

of Montpelier, (Mr. Madison) and ask him whether, in framing the Constitution, he designed that the Senate should be a mere motionless stock, or a vigilant sentinel to give notice of the approach of danger to that very Constitution which it is sworn to support—whether the Representatives of the sovereign States are such mere automata as to move only when they are bidden, and to sit in their places like statues, to record such edicts as may come to them? If the President recommends a measure which the Senate believes impolitic, shall it not say so? So, if he adopt a course which he may believe to be correct, but which the Senate thinks unconstitutional—may it not say so? And does its so declaring tend to subvert or to support the fundamental principles of free government? You surely can be at no loss to decide. The Senate, in the instance of the late Postmaster-General, (Mr. Barry,) who had contracted loans in his official character for the use of his Department without authority, declared, by an unanimous vote, that his proceedings in this respect were in violation of the Constitution—and yet no complaint has ever been uttered against that resolution of the Senate. How comes it about, that anathemas have not been thundered in the ears of the Senate because of that vote? Why is it not that ordered to be expunged? Why is not that also declared to be "subversive of the rights of the House of Representatives, and of the fundamental principles of free government?" Is not the error as vital when it affects William T. Barry, as when it affects Andrew Jackson? If so, every motive of generosity prompted an interference in behalf of the first. He was powerless, and is now in his grave. I had a personal regard for Mr. Barry. He was talented, and his fault lay in being too confident. Honest himself, he did not suspect others, and they deceived him. This was the rock on which he split. In voting for that resolution I did not design to impute to him moral guilt: I did not believe it—I designed nothing more than to vindicate the Constitution. I thought that in doing so, I gave support to "the fundamental principles of free government," and never once dreamed that I had done an act in the remotest degree subversive of the rights of the House of Representatives.

But say that in all this I was wrong. In voting for the resolution of the Senate, against which you are now so indignant, I did no more than carry out the declared views of the Legislature, as expressed in their resolutions of that day, and which were passed by overwhelming majorities of more than two to one in both houses. The terms employed by the Legislature were strong and decided. The conduct of the President was represented as dangerous and alarming. I was told that it could not be too strongly condemned—that he had manifested a disposition greatly to extend his official influence—and because, with these declarations before me, I voted for a resolution which declares "that the President in the late Executive proceedings, has assumed upon himself authority and power not conferred by the Constitution and Laws, but in derogation of both," I am now ostracized by your fiat, which requires obedience or resignation. Compare the resolutions of the General Assembly of that day with the above resolution, and its mildness will be entirely obvious. I submit, with all due deference to yourselves, what is to be the condition of a Senator in future, if, for yielding obedience to the wishes of one Legislature, he is to be called upon to resign by another. If he disobeys the first, he is contemned—if he obeys the last, he violates his oath, and becomes an object of scorn and contempt. I respectfully ask, if this be the mode by which the great right of instruction is to be sustained, may it not degenerate into an engine of faction—an instrument to be employed by the outs to get in? Instead of being directed to noble purposes—the advancement of the cause of civil liberty—may it not be converted into a political guillotine, devoted to the worst of purposes? Nor are these anticipations all weakened by the fact, as it exists in the case now under consideration, that several of those who constitute the present majority in the General Assembly, and who now call upon me to expunge the journal or to resign my seat, actually voted for the very resolutions of a previous session to which I have referred.

I have thus, gentlemen, with frankness, but without designing offence, expressed to you my opinions. With the question, whether the Resolution of the Senate which you direct to be expunged, be true or false, I have nothing in this place to do. If false, to rescind or repeal it, was to annihilate its force as effectually as to cancel it. You have preferred to adopt a different course. I dare not touch the Journal of the Senate. The Constitution forbids it. In the midst of all the agitations of party, I have heretofore stood by that sacred instrument. It is the only post of honor and safety. Parties are continually changing. The men of to-day give place to the men of to-morrow; and the idols which one set worship, the next destroy. The only object of my political worship shall be the Constitution of my country. I will not be the instrument to overthrow it. A seat in the Senate is sufficiently elevated to fill the measure of any man's ambition; and as an evidence of the sincerity of my convictions that your resolution cannot be executed without violating my oath, I surrender into your hands three unexpired years of my term. I shall carry with me into retirement, the principles which I brought with me into public life—and by the surrender of the high station to which I was called by the voice of the People of Virginia, I shall set an example to my children, which shall teach them to regard place and office as nothing, when either to be attained or held at the sacrifice of honor.

I am, gentlemen, your fellow-citizen,  
JOHN TYLER.

From the National Intelligencer.

