

of having violated their trust—of having disregarded the known opinions of their constituents. They contended that if their opinions were not known, that they ought to have been consulted. On their immediate representatives they relied for an expression of their sentiments, and a vindication of their rights; and in them they would not pardon a supposed omission or violation of duty. But, sir, admitting the compensation law to have been ill advised, ill timed and improper, I ask if the President was not as blameable in approving as congress was in passing it. He gave it his signature, when he could have put upon it his veto. Yet amid all the reproaches that have been heaped upon the members of congress, how little censure has been attached to the executive of the union.—The executive is removed to a distance from the people—he is not tangible to the mass of voters—he does not mingle in the circles of neighborhoods—he is not supposed to catch the contagion of popular excitement, and when he errs in common with the legislative department, small is the share of odium which attaches to him. This then is an instance in point to prove the impunity of executive encroachment. The very states that have dismissed their representatives in Congress, are cheering the president with congratulatory addresses, and sweeten his retirement from office with declaration of gratitude for his illustrious services, and expressions of veneration for his unequalled virtue.—Kentucky will not be the last to confer this reward on patriotism. The gentleman tells us that in England the house of commons has combined with the monarch to rob the people of their rights and liberties.—Why did not the monarch join with the commons to secure and to protect them? It is not the practice of monarchs; and the corruption of the English commons, who so long and so nobly defended the freedom of their country and the majesty of her laws against the hidden artifice and open violence of successive reigns, is an example the most convincing of executive influence, and a proof the most melancholy of this important truth, that in affairs of government one man is more powerful than many.

But the gentleman from Gallatin, will have it that the judiciary is the most dangerous department of a government. In support of a doctrine which is recommended by all the charms of novelty, he adduces an illustration borrowed from the worst period of the French revolution. I will leave the gentleman in the uninterrupted enjoyment of his discovery and hasten to the application of the preceding remarks.

If the executive department have the greatest aptitude of encroachment; if the experience of all ages exhibits its successful usurpations; if these principles and facts were deeply impressed on the minds of the members composing the convention; if that convention convened for the express purpose of diminishing the power of the executive and extending the exercise of the right of suffrage, I presume it will be admitted that the convention intended to guard against the evils which had afflicted other countries; that they designated the supreme and subordinate executive magistrates should exercise no powers not expressly given them; and that no citizen should be exalted to the permanent enjoyment of the chief magistracy of the commonwealth, otherwise than by the suffrages of its qualified voters. Does the constitution say that if the Gov. die, the lieut. Gov. shall succeed him? It does not. It is a grant, an extension of power no where to be found in that instrument.—Can construction make it? they may regulate its dress, but they cannot beget it. Has the Lt. Governor been elevated by the suffrages of his countrymen to the gubernatorial chair? Says the gentleman from Nelson, the melancholy event we all deplore, was anticipated by many; and they voted for a Lt. Gov. with an eye to the contingency which would make him Gov. This is he governor by the voice of the people.—Then why does not the constitution speak of the vacancy of that office? Why is the present incumbent styled Lt. Gov.? In short, why has the constitution in those given him in plain terms, the power which is contended for? The gentleman from Nelson, was himself a member of the convention. I need not inform the house that he acted no subordinate part in that distinguished body. Instead then of conjecturing what were the views of its members—instead of laboring by the dissection of syllables to deduce their meaning, why does he not tell us the various opinions that were advanced, and the final and express understanding of the convention? The provision was a novel one. The office of Lt. Gov. was unknown to the old constitution. Why was such an officer created? Were there no enquiries? Was there no discussion? No explanation by the proposer of the measure? Or in truth, did it pass quietly through? Was it only intended to confer a big name on a little office, & dignify the speaker of the senate?—Did any member dream that he would live to see the day, when a speaker of the senate, inflated by his title, would

lay claim to the office and to the honors of Gov. And if so, is not the fact of such claim being asserted, an additional proof of the correctness of the principles for which I have been contending?

