candour on the part of his correspondent, in giving up the name; but considered it an act of justice to the writer to make this communication to the Court.

The Counsel for the accused having nothing further to offer to the Court at present.

The Judge Advocate called Mr. Harrison, who had been employed by him in making a transcript of the proceedings of the Court of Inquiry, from his original minutes, and examined him as to the accuracy of the copy. Before, however, the cross interrogatories, proposed to be put to the witness by the Counsel for the accused, were prepared, the Court adjourned until to-morrow morning at 10 o'clock.—*Journal.*

Nineteenth Day.—THURSDAY, July 28.

The Court met at 10 o'clock.

The examination of Mr. Harrison, who had been employed by the Judge Advocate to copy the record of the proceedings of the Court of Inquiry, from his original minutes, was continued: the witness being cross-examined by the Counsel for the accused The object of this cross-examination was to discover by whom certain interlineations and erasures in the transcript were made; and whether they were made to correct the errors of the copyist, or had been made subsequently to the transcript having been written. The witness admitted that he had made numerous errors in the copying, so many that on one occasion it was proposed by him to take back his copy and re-write it, which proposal was overruled by the Judge Advocate, on the ground that there would not be time to do this before the meeting of the Court Martial, when the minutes must be read.

The examination of Mr. Harrison having been gone through, the Judge Advocate produced to the Court the interrogatories and cross-interrogatories which had been sent to Mr. Monroe, together with a copy of his replies to the same, as sworn to before a magistrate.

The letters which had been produced by the Judge Advocate, and on which these interrogatories were founded, were the following, as far we can rely on our memory:

A letter from Commodore Porter to Mr. Monroe, dated March 10th, 1825, in which he asked permission to pay his respects to Mr. Monroe, a request which, it was said, would have been made at an earlier period, but for the peculiar circumstances of the moment, and the change which had taken place in the administration.

A letter, in reply to the above, dated March 12, from Mr. Monroe to Commodore Porter, declining the visit, lest it might be attributed to a desire to influence the conduct which the new Executive would have to adopt towards Commodore Porter, who had been recalled to answer for the affair of Foxardo.

A third letter, dated March 12, from Commodore Porter to Mr. Monroe, expressing his gratitude for the sentiments of friendship contained in the letter of Mr Monroe, and assuring him that he should not, if permitted to have paid him a visit, have touched upon any subject in conversation which could have been unpleasant to Mr. Monroe in its character, or have led to any unpleasant discussions.

The object of the interrogatories was to prove the authenticity of this correspondence, and to arrive at some conclusive facts as to the part which Mr. Monroe had taken in the recal of Commodore Porter, and any influence which might have been exercised to induce him to take that step. On these points the replies of Mr. Monroe were most apt and forcible. He went into a full narrative of facts and circumstances, out of which arose his answers to the interrogatories. We understood this narrative of facts to state that Commodore Porter's return in June, (we believe it was June,) 1824, was entirely unexpected by the late President; that it was without orders from the Navy Department, without advice sent to the Department, and at a time of peculiar interest and difficulty. When the late President was informed of the arrival of Commodore Porter, he was desirous to prevent the Commodore from paying him a visit; and for this purpose, he applied to Commodore Chauncey, to see Commodore Porter, and prevent him, in the manner which would be least injurious to his feelings, from seeking an interview with him. This was done, and the interview did not take place, in conformity to the wish of the President, who was desirous, by this behavior, to mark his sense of the impropriety of Commodore Porter's conduct in returning from his station without instructions — The late President imagined that Commodore Porter would thus be induced to return to his station. Some time, however, passed away, without any indication of this kind being made by the Commodore; and the delay was overlooked by the Executive, who recollected the services of the Commodore during the late war, the wound he had received, and his debility in consequence of a severe indisposition. When all the effects, however, of the Commodore's injuries had disappeared; and he still made no efforts to return to his station, altho' piracy was pursuing its depredations on our commerce, and the presence of an officer of rank was required on the spot where these mischiefs were perpetrated; it was, at length, by direction of the President, directed, in a formal Order from the Department, of October 21, 1824, that he should forthwith repair to his station. It was intimated in this Order, that he had shown no desire to be relieved from his command, that this city was not included in his station; that whenever he wished to be relieved from his command, the Department would, at its earliest convenience, comply with his request. It was further stated, that he was not confined to Thompson's Island, nor required to lead every expedition in person. To this Order, Com. Porter replied by a note which was considered to be very objectionable. He had desired to go out in the Constellation, but the Constellation not being ready, he was required to go out in the John Adams, the size of the vessel in which he sailed being considered as an object not to be put in competition with the necessity which existed for his presence on the station. He sailed for his station; and was recalled in consequence of the transactions at Foxardo, which the late President seemed to view as a violation of orders which were dictated by cool deliberation, and suggested by a desire to avoid giving any cause of alarm, in the peculiar state of affairs, either to our neighbours of the new states of South America, or to any of the European nations. It was by treaty alone, that any arrangements were to be made with any of these powers; and, friendly as Mr. Monroe professed himself to be towards Commodore Porter, personally, he could not, in consistency with the duty which he owed to himself and the country, refrain from issuing the order of recal, that the conduct of Commodore Porter, in this business might be investigated and explained.

