



SATURDAY, JUNE 4, 1825.

Virginia Convention.—We publish to day Mr. POWELL's rejoinder to Mr. HENDERSON on the subject of the Loudoun Resolutions. It is a dignified vindication of his own course and opinions, and as such, we feel not the slightest disposition to deny him the right or the facility of circulating it. We have advocated the Staunton Convention as a measure in our judgment, well calculated to produce the effect intended by its advocates; and as one from which, we are not convinced that any injury to the cause can possibly result. But, at the same time, we are willing, and as Editors of a free Journal, feel ourselves bound, to extend its columns, as far as we can, to all temperate and instructive arguments without regard to their operation on the public mind.

We say this with no view of inviting the communications of gentlemen opposed to us in opinion, but because Mr. P., in a note inclosing his rejoinder, has politely adverted to our Convention creed, as a reason for considering himself under obligations to us. We beg leave to correct him; and to assure him that whenever he deems it necessary to resort to a public print, ours is at his service, free from any other obligation than that which his selection may confer upon ourselves.

A letter has been received in Philadelphia, dated the 18th April, which expresses the opinion that the French Government will soon be compelled to acknowledge the South American Republics, Mr. Villele having called a meeting of the principal merchants of that country to discuss the question.

The Mayor of Boston has just published a memoir of the life of his father, Josiah Quincy, who was a distinguished lawyer and orator, and a well known Revolutionary patriot.

To an assertion of the Boston Patriot, that the Rhode Island Legislature holds its session semi-annually, first at Providence and then at Newport, the Providence Journal replies that the statement is short of the fact. The Editor says, that it happens to be a melancholy truth that the General Assembly of Rhode Island runs upon wheels, and goes round the State to accommodate customers as orderly as a pedlar's cart. It holds four sessions a year, one half of which is usually occupied in going to, and the remainder in returning from, the place of meeting, which is held at three, and sometimes four, different points in the State.

The following young man having lately entered a tavern in Philadelphia and agreed with the proprietor for lodgings. After talking himself into the good graces of the household, and eating a hearty dinner, he requested a room to lie down. In the course of the evening it was ascertained that the gentleman had taken his leave, carrying with him the most valuable contents of every trunk in his chamber.

The Governor of South Carolina has had made in Charleston, an elegant silver box to contain the map of that state, intended to be presented to General Lafayette on his arrival at New-York. It is spoken of in the Charleston papers as a beautiful specimen of highly finished workmanship.

The following inscription is engraved on the top:

PRESENTED BY
RICHARD J. MANNING,
Governor of South Carolina,
In the name of the State,
TO
General Lafayette,

While at Columbia, in March, 1825.
In tracing your route through our territory every inhabited spot will recal to your memory the devotion and affection of a grateful people.

Mr. RUFUS KING, Ambassador to Great Britain, sailed from this port for his destined station this morning, in the Pacific, for Liverpool, accompanied by his eldest son, Mr. John A. King, (as Secretary of Legation) his wife, and several children. Many old and respectable friends met to take leave of our distinguished fellow-citizen, and to wish him personal health and happiness, and success, in the important political objects for which he now makes a sacrifice of domestic comfort, to promote the prosperity of the country.—As the steam-boat which conveyed Mr. King to the packet ship passed the revenue cutter, a salute was fired, and the Colombian frigate lying in the stream also paid the same compliment, besides making a handsome display of her flags. [N. Y. Amer.]

MASONIC MUNIFICENCE.
The Wilmington College, Del. was a few days since offered for sale by the Sheriff of the county. Previous to the hour of sale, the amount of the debt due, and to satisfy which the sale was to have been made, was paid by a committee of the Masons of that borough. This one act is a most beautiful commentary upon the philanthropic principles and liberal and enlightened views of this ancient and worthy association.

To the Editors of the Phenix Gazette.

