dollars per annum more than their services were thought worth had been given to them—by men who taken to Mr. Clay's bosom when naked and destitute, and who, when warmed into life, turned round their poisoned fangs and stung their benefactors! It is these men, and such men as these that Gen. Jackson employs to murder the reputation of all who refuse to aid him in accomplishing his daring usurpations. Men, who are revelling on the public plunder, who are enriched by the very despotism which blasts the prosperity of the country, and upsets all the constitutional barriers which stand between General Jackson and absolute power, cry out bribery when their usurpation is exposed and resisted. It is certainly high time that every man who desires to perpetuate or even to prolong the existence of our institutions, should rouse themselves, and correct the evils which threaten the country.

Post Office Reform—\$1,516,534 84.

The above sum, (more than a million and a half of dollars) is what has been paid by Post Master General Barry, the past year, over and above what was required by contracts for carrying the mails. In other words the extra-allowances during the past year amount to this sum. In many cases, the carriers have received from 20 to 50,000 dollars extra, and in one case, where the annual allowance only amounted to 25,000, the extra allowance was 112,000! We cannot publish the detailed account. We only mention the fact.

A history of these extra-allowances has been called for by Congress, and it has officially been given, and shows clearly where much of the public treasure has gone. Old Virginia has shared largely in this business, having received \$315,000, while New York has had but 8,000!—The peculiar distribution of this extra allowance money, shows a desire to purchase public feeling. Where the party stood fair, but little has been given.—Where opinion was doubtful, much has been bestowed. All this may have been the result of accident; but truly it has the appearance of something else of a less honorable nature. At any rate, the extra allowances are enormous, and call for investigation! Fifteen hundred thousand dollars is a tremendous heavy sum for one man to give away in one short year; particularly so, since he must have known that he was bankrupting the department over which he was the sworn guardian.

Repub. and Banner.

Mr. Amos Lane, the Representative in Congress from the district above this, in this state, has been most unmercifully dogged by Mr. Chilton of Kentucky. He made the hair fly at every lick. Poor Mr. Lane must have felt sore, but he contents himself with the glorious reflection that he would not "descend to notice small things." The lash was upon his character—not his person—ibid.

Gov. NOBLE has made about 88 appointments since his elevation to the gubernatorial chair. Of these, more than ONE-HALF, or upwards of Forty have been given to Jackson-men—and yet it is attempted on the part of a few demagogues, to make the People believe that Gov. Noble is governed by party! Comment is unnecessary.

HOUSE OF REPRESENTATIVES.

THE PUBLIC TREASURY.

Mr. Wise, of Virginia, now asked leave to offer the following resolutions:

Resolved, That the custody and control of the Moneys of the United States

Resolved, That no change of the Constitution of the United States is necessary to authorize the Congress of the United States to entrust the custody of the public money, not appropriated by law, whenever or howsoever obtained to other agency than that of the Executive department, and that the custody of the public money must NOT BE, necessarily under the Constitution, entrusted to the Executive department.

Resolved, That Congress can take out of the hands of the Executive Department the custody of the public property or money, without an assumption of Executive power, or a subversion of the first principles of the Constitution, by the repeal and enactment of such laws as may be necessary to that end.

Objection being made, Mr. Wise moved to suspend the rules of the House, and asked the yeas and nays; whereupon, Mr. LOVE moved a call of the House; which was agreed to.

The names of the members being called over, it appeared that 140 members were present.

The absentees were then called over, when it appeared that 163 members had answered to their names.

The doors of the House were then closed, and the names of absentees being again called, excuses were offered by their colleagues or friends. Most were excused; in a few cases, the House refused to admit the excuses offered as sufficient; and for some, no excuses were given.

Repeated attempts were made to suspend the call; but they were uniformly negatived. At length, on motion, those members who were waiting at the doors, were admitted to enter. There were now 171 members present. The Sergeant at arms was ordered to notify those who were still absent, and within reach, that the House was sitting with closed doors, and demanded their attendance.

[It was understood, and stated, that many of them were in the Senate Chamber.]

After much desultory conversation, and an unsuccessful motion to adjourn, (lost by 4 votes only,) the call was at length suspended, and the doors of the House thrown open.

Mr. Reed now moved an adjournment. On this, Mr. Beardsley demanded the yeas and nays. The motion, however, was withdrawn.—

When Mr. Wise renewed his motion to suspend the rules of the House, in order to offer his resolutions. On this motion, Mr. Beardsley demanded the Yeas and Nays. They were ordered, and stood as follows:—

YEAS—Messrs John Q. Adams, Heman Allen, C. Allan, William Allen, Archer, Ashley, Banks, Barnitz, Barringer, Bates, Baylies, Beale, Beatty, James M. Bell, Boulidin Briggs, Bull, Burges, Bynum, Cage, Campbell, Chambers, Chilton, Claiborne, Wm. Clark, Clayton, Clowey, Connor, Corwin, Coulter, Crane, Crockett, Darlington, Warren R. Davis, Amos Davis, Deberry, Deony, Dickson, Duane, Ellsworth Evans, Edward Everett, Horace Everett, Ewing, Gilmore, Foot, Foster, R. C. Fuller, Fulton, Gamble, Garland, Gholson, Gilmer, Gordon, Gorham, Graham, Grened, Griffin, Highland Hall, Hardin, James Harper, Hazeltin, Heath, Hiester, Jabez W. Huntington, W. C. Johnson, King, Lay, Lewis, Lincoln, Love Martindale, Marshall, John Y. Mason, McCarty, McComas, McKenham, Mercer, Moore, Patton, Patterson, D. J. Pearce, Peyton, Pinckney, Potts, Ramsay, Reed Selden, J. H. Shepperd, Wm. Stale, Sloane, Spangler, Stewart, Stoddert, Wm. P. Taylor, P. Thomas, Tweedy, Vance, Vinton, Watmough, Eli-