One of the cross-interrogatories of the Counsel for the accused pointed at the presumed hostility of the Secretary of the Navy towards Commodore Porter, and the influence which this might have had on Mr. Monroe. To this, we understood Mr. Monroe's reply to assert, in the most unequivocal manner, not only that the present Secretary of the Navy had never shown any hostile feeling towards Commodore Porter, but on certain occasions, that he had exhibited a feeling directly the reverse of hostile. With regard to the order of recal, and the order for Commodore Porter to return to his station, Mr. Monroe, we believe, expressly stated, that he either dictated them, or they were written with his full privity and consent.

After these answers had been read, the Counsel for the accused not being prepared with any further testimony, the Court adjourned until to-morrow morning at 10 o'clock.—*Journal.*

Twentieth day.—FRIDAY, July 29.

The Court met at 10 o'clock, Captain Biddle being excused on account of indisposition.

The proceedings of yesterday having been read, and it appearing that Commodore Porter was not yet prepared with the defence, the Court adjourned until to-morrow morning at 10 o'clock.

It will be seen by the above report of yesterday's proceedings, that the Court Martial only now waits for the defence of Commodore Porter, to close the proceedings in his case. As far as the memory of our Reporter could supply a regular abstract of the trial, from day to day, we have given it; and we are satisfied that public opinion is with us when we vouch for its correctness. We shall continue the course we have commenced—a course which, if it has not entirely prevented distorted reports of the proceedings from being circulated, has, at least, had a tendency to check them in their frequency and extent—as long as the trials before the Court Martial shall afford matter which will be interesting to our readers. That the proceedings hitherto have been considered to possess that character, is sufficiently evident from the daily and universal transfer of our reports into the columns of all the principal papers of the Union.

Journal.

Twenty first day.—SATURDAY, July 30.

The Court met at 10 o'clock, Captain Biddle being still absent from indisposition.

Commodore Porter exhibited a variety of documents, and references to others to be supplied, which were read by the Judge Advocate, and annexed to the record.

The documents consisted of letters and extracts of letters which passed between the Navy Department and Commodore Porter, in the years 1823 and 1824; and one of the main objects of their production appeared to be to establish the fact that he had intimated to the Department, his intention to return to Washington, and had received in reply, permission to return, at any time which would be least inconvenient to the service, and most agreeable to his own inclination. The anonymous note, also, which appeared in the National Journal of June 14, and which was admitted to have been written by Richard S. Coxe, Esq. was put in by Com. Porter, and annexed to the record. Some of the other documents which he submitted having been read in the course of the previous proceedings, the reading of them was at this time dispensed with. Amongst the papers referred to, were the messages of the late President of the United States to Congress at the commencement of the first and second sessions of the Seventeenth Congress, and the first of the Eighteenth Congress.

Commodore PORTER having nothing further to present to the Court, and having intimated his doubts whether his counsel could be prepared with his defence by Monday morning, the Court adjourned until two o'clock on Monday, to allow time for its preparation.

Twenty-Second day—Monday, August 1.

The Court met at 2 o'clock, and after the proceedings of Saturday were read, Commodore Porter stated that his counsel requested the indulgence of the Court until 12 o'clock to-morrow, to prepare the defence.