Gentlemen: The sapient editor of the Alexandria Herald, has condescended to give the public his sage opinion of what ought to be the course of the President of the U. States, towards that hardened and long practiced offender, Betsey Ware, who was by the sentence of the Court, to have been executed for Burglary. I am no advocate for severe punishments, but there are characters on whom lenity is thrown away. It would have been discreet in the editor of the Herald to have informed himself of the character of the person whose champion he appears, before he ventured his advice to the Chief Magistrate of the Country. If he had inquired, he would have been informed, that previous to the burglarious act for which she was sentenced to be hung, she had been not only an almost constant tenant of the Work House for former misdeeds, but she has been twice before convicted before the Circuit Court of felony, and punished. That within ten days after the Burglary for which she was sentenced to be hung, she broke into the dwelling house of the Postmaster of this place, and stole sundry articles belonging to his family. For this last offence she has been found guilty, and the sentence of the law suspended by the Court. This is the person for whom the learned editor of the Herald seems to have such a tender feeling. He has undertaken to inform the public that she now borders on insanity!—Does the editor know Betsey Ware? If he did he never could venture to state she was bordering on any other insanity than that which belongs to all the wicked and depraved. He says she ought not to be executed for the offence of Burglary because she has been guilty of stealing a few articles which would not amount in value to twenty dollars, and because "the last President has let loose upon Society the most hideous monsters that ever breathed." Does the value of the article stolen constitute the only evidence of the depraved state of the heart of this offender? She has been guilty of entering in the dead hour of the night a dwelling house where the occupants were unconscious of their situation, and taking therefrom their property. The offence of Burglary has been considered among the greatest crimes against the peace and safety of society, and which previous to the year 1796 was punished in Virginia with death, and is now punished in that State by confinement in the Penitentiary of not less than five nor more than ten years. The other reason for not executing this offender is, that the former President has pardoned monsters, or persons of worse character. If this offender does deserve the punishment affixed to the crime, I would ask our Legislature whether it is a good reason for sending her forth upon Society to continue her depredations, that others who ought to have been hung, have been pardoned. I am sure he will stand alone in this opinion.

BACCARIA.

The late viceroy of Peru, LA SERNA, arrived at Rio Janeiro about the 10th of March, and proceeded on the 26th in a French ship for Bordeaux. General CANTERAC arrived at Rio on the 24th of March, and went to N. Y. Mer. Adv.

Extract of a letter from Bordeaux dated, April 15
"The Ministry of this country appear to be in a truly embarrassed situation as it respects the commerce of South America. Petitions from the principal merchants are continually presented to them from all quarters, praying them to open the commerce to that country, that they may enjoy the great benefit which would no doubt accrue by such a measure. On the other hand the Government are bound to the Holy Alliance, which effectually prevents them from recognising those States, although they are no doubt in reality lost to Spain. It is said that Mr. Villele has called a meeting of the principal merchants from different parts of France, when this great question will be discussed. If the recognition of the South American States take place, France will no longer form one of the Holy Alliance; if on the contrary she refuse, there will be a just cause of complaint by the industrious part of the country, who will have a right to say—You impose upon us heavy taxes, particularly the one in question for indemnity to the emigrants, and you seem determined by your system to put it out of our power to pay. In my opinion this Government will be forced to accede to the wishes of the majority and let the rest of the Saints of the Alliance take care of themselves. There are now several French vessels fitting out for South America, and the owners fear, what I think may occur, that the Government in that country will refuse them admittance." [id.]

The Spanish authorities in the West Indies are at last proceeding with considerable energy in the suppression of Piracy, and it appears by information communicated to the Editor of the Norfolk Beacon, that in the Island of Porto Rico, eleven desperadoes have recently paid the forfeiture of their crimes. This number, added to those executed a few weeks before, makes the whole amount to thirty-six, nearly all of whom were directly or indirectly engaged in pirating on American commerce. At Havana a pirate was lately tried and sentenced to be hung, and it is represented that immediately after his conviction, two merchants at Matanzas shut up their stores and decamped. [Ball. Fed. Gaz.]

A foreign paper mentions the death of Signior GALMINI, the first tenor singer of Italy, aged One hundred and thirty-eight years.

To the Editors of the Phenix Gazette.

GENTLEMEN: In the Gazette of the 28th inst. I find a communication from Richard H. Henderson, esq. elicited by my disavowal of participation in the Address of the Loudoun Convention Committee. As to the use made in that address of the names of the members not resident in Leesburg, I had touched the matter with, I thought, a proper delicacy, and hoped that it might so pass. Under the influence of the same feelings, I forbear to reply to the inference pressed by Mr. Henderson and others "that the assent of the minority to the act of the majority is, under the circumstances, fair." The answer is so obvious—must so readily present itself to the minds of every one, that I shall at once consent, with Mr. H. "that the public shall pass judgment," (and by their own suggestions) "upon this point of etiquette," as Mr. H. terms it, whilst we will mutually dismiss it from our memories.