The remarks of the gentleman concerning the nature and application of checks and balances, are able, pertinent, unanswerable. To the principles for which he contends I unhesitatingly subscribe. But when he tells us that representatives being immediately from the people, ought to be elected frequently, and made directly responsible at short intervals for their acts, what is it but an admission that they are dependent on the people and cannot with impunity disregard their rights? When he contends that the governor should be elected for a longer term; that he should be removed to a distance from the influence of popular fervor; unbending to their solicitations; unshaken by their denunciations; possessing the prerogative of pardon; the nomination to office, and a powerful check on the deliberations of the legislature, what is it but a concession that he is beyond the control of public sentiment; looking forward to a remote responsibility; wielding for conciliation the patronage of the state, and entrenched behind the ramparts of office and official forms? I do not say that the governor ought to be elected for four years, or that he should be divested of a single privilege that has been given him. But I do not say, that with such duration of office; such indirect responsibility, & such a mass of powers, and executive department is the most dangerous department of the government; ought to be guarded with the most watchful jealousy, and confined with the most scrupulous exactness to the exercise of its legitimate functions. If such be the degree of vigilance requisite to be exerted towards a gov. deliberately chosen by the great body of the people, how cautious should we not be in submitting to the rule of a governor by casualty? Can Kentucky be permanently governed by an officer elected to keep order in the senate, and permitted by the constitution to discharge for a time the duties of a vacant office? If so, it cannot be but by the clearest provisions contained in the body of the constitution.

[Mr BRECKENRIDGE'S Reply to be concluded in our next.]

#### REPORT

On colonizing the free people of color of the U. States.

HOUSE OF REPRESENTATIVES, FEB. 11.

The committee to whom was referred the memorial of the president and board of managers of the "American Society for colonizing the free people of color of the United States," have had the same under their deliberate consideration. The subject is of such magnitude, and attended with so many difficulties, it is with much diffidence they present their views of it to the house.

Were it simply a question of founding a colony, numerous and well known precedents show with what facility the work might be accomplished. Every new territory established by our government, constitutes, indeed a colony, formed with great ease; because it is only an extension of homogeneous settlements. But in contemplating the colonization of the free people of color, it seemed obviously necessary to take a different course. Their distinct character and relative condition, render an entire separation from our own states and territories indispensable.—And this separation must be such as to admit of an indefinite continuance. Hence, it seems manifest that these people cannot be colonized within the limits of the United States. If they were not far distant, the rapidly extending settlements of our white inhabitants would soon reach them; and the evil now felt would be renewed: probably with aggravated mischief. Were the colony to be remote, it must be planted on lands now owned and occupied by the native tribes of the country. And could a territory be purchased, the transporting of the colonists thither, would be vastly expensive, their subsistence for a time difficult, and a body of troops would be required for their protection. And after all, should these difficulties be overcome, the original evil would at length recur, by the extension of our white population. In the mean time, should the colony so increase as to become a nation, it is not difficult to foresee; especially if the slavery of people of color should continue, and accompany the whites in their migrations.

Turning our eyes from our own country, no other, adapted to the colony in contemplation, presented itself to our view, nearer than Africa, the native land of negroes; and probably that is the only country on the globe to which it would be practicable to transfer our free people of color with safety, and advantage to themselves and the civilized world. It is the country which, in the order of Providence, seems to have been appropriated to that distinct family of mankind. And while it presents the fittest asylum for the free people of color, it opens a wide field for the improvements in civilization, morals and reli-

gion, which the humane and enlightened memorialists have conceived it possible, in process of time, to spread over that great continent.

Should the measure suggested be approved, an important question occurs. In what way shall its execution be essayed?

A preliminary step would be, to provide for the perfect neutrality of the colony, by the explicit assent and engagement of all the civilized powers, whatever disensions may at any time arise among themselves.

The next important question is:—Will it be expedient to attempt the establishment of a new colony in Africa, or to make to Great Britain a proposal to receive the emigrants from the U. States into her colony of Sierra Leone?

At Sierra Leone, the first difficulties have been surmounted; and a few free people of color from the United States have been admitted. A gradual addition from the same source (and such would be the natural progress) would occasion no embarrassment, either in regard to their sustenance or government. Would the British government consent to receive such an accession of emigrants, however eventually considerable, from the United States? Would that government agree that, at the period when that colony shall be capable of self-government and self-protection, it shall be declared independent? In the mean time, will it desire to monopolize the commerce of the colony? This would be injurious to the colonists, as well as to the United States. Should that country, from the nature of its soil and other circumstances, hold out sufficient allurements, and draw to it, from the United States, the great body of the free people of color, these would form its strength, and its ability to render its commerce an object of consideration. Now as the great and permanent benefit of the colonists, was the fundamental principle of the establishment—will the British government decline a proposition calculated to give to that benefit the important extension which will arise from a freedom of commerce, to those at least, at whose expense, and by whose means, the colony shall be essentially extended? Should an agreement with Great Britain be effected, no further negotiation, nor extraordinary expenditure of money, will be required. The work already commenced will be continued—simply by carrying to Sierra Leone, all who are willing to embark.