**Ohio and Michigan Boundary.**—We shall lay before the public, in a few days, a Report made in the Senate, by Mr. Clayton, from the committee on the Judiciary, on the interesting subject of the Northern Boundary of Ohio. It is a document which discusses all the questions connected with the Michigan and Ohio controversy, and fully sustains the principle of the bill to establish the boundary by the line from the southern extreme of Lake Michigan to the most northerly cape of the Miami Bay. The committee unanimously agreed that Congress has the power thus to settle the boundary, and that it is expedient so to settle it. The results of the investigation by this Committee, at the present session, are the same with those at which the same Committee of the Senate, though differently constituted, has twice before unanimously arrived. The reading of the report occupied more than an hour, and five thousand extra copies of it were ordered to be printed. Since this Report was made in the Senate, we understand that the Judiciary Committee of the House have reported on the same subject. Their Report arrives, it is said, though we have not seen it or heard it read, at the same results, and was made with nearly equal unanimity.

#### GEN. DUDLEY'S LETTER.

The supporters of the New York intruder writhe, as well they may, under Gen. Dudley's well directed aim. "Lethalis arundo haerit lateri." They profess to be wonderfully shocked at Mr. Van Buren's being called an abolitionist, yet we cannot get one of them to tell the people Van Buren was against the admission of Missouri into the Union, and took a prominent and active part in procuring the election of the greatest and most eloquent leader of the Missouri restrictionists (a violent and open Federalist too) to the Senate of the United States. Why do they shrink from this as from ratsbaae? One of them garbles, to serve his purpose, Van Buren's letter, and takes especial care to leave out that part which would prove that he admits the right of Congress to abolish slavery in the District. Why is this? Why not publish the whole letter! He takes care to publish that part which denies Congress any power to interfere with slavery in the States, and then quotes another part of the letter, from which it might be inferred he believed they had no authority to meddle with the subject of slavery in any way. It must be because he is afraid Gen. Dudley's charge will be established. None of the abolitionists, except a very few, contend that Congress has any right to touch slavery in the States. If that be necessary to make an abolitionist, there are but few. If these facts do not prove Van Buren an abolitionist, they prove at least that his opinions, on that subject, differ essentially and fundamentally from those of the people of the slaveholding States. They prove that he is not a safe man to trust.

Something is attempted to be made of the expression, *he is not one of us*. Now, what is the fair meaning of this? What is, evidently, Gen. Dudley's meaning? Why, simply that he does not hold our opinions and principles, and has uniformly voted against our interests. His offence hath this extent, no more. Is not this true? Did he not, as the General charges, vote for that partial system of taxation by which a bonus, wrung from the hard earnings of our industry, without any pretence that it was needed for the purposes of Government, was given to the Northern manufacturer? Did he not vote for the tariff of '24, and also for the tariff of 1828? None can gainsay this. It has become recorded history; and unless it should be expunged, it must continue so long as the archives of the government remain. Did he not, as Gen. Dudley charges, assist in bringing out De Witt Clinton against James Madison? And, in that, was he one of us?—Was not his course in relation to Gen. Jackson such as Gen. Dudley has represented it? The fact is undeniable. In this, also, is it not true he was not one of us?

Whatever the Collar prints may say of Gen. Dudley's letter, and their approbation was not expected, and could not be obtained by any thing short of approbation of the Grimaltin, we are satisfied it will give general satisfaction to our friends. As the best evidence that it has given satisfaction, we find them approving of Gen. Dudley with cordiality and zeal. They are every where taking the most active and effectual measures to secure his success. The people are rising in their might, to throw off the miserable faction which has obtained a temporary ascendancy. Let those who have usurped their rights, who have dared to dictate to them, beware. The signs of the times are ominous of their speedy doom. Meanwhile, we say to our friends, relax not your exertions. Continue to be vigilant; spread information before the people; organize, organize, and Van Burenism, in this State, will soon be numbered with the things which were.—*Raleigh Star*.

**The Supreme Court.**—The Judges of the Supreme Court adjourned their session on Friday last. It is the shortest session which we remember. We have been furnished, however, with an account of the causes heard and decided, which shows that, however short, it has proved efficient for the despatch of judicial business. The whole number of causes on the docket was one hundred and seven. The docket has gone through with three several times, according to the rules of the Court; and every cause was heard which was ready for argument. Every cause argued was decided. Forty-six written opinions were delivered by the Court, besides several oral judgments. The whole number of causes finally disposed of was sixty-five. Of the continued causes twenty-five are suits of the Commonwealth Bank of Kentucky, in which the sole question is supposed to be whether that Institution was constitutionally created. One decision, of course, will settle all these cases. Three others of the continued causes involve constitutional questions, two of which have been ordered for a second argument; these cases, involving constitutional questions, were postponed for a full Court.