"But," says Mr. Henderson, "Mr. P. after disposing of this matter in a manner altogether polite, has thrown to us the gauntlet of discussion upon the main question." Now, I must express my regret that I should have been so much misunderstood by Mr. H.—What! invite a contest before the public with a gentleman of his acknowledged talents, whose professional labors are at constant exercise in the fields of intellectual warfare; and this too upon a subject which has so fully engaged his attention for some time past, and which affords such fine topics for popular declamation; one, which of all others, he would probably have chosen had he felt any ambition of display. Oh, no; he must give me credit for a little more discretion, and do justice to my candor when I declare to him, that not having the vanity to believe that I could influence public opinion on the subject, nothing but the dictates of conscience would have brought me forward on the occasion. I could not consent to appear before the public as the friend of a measure, (the Staunton meeting) however popular, believing as I did that it promised more of evil than of good, and having made my disclaimer, I hoped to have been permitted to retire from the contest. This Mr. H. however has forbidden, and I feel myself called upon to make some reply to that part of the subject of his communication which belongs to the only point at issue between himself and me. As to the objectionable parts of my communication, I hope when the time comes to amend them, they will claim the most deliberate consideration of our ablest men, and that when a new constitution is presented to the people, it may be of a texture to wear well. But to the point—my positions are that the Staunton Convention will not present a fair reflection of public sentiment, that it will tend to foster local prejudices, and be productive of unwholesome excitements; and that the friends of a Convention have a more safe and direct mode to attain their object, if a majority of the people really desire it. That it will not exhibit a fair reflection of public opinion may, I think, be fairly inferred from the history of the meeting held some years since for similar objects, at the same place. It is probably within the recollection of many how the delegates to that meeting were generally appointed.—Calls were made for the people to assemble for that purpose, and often ten or a dozen persons would be as many as would be found assembled on the occasion; and from those small meetings were sent forth the representatives of the people. No doubt in some cases the meetings were more numerous, but in one of the large and populous Counties of our neighborhood, it was said that the real constituents of the persons deputed, were 8 or 10 persons assembled at a Squirrel feast. We know that the respectable gentlemen who went on that occasion as the representatives of the county of Loudoun, although they fully possessed the confidence of the County, were in reality elected by a body of constituents about as numerous. And whilst I mention these circumstances to shew how imperfect a representation of the people may be expected at Staunton, I take occasion to remark how expressive they are of the state of public feeling as to a Convention. Make a special call upon the public to meet for the consideration of that question, and how few will attend. Present the question to them at the polls when brought together by an ordinary election, and a large majority in our quarter of the State will say "give us a Convention."

The conclusion is clear, that the people are sensible that some changes are desirable, but that the practical evils which result from them, are not such as to excite much sensation. But in my opinion this sensation is increasing, and will increase, and produce its effect without the aid of the Staunton Convention. That local prejudices and unwholesome excitements will be produced, may be readily imagined, when we consider that a great proportion of the meeting will probably be from the west, and that the deputies will generally be composed of the most zealous advocates for change. These will depict, in good set terms, their causes of complaint, and spur each other on to vigorous action. The eloquent declaimers will there be found, (not Mr. H. nor any gentlemen of the Loudoun delegation) exercising "the powers of speech to stir men's blood," whilst, like Mark Anthony over the dead body of Cæsar, they will intermingle therewith much of exhortation to moderation and forbearance.

"Good friends, sweet friends, let me not stir you up
To such a sudden flood of mutiny."

Can this be productive of aught else than unwholesome excitement, most unpropitious to calm and wise decision? If then, this mode of proceeding is liable to such serious objections, and we can point out to the friends of Convention, as stated in the last part of my proposition, that they have a more safe and direct mode to obtain their object if a majority of the people really desire it, surely we have a right to expect that it will receive a preference. And in doing this, I trust I shall be able satisfactorily to answer the question propounded by Mr. H. in the following terms—"Let us suppose again that a vast majority of the people desire any change, will any gentleman inform us how they are to communicate their wishes to their government, without peaceably assembling for that purpose? Can they be heard without speaking? Can they move without rising up?" I answer, yes, to all—they can communicate their wishes to the government without assembling for that purpose, although they have the undoubted right, if they think it expedient, to adopt that mode; they can do it by petition or remonstrance direct from themselves, or through the medium of their representatives, who must speak their sentiments or retire from their service. "Can they be heard without speaking?" They can—in the manner already mentioned. "Can they move without rising up?" Yes, I thank God, they can; 'tis an advantage that the representative governments of modern times have over the simple democracies of antiquity, that the people can give effect to their will by the more orderly course of acting by deputy or representative, and can move without rising up—a happy expedient which guards against the evils of popular commotion. Let us apply this happy expedient of representation to the present case, and see whether it will not carry us quietly through without "rising up." Let the question be taken at the polls in all the counties of the Commonwealth, as it has already been taken in many, "Convention or no Convention?" and a fair expression will at once be had of the wishes of the qualified voters. The Sheriff of no county would, it is presumed, refuse an application of any part of the voters—if he did so refuse, they might themselves appoint a clerk, to whom, at least, all the friends of Convention would express their wishes.—When the sense of the county is thus made known, the language of the representatives must correspond therewith, or the remedy is at hand—they must give place to others. What difficulty then exists to give effect, in this way, to the wishes of a majority?—None other is alleged than the unequal representation which exists in the legislature as now constituted. But here let it be remembered that the House of Delegates, in which the inequality complained of exists, did actually yield to the petitions for a Convention at the last session; and that the Bill failed, by a very close vote in the Senate, where the representation has been recently equalized. This objection then, so much relied upon, falls to the ground; and with it, I think, the expediency of an intermediate Convention at Staunton, to effect the object in view.