It would seem highly desirable to confine the migrations to a single colony. The two distinct and independent colonies, established and protected by two independent powers, would naturally imbibe the spirit and distinctions of their patrons and protectors, and put in jeopardy the peace and prosperity of both. Even the simple fact of separate independence, would eventually tend to produce collisions and wars between the two establishments (unless indeed they were far removed from each other) and perhaps defeat the further humane and exalted views of those who projected them.—The spirit which animated the founders of the colony of Sierra Leone, would be exerted to effect a union of design, and the cordial co-operation of the British government with our own; and it might be hoped, not without success. It would be in accordance with the spirit of a stipulation in the last treaty of peace; by which the two governments stands pledged to each other, to use their best endeavors to effect the entire abolition of the traffic in slaves, while the proposed institution would tend to diminish the quantity of slavery actually existing.

If however, such enlarged and liberal views should be wanting, then the design of forming a separate colony might be announced by the American ministers, to the maritime powers; & their guarantee of the neutrality of the colony obtained.

Your committee do not think it proper to pursue the subject any further at this time; but that the government should wait the result of the suggested negotiations; on which ulterior measures must depend.

In conclusion your committee beg leave to report a joint resolution, embracing the views herein before exhibited.

Resolved, by the Senate and House of Representatives of the U. States of America, in Congress assembled, That the President be, and he is hereby authorized to consult and negotiate with all the governments where ministers of the United States are, or shall be accredited, on the means of effecting an entire and immediate abolition of the traffic in slaves. And, also, to enter into a convention with the government of Great Britain, for receiving into the colony of Sierra Leone, such of the free people of color of the United States; as, with their own consent, shall be carried thither; stipulating such terms as shall be most beneficial to the colonists, while it promotes the peaceful interests of Great Britain and the United States. And should this proposition not be accepted, then to obtain from Great Britain, and the other maritime powers, a stipulation, or a formal declaration to the same effect, guaranteeing a permanent neutrality for any colony of free people of color, which, at the expense and under

the auspices of the United States, shall be established on the African coast.

Resolved That adequate provision shall hereafter be made to defray any necessary expenses which may be incurred in carrying the preceding resolution into effect.

#### Foreign Intelligence.

New York, April 4.

By the arrival this morning of the brig Wrangler, capt. Lovett, in 60 days from Havre de Grace, and 48 from Torbay, England, the editors of the Commercial Advertiser, have received a file of London papers to the evening of the 7th February, inclusive—12 days later than were, before received.

#### IMPERIAL PARLIAMENT.

HOUSE OF LORDS—JAN. 28, 1817.

This being the day appointed by the Prince Regent for the meeting of both houses of Parliament, his royal highness came down in state, and entered the House of Peers at 2 o'clock. His royal highness was attended by all the great officers of state; the earl of Liverpool carried the sword of state on his royal highness's right hand, and the marquis of Winchester carried the crown on a cushion on his left.

In a few minutes after the Regent had taken his seat on the throne, the Commons having been summoned by the Usher of the Black Rod, appeared at the bar of the House of Peers, with their speaker at their head, when his royal highness delivered to both Houses of Parliament the following speech:

My Lords and Gentlemen,

It is with deep regret that I am again obliged to announce to you, that no alteration has occurred in the state of his majesty's lamentable indisposition.

I continue to receive from foreign powers the strongest assurance of their friendly disposition towards this country; and of their earnest desire to maintain the general tranquillity.

The hostilities to which I was compelled to resort, in vindication of the honor of the country, against the government of Algiers have been attended with the most complete success.

The splendid achievement of his majesty's fleet, in conjunction with a squadron of the king of the Netherlands, under the gallant and able conduct of admiral viscount Exmouth, led to the immediate and unconditional liberation of all christian captives, then within the territory of Algiers, and to the renunciation, by its government, of the practice of christian slavery.

I am persuaded that you will be duly sensible of the importance of an arrangement so interesting to humanity, and reflecting from the manner in which it has been accomplished, such honor on the British nation.

In India the refusal of the government of Nepal to ratify a treaty of peace, which had been signed by its plenipotentiaries, occasioned a renewal of military operations.

The judicious arrangements of the governor general seconded by the bravery and perseverance of his majesty's forces, and of those of the East India Company, brought the campaign to a speedy and successful issue; and peace has been finally established upon the just and honorable terms of the original treaty.

Gentlemen of the House of Commons, I have directed the estimates of the current year to be laid before you.

They have been formed upon a full consideration of all the present circumstances of the country, with an anxious desire to make every reduction in our establishments which the safety of the empire and sound policy allow.

I recommend the state of the public income and expenditure to your early and serious attention.