Mr. Justice Story, as senior Justice, presided during the term; and we have heard from members of the Bar and others ample commendation of the ability and urbanity with which he discharged the duties of his situation. The Central Chair, so long filled by the illustrious Chief Justice Marshall, stood vacant during the session. The effect of this appeared to us to be striking. Accustomed, for more than thirty years, to see his venerable form in the midst of his judicial associates, we could not behold his seat vacant, from the beginning to the end of the term, without the recurrence of sober and solemn feeling.

Our readers will remember that a bill has passed the Senate, we believe nearly unanimously, for the re-organization of the judicial system, so far as is necessary, in order to extend the Circuit Court to all the States in the Union. The Western States have long and earnestly insisted on this extension, and we sincerely hope that what seems so just and equal may be accomplished. More than all, however, our desires and prayers are fervent, that the character, usefulness, and dignity of this high tribunal may be long preserved.—*National Intelligencer*.

#### THE PRESIDENCY.—Gen. HARRISON OHIO.

In Ohio, a very large State Convention was held on the 22d of February at which Gen. William H. Harrison was nominated for the Presidency, and Francis Granger, of New York, for the Vice Presidency, of the United States.

The proceedings of the Convention breathe a spirit not to be misunderstood, that Ohio, upon no contingency, is any longer to be chained to the car of the man of Kinderhook—the Ned Rucker non-committal candidate for the Presidency. Every mail brings intelligence of the waning prospects of Mr. Van Buren, and the rancorous wailing of his despairing partisans—for that they do despair of his ultimate success, is proved by the bitterness of their denunciations against every symptom of disaffection to his cause, or of freedom of opinion, or of action.

#### KENTUCKY.

Extract from a letter, dated Frankfort, Ky., 20th February, 1836.

"It is with great pleasure to inform you that Gen. Harrison was nominated by the House of Representatives of Kentucky, on yesterday, for President of the United States. The resolution and preamble nominating him, was adopted by a vote of 54 to 41—four of the General's friends voting against the resolution, on the ground of their opposition to Legislative nominations, tho' willing to nominate in any other way. These resolutions were introduced as a substitute for resolutions approving of the course of the Administration in regard to our relations with France. I have no doubt but that the Senate will adopt the same or similar resolutions, in two or three days.—Rely upon it, the Hero of Tippecanoe will carry our State by an overwhelming majority."

#### VERMONT.

Extract from Burlington, Vt., Feb. 26, 1836.

The Anti-Masonic and Whig Conventions both met at Montpelier this week, and nominated General Harrison for President and Francis Granger, Esq., for Vice President, and for State Officers, S. H. Jamison, the present Lieutenant and acting Gov. for Governor, and David M. Camp, Esq., for Lieutenant Governor, and an Electoral Ticket for Harrison and Granger, and against Van Buren. This settles the question about Vermont; and I repeat that we shall give the Hero of Tippecanoe 10,000 majority."

#### THE TENNESSEE LEGISLATURE, EXPUNGING, &c.

The Tennessee Legislature has adjourned, and strange to say, after the various predictions which have been sent forth by the would be prophets of our town, and which have been caught at so greedily by the Globe and the Richmond Enquirer, they have adjourned without passing the Expunging resolution, or rescinding the nomination of Judge White! Since they first assembled, they have been assailed by all the "means and appliances" which could be "dreamed of in the philosophy" of those who are so anxious to Van Burenise our noble State. Reactions were boastfully spoken of—instructions were threatened—and their fears and their hopes unceasingly plied. The President himself did not disdain to unveil his wishes, and to exert the powerful influence which is attached to his name. His frank was freely and frequently used, and over his own signature he became a zealous advocate of the Expunging process. The "great Globe," it was thought, could not be resisted, and many copies of it were furnished to the members, "without money and without price." Recently, too, the little magician himself has appeared on the tapis, and his frank has been added to the means employed to stay the tide of his opponent's popularity. He might, however, have saved himself this trouble, for where Jackson failed, he had but little chance of success.