Having said thus much upon the principal matter on which Mr. H. and myself differ, I must advert to one or two incidental remarks of that gentleman. Mr. H. really does me no more than justice, when he acquits me of the vanity of supposing (as he says has been done by others,) that my name had been used "to give strength to an enterprise sustained by the votes of 400 freeholders of his county, and opposed by those of 8 only." Far be from me all such presumption: the gentleman himself is not more free from the just imputation of such a dictatorial feeling. I claim only to be one of the independent freemen of my country, and like them to be entitled to think and to act for myself.

"But we know (says Mr. H.) that some gentlemen think the atmosphere troubled by the protracted existence of an illustrious sage," &c. Now, I cannot but express my regret, that Mr. H. should have thus introduced an allusion to that distinguished gentleman into this discussion, and in terms too that would seem to impute to "some gentlemen" a feeling of impatience at the "protracted existence" which it has pleased Providence to bestow upon him. I believe Mr. H. could not have meant to convey this idea, which, in relation to myself at least, I can say, would be great injustice. Whatever objection I may formerly have had to much of the political course of the gentleman alluded to, or may now have towards some of his opinions more recently expressed, towards him, personally, my feelings are in perfect charity, and with much sincerity I extend to him my best wishes for the full enjoyment of his latter days. I can willingly trust to time and reflection to temper any opinions that are abroad, sanctioned by the imposing influence of his name, which would go to impair the independence of the Judiciary of our country, in State or General Government, upon which so much depends the security of person and of property; which affords the only effectual barrier to the feeble against the encroachments of the strong; which shields the rights of the humblest citizen against every attempt at oppression by the other departments of the government—the destruction of which would go to lessen, in the eyes of the people, and lessen, in fact, the dignity of that one of the three co-ordinate branches of government, which, holding neither the sword nor the purse, relies for its usefulness upon its integrity—for its power upon the public respect—the purity of whose ermine being soiled, attaches a stain to the whole nation, whose fountains of justice being polluted, taint the whole land. What an awful admonition does the present condition of the state of Kentucky offer upon this subject. In that fine state, upon which the God of nature has bestowed his choicest gifts, anarchy seems to have usurped the place of order, and marred their fair inheritance. There "relief laws" (i. e. laws which relieve from the obligations of justice) have been administered in quick succession to the people by their kind friends, and in such form that the independent judiciary of the state refusing to give them effect; as being unconstitutional, have themselves been beaten to the dust by the legislature to make way for a new Court, who will construe the Constitution upon principles more consonant with the convenience of an embarrassed people. This new Court is emphatically called the People's Court; and it is not long since we were told of a contest between the old and the new Court for the public records. When or how these things are to terminate we know not. They, however, afford to the politician most important lessons of instruction, demanding the most serious attention.—And whilst there can be no reasonable doubt, that the march of public opinion will, ere long, bring about the desired Convention, wisdom and patriotism call aloud to us to move with caution and deliberation, and not to indulge a restless impatience in a matter of such vital importance to our country—so dear to us all—to Virginia, the land of our fathers, and the destined inheritance of our sons.

Having thus given that further explanation to my views, which seemed to be demanded by the remarks of Mr. H. I hope to be permitted here to terminate the discussion.

CUTHBERT POWELL.
Loudoun County, June 1, 1825.