I regret to be under the necessity of informing you, that there has been a deficiency in the produce of the revenue of the last year; but I trust that it is to be ascribed to temporary causes; and I have the consolation to believe, that you will find it practicable to provide for the public service of the year, without making any addition to the burdens of the people, and without adopting any measures injurious to that system, by which the public credit of the country has been hitherto sustained.

My Lords and Gentlemen,

I have the satisfaction to inform you, that the arrangements which were made in the last session of Parliament, with a view to a new silver coinage, have been completed with unprecedented expedition.

I have given directions for the immediate issue of the new coin, and I trust that this measure will be productive of considerable advantage to the trade and internal transactions of the country.

The distresses consequent upon the termination of a war of such unusual extent and duration, have been felt with greater or less severity throughout all the nations of Europe; and have been considerably aggravated by the unfavorable state of the season.

Deeply as I lament the pressure of

these evils upon this country, I am sensible that they are of a nature not to admit of an immediate remedy; but whilst I observe with peculiar satisfaction the fortitude with which so many privations have been borne, and the active benevolence which has been employed to mitigate them; I am persuaded that the great sources of our national prosperity are essentially unimpaired; and I entertain a confident expectation, that the native energy of the country, will at no distant period, surmount all difficulties in which we are involved.

In considering our internal situation, you will, I doubt not, feel a just indignation at the attempts which have been made to take advantage of the distresses of the country, for the purpose of exciting a spirit of sedition and violence.

I am too well convinced of the loyalty and sense of the great body of his majesty's subjects, to believe them capable of being perverted by the arts which are employed to seduce them; but I am determined to omit no precautions for preserving the public peace, and for counteracting the designs of the disaffected: and I rely with the utmost confidence on your cordial support and co-operation, in upholding a system of laws and government, from which we have derived inestimable advantages, which enabled us to conclude, with unexampled glory, a contest whereon depended the best interests of mankind, and which has been hitherto felt by ourselves, as it is acknowledged by other nations, to be the most perfect that has ever fallen to the lot of any people.

HOUSE OF COMMONS—JAN. 28.

Sir F. Burdett gave notice, that he should, on this day month, submit a motion on the subject of reform in Parliament.

The chancellor of the Exchequer reported that the Lords had communicated to them that several daring outrages had been committed on the person of his royal highness the Prince Regent, on his return from the Parliament this day; that they had agreed upon an address to his Royal Highness, and requested the concurrence of the Commons House in the same.—The Lords had likewise informed them, that they had received the evidence of a witness, who was the right honorable James Murray.

Lord J. Murray was then called to the bar, and in answer to certain questions put to him by the chancellor of the Exchequer, Mr. Curwen, Mr. Wyne, and some other members, stated, that he is a Lord of the Bedchamber to the Prince Regent, and was in attendance on his Royal Highness in the carriage; on their passage from the House of Lords, on their return between Carleton House and St. James's, the glass of the carriage was fractured; it was the glass on the Prince's left hand. The fracture appeared to be produced by two bullets, four round apertures had been made in the glass, and the remainder of it was not broken; he had not the slightest doubt that the fracture was caused by bullets. About a minute after this happened, a very large stone was thrown at the other glass, and then three or four other stones with great violence; he had examined the first glass (that was broken minutely; there was no crowd near the carriage at the time; but if a pistol had been fired with gunpowder, the person firing it he thinks, must have been recognized; as no report was heard by him, they might have come from an air gun.—There were no bullets found in the carriage; he supposed they were shot from some one off the trees; the opposite glass was up, it was not broke at all; he got out of the carriage immediately after the Prince Regent; did not search the carriage, nor did he know whether any bullets were found at the bottom of it. The Master of the Horse was in the carriage; splinters of the glass were found; the stone that struck the opposite glass did not enter the carriage, the glass was very thick.

In answer to a question from Lord Milton, the witness said that his Royal Highness sat in the middle, between the Master of the Horse and the witness. The stone smashed the window and pounded the glass, which was remarkably thick. There was a footman and a Life Guardsman by the side of the carriage. He could not say whether the supposed bullets perforated any part of the carriage.

LONDON, JAN. 31.

A proclamation has been published, offering 1000l. reward for the apprehension of the person or persons guilty of the late treasonable attempt on the life of the Prince Regent.

LONDON, FEB. 4.

Message from the Prince Regent. Lord Sidmouth presented a Message to the House from the Prince Regent.

The Message was read by the Lord Chancellor, and was as follows:—His Royal Highness the Prince Regent, acting in the name and on the behalf of his majesty, has thought proper to order to be laid before the House of Lords, papers containing an account of certain meetings and combinations held in different parts of the