#### COLLAR THREATS.

The following paragraph is copied from the editorial columns of the Bedford Gazette:

"We are betrayed, and we will vindicate ourselves WITH OUR BAYONETS, and the traitors are forever consigned to the deep unutterable execration of the American people. This foreign Aristocratic Bank must be annihilated, 'peaceably if we can, forcibly if we must.' We repeat our call on our fellow citizens of Philadelphia—*Raze the accursed Institution to the ground, and see the Democracy of Pennsylvania, will help you to strew salt over its foundations!*"

Here's a storm in a tea pot. Here's a noise about bayonets!! The cowardly wretch who would pen and publish such a paragraph, would run from a horse whip, as fast as a puppy with a tin kettle at his tail. But it seems the writer is not going to use the "bayonet" himself—he is only asking his fellow citizens of Philadelphia to raze the banking house, (we suppose he means the house when he says institution) and when the fighting and tearing down are all done, then the valorous editor of the Gazette will come and "strew salt over the foundations." What a pleasant sight it will

be to see the chivalry of Bedford, headed by the editor, rushing into the city by the Permanent Bridge, each with his bag of salt over upon his shoulder, and enquiring the way to the site of the late United States Bank.

Seriously, if such a paragraph ought to be treated seriously, the people of Philadelphia, of all parties, whether they approve or disapprove of the Bank, regard the malicious and incendiary writer of such an article very much as they do the growlings of the Hyenna in the cage—they know that there are bars against the rage of the beast—although they feel that if he could get loose, the filthy animal would willingly do all the mischief he seems to threaten.

It will be well, however, to remember the language quoted above; it denotes a spirit that has a reliance upon unseen support, or else it betokens the roarings of some lunatic, who relies for impunity on the acknowledged impotency of his villainous mind.—*United States Gazette*.

It is amusing to witness the plaudits which are conferred upon the administration by its friends, for the preservation of peace with France. When its opponents portrayed the blessings of peace, some months ago, while the war-cloud hung densely over our heads, and daily gathered blackness, then, these same gentlemen were all agog for the "blood of a Frenchman"—The interests of the country were not as a feather in the scale, when weighed against the "national honor"—and those who deprecated war were branded as Cowards and Traitors! The discretion of Congress saved us from War—and, lo! the credit is all given to the President, who, if he had not been restrained, would have been, by this time, elbows deep in blood! Who does not see, in this, as well as in every other event of the times, an evidence that we are fast verging to Monarchy! All the evils of government are ascribed to others—all the good, though it be effected in despite of him, to the President! How long will it be before the Pretorian cohorts will be shouting *Vive l'Empereur!* in the streets of Washington!

The Enquirer insists upon it that "the Journal of the Senate will still be kept—and what is more, preserved—and still more, not destroyed." This is a rare specimen of the ingenuity of the Enquirer in elaborating a *climax* without meaning.—That paper continues, "Not a line, and we venture to say, not a letter of it, will be effaced, or obliterated." This may all be true. The Clerk of the Senate, under the careful supervision of the skillful Col. Benton, may succeed in "drawing black lines around" the Senate's resolution, and even in writing the words, "Expunged by order of the Senate," on its face, without obliterating a letter—But even if he succeed in so doing, it will only render more palpable and apparent the falsehood of the assertion thus written—Either the resolution will be expunged by this process, or it will not. If it be expunged, then it must be obliterated—If it be not obliterated, and the words "expunged," &c. be written on its face, those who order it to be so written will stamp a broad and unqualified lie upon the face of the Journals.—*Lynchburg Virginian*.

**Proscription indeed!**—The Van Buren papers, with an instinct that never errs, seeing the certain defeat which awaits their candidate for Governor, are endeavoring in every possible way to create prejudices against the party which brought Gen. Dudley forward. They allege, that in endeavoring to oust Gov. Spaight, the Whigs are practising the very *Proscription* for which they have censured Gen. Jackson so much. But where is the analogy between the two cases? Gov. Spaight's term of office will expire by its own limitation in December next, and though Gen. Dudley should be elected in August, he will not enter on the duties of his office until that time. Is there any proscription in this? When the people elected Gen. Jackson over Mr. Adams' head, before he had served the two terms which long custom had sanctioned, those very Editors who now cry proscription so lustily, were in ecstasies at the event. The supporters of Mr. Adams, recognizing the right of the people to govern, silently acquiesced in the change. No cries of proscription were heard from them on this score, because the *sovereigns* of the land having declared against them, they felt they had no right to complain. If Gov. Spaight is not re-elected, the blame, if any, rests with the people who will be the agents in making the change; and it sounds strangely to hear those who profess to be "exclusive democrats" denying, in effect, the good old Republican doctrine of submission to the will of the majority.