New-Orleans, May 6.—We learn by capt. Burdick, that the Mexican troops about 1500 in number, remained at Campeachy when he sailed. It was understood that these troops were sent to Yucatan with a view of quieting some disorders which existed in that state; and not to invade Cuba. Gen. Santana had been deprived of his command, and had retired to the interior.

In one of our Caracas papers, received by the Duplicate from La Guayra, we find the outlines of the plan of an association which has been recently formed in London, with a capital of one million, three hundred thousand pounds sterling, entitled the "Colombian association for agricultural and other purposes." From this document we extract the following particulars:—Although the climate and soil of Colombia is auspicious to the growth of cocoa, coffee, cotton, indigo, sugar, rice, maize, tobacco, wheat and European grains, the city of Caracas alone imports annually forty thousand barrels of flour from the United States for its own consumption. To remedy these and other evils of a similar character, extraordinary privileges are proffered to emigrants—such as the cession of lands, two-thirds in fee simple, and the other third at a price merely nominal; exemption from military service, except for local defence; from duties on all clothing imported for their use; and for the space of six or ten years from all direct contributions or ecclesiastical tithes; the lands to be disposed of in small quantities, or at an annual rent to suit the condition of the emigrants; providing them with economical passages to Colombia; agents to receive them on their landing, and to impart the requisite information; supplying them with provisions and money when necessary; to enjoy perfect toleration with regard to religious worship. This republic, now in the sixteenth year of independence, has already turned its attention to the making of roads; a survey is taken from La Guayra to the Caracas, a distance of fourteen miles, where it is contemplated to form a rail road. The only means of conveyance at present used are mules and the backs of men and women. It is likewise contemplated to establish steam navigation in the waters and rivers, for which purpose this association is making every practicable effort. At the head of the association is his excellency M. J. Hurtado, Colombian Envoy to England. [Balt. Amer.]

From the Democratic Press
THE SEA HORSE.—The following particulars in relation to the escape of Mrs. Eberman when the Sea-horse was suddenly upset in a squall in the Delaware Bay, we have from the most authentic source, and can therefore vouch for their accuracy. When the vessel was upset, Mrs. Eberman, far advanced in a state of pregnancy, was lying sea-sick on her bed. In an instant she was cast out of her berth into the cabin, into which the sea was pouring in torrents, through the window and sky light.—In a moment she was, from she knew not what cause, pitched from her berth, and amidst midnight darkness, found herself floundering in the water and assailed on all sides by the drifting furniture. She heard no sounds but those caused by the rushing and dashing of the waters—she laid hold of the side of a berth into which, buoyed as she was by the water, she scrambled. It was afterwards ascertained that this was the Captain's berth, and fortunately it was a few inches higher than any other in the ship.

In this berth Mrs. Eberman sat with her head against the deck, and up to her neck in water. All was silent and dark—her sensations were painful and confused—she supposed the vessel had sunk to the bottom of the bay. In this horrible situation, buried alive, she grasped an orange, which was floating in the cabin; she ate it, and it greatly refreshed her. She now heard a noise over her head, and with a cane which she had caught in the water, she struck perpendicularly over her, against the under side of the deck. She was answered by voices; hope revived, she breathed more freely, and her mind became more alive to her actual situation. She heard the sound of the axe, it promised her deliverance, but it created the most agonising apprehensions. Her head was touching, was pressed against the under side of the deck, and there it must remain or be submerged in water: every stroke of the axe, more certainly assured her, that it fell directly over her head: these were among her most agonized moments.

At length a chip, about the length of the axe, was taken out from the lower side of the deck, and the light of Heaven again shed its blessed influence on the suffering mortal beneath. With the eagerness appertaining to so perilous a situation, Mrs. Eberman pushed her hand, as far as it would go, through the aperture. Her husband, with all a husband's anxiousness and love, was on the outside of the vessel; who can tell his feelings when the appearance of her hand, assured him she was yet sensibly alive—but his heart had scarcely time to beat with joy, before it was collapsed with horror. The axe of the workman was uplifted and about to descend with its sharpest edge, upon the hand of his wife—it would sever it from her body—it was happily arrested before it gave the fatal blow. Let us be brief—a saw was procured, a hole sufficiently large was made, and Mrs. Eberman was once again folded in the arms of her husband, and restored to the world.

By a letter just received from a correspondent resident in Bermuda, we learn, that Governor Lumley and the Bermudians are again dissatisfied with each other. It is said that in consequence of the prevailing excitement, amongst the inhabitants, the Governor, not considering himself safe, intends leaving the Island. [Phil. Gazette.]