**An Abortion.**—A Van Buren meeting was called at Wilton, Granville county, on the 27th ultimo. A flourish of trumpets and notes of preparation were heard throughout the county for some days previous. The news came even as far as Raleigh, that a great Van Buren meeting was to be held at Wilton on the aforesaid 27th. Well, the eventful day arrived, and what think you, reader, was the result? Why, not more than five Van Buren men appeared, although some came from a distance of 12 or 15 miles. The wily Van Buren leader in the neighborhood, was ashamed to show his face, and the others hung their heads, and went home without holding a meeting, sufficiently convinced that Van Buren men were "like angels visits, few and far between," in that quarter.—*Raleigh Star*.

**Van Buren Meetings in Ireddell and Wilkes.**—A correspondent of the Register states, that in the former county, the number at the meeting did not exceed ten. We have seen a highly respectable gentleman from that county, who estimates the number as still smaller. A correspondent of the Watchman represents the meeting in Wilkes as equally small. Van Burenism must be at a low ebb in the great West.

**Casualties.**—Mr. Henry Moser, of Stokes county, was found dead on Saturday night last, lying in the road leading from Germantown to his house, supposed to have fallen from his horse, and broke his neck. He left Germantown, where he had been on business, the same evening, for home, apparently in good health, and high spirits, but death overtook him, and thus cut short his career.

Mr. James Clemmons, of Clemmonsville, came to his death on Monday last, by the accidental discharge of a gun.

A son of Mr. Thomas Holland, in this vicinity, lately narrowly escaped a similar fate: the bullet, in its discharge took off part of his finger, and passing upwards brushed his temples.

We learn that a little daughter of Henry Kinard, of Guilford county, was lately accidentally drowned.—*Salem Chronicle*.

**Shocking death by Intemperance.**—Andrew Anderson, an infirm and intemperate man, aged about 50, was found dead the 7th inst. near the house of Mr. James Ellison, Edgecomb county, the body being partly devoured by hogs! It is stated in the *Lynchburg Press*, that he lived unhappily with his family, caused by his drunkenness. He had left the House of Mr. Ellison very much intoxicated, refusing to remain until he might get sober; and was found as above stated.

We are pained to state, that Abraham Baker, Esq., a member of the House of commons in our last Legislature, from Brunswick county, was shot in his bedroom, as he was retiring to rest on Wednesday night last. Several buck-shot lodged in his back, and the wound, it is feared, will prove mortal. One of his own negroes is suspected of having perpetrated the deed.—*Register*.

We learn from a highly respectable gentleman from Greenville, that a plot for an insurrection was discovered in Abbeville, S. C. a week or two since. The scheme was formed by a Northerner, by the name of Donalson, with some negroes, and the conspirators were to meet at a certain meeting house, on a certain evening, to deliberate and consult. Before the time came, one of the negroes betrayed the plan to his master, and the white man was arrested, precisely at the place designated by the negro. Being detected, he confessed the charge, and implicated one or two others who have not yet been arrested.—*Carolina Gazette*.

**Judge White in Georgia.**—We take the following extract from the Georgia Journal:

"Judge White has a real popularity in Georgia far more certain than that which attaches to his Kinderhook rival, which is founded in the hopes of office or the prospect of victory. Judge White at this day possesses more of the friendship of the many of the State, than Mr. Van Buren ever hope to gain, were his political craft and management ten fold more ingenious than it is. The 'white feather' will not be seen in Georgia when the struggle comes, but the WHITE BANNER will be the rallying point of all who prefer 'not the glory of Caesar, but the welfare of Rome.'"

The far-famed Expunging Resolution was adopted in the House of Delegates of Virginia, by a majority of 14—of these forty-two a change of seven would have defeated the measure. Let us see the overwhelming majority of the People of Virginia, that could so clamorously for this national stain upon her fair escutcheon. Of these seven, number held his seat by a majority of

- Another by a majority of
- Another by a majority of
- Another by a majority of
- Another by a majority of
- Another by a majority of
- Two others by a majority of

Thus 8 members held their seats by a majority of

A change of thirty votes in the State, then, would have defeated these resolutions, even upon the supposition that every County the votes of which were given for the administration majority in the House, called for this measure.—*Rich. Whig*.

**More work for the "Expungers."**—A friend at Washington says that the Ketchikan thinks it doing the work in an imperfect and slovenly manner, that the "Expungers" omitted to erase from the Journals of the General Assembly, the resolutions of February, 1834, censuring the "persecuted patriot," so much stronger and fuller than that adopted by the Senate of the United States. It is not too late. The official significance of the wish to the "expunging leader," would doubtless be followed by a prompt compliance.—*Richmond Whig*.

**Great Sale of Real Estate.**—Twenty Lots, in the city of New York, from which the buildings were destroyed in the great fire, were sold on the 23d ult. for \$765,000. They averaged less than 25 foot feet each, and belonged to the estate of the late Post.