The Judge Advocate then proceeded to lay before the Court some letters which were rendered necessary by the documents submitted by Commodore Porter on Saturday.

The first letter which was submitted was from Commodore Porter to the Secretary of the Navy, dated Oct. 12, 1824, explaining the character and extent of the malady which raged at Thompson's Island.

The second letter was dated in the same month from Commodore Porter to the Secretary of the Navy, in reply to letters from the Secretary of the 14th, 15th, and 16th of October, 1824.

This letter was a strong remonstrance against the order of the Secretary that Com. Porter should sail for his station in the John Adams, on the ground that the pendant of a Commodore should never be hoisted on board a vessel which might prove too weak for its protection from insult. The letter also contained a complaint that the countenance given to him by the Department when he first took the command of a station where he had been subjected to great privations, great expense, and great injury to his health, had been recently withdrawn; and that he was almost daily called upon to make explanations in relation to some part of his conduct. In reference to his station, the letter stated that Thompson's Island, instead of being his station, was merely an appendage to it, since his instructions had described his station to be from the coast of Africa to the Gulph of Mexico, to protect the trade of the United States through all that interval. The concluding part of the letter expressed a desire that Commodore Porter might be relieved from the command of the station to which he could not return, at that season, without imminent danger to his health.

When this letter had been read, Commodore PORTER, with some warmth of manner remonstrated against this new documentary evidence being put in before the Court, in the absence of his Counsel. He did not understand what relevancy there was between these letters and any of the charges which had been preferred against him, and altho' he had no objection to an investigation of all his official life, he thought it right to object to the production of this testimony, until his counsel should be present.

The Judge Advocate stated that the letters he was producing were the replies to the letters which Com Porter put in as evidence on Saturday, and were rendered necessary to make the correspondence, of which Commodore Porter had offered a part, complete. He had no objection, however, to delay offering them until the Counsel for the accused should be present, if such should be the decision of the Court.

The court was then cleared for deliberation, and on the doors being opened, it was announced that the Court had determined to postpone the further hearing of the letters until to-morrow, when the Counsel for the accused should be present.

The Court then adjourned until 10 o'clock to morrow.—*Journal.*

For the Easton Gazette.

TO THE PUBLIC.

A few words of reply, in my own behalf.

It appears, from what I can learn, that some of my best friends, residing in the middle and lower district of Caroline county, have become very much opposed to me, on the grounds that I took an active part in the late presidential election for Mr. Sangston, the candidate for Mr. Crawford For my own part, could I have had a choice, Gen. Jackson was the man, whom I would have preferred for President, as is well known to Mr Joseph Douglass and Mr. Elijah Barwick, for the truth of which, I refer you to them, and who know that during the session of 1823, I gave my toasts for Jackson, and stated, if I could not get him, I would next prefer Mr. Crawford—Now, my friends, I would ask you what were the politics of the three gentlemen?—I will readily reply, Democratic Republicans, for whom, we as federalists, had no choice, as it regarded party politics —Had Mr. Adams been a federalist, and I taken an active part for Mr. Crawford, my friends would then have had some cause to complain against me—As I always have and mean to act upon honest and fair electioneering principles, which is, that every man shift for himself.

As it regards electioneering, I will ask my good federal friends, if I did not propose to them in the fall of 1823, to make out a ticket and I would support it through every opposition—The reply was, Barwick, it is no use, for we cannot attempt a federal ticket in this county—my reply was, that if you will not come out before the good voters of Caroline county, that I would offer myself as a candidate for their suffrages. I accordingly did so, and am under great obligations to my friends, both federal and democratic, for their support—In the fall of 1824, I again proposed to my friends to make out a ticket, to run in opposition—they still answered no, and I again offered myself to the good voters of the county, and was elected by an overwhelming majority, for which they will accept my sincere thanks, for their kindness towards me, during the two last campaigns of 1823 and 1824. I now again will ask my friends, "*A Ticket, or no Ticket?*" I will answer for myself—a ticket.

Something more yet—Having understood that some of my friends are very much opposed to the four intelligent men who were elected last fall, from this county, viz: Edward Barwick, John Brown, W. Hardcastle and John Boon, respecting that great man, Gen. Lafayette, being so far honoured as to take from the State Treasury the large sum of $1387, in order to furnish him an elegant dinner; I think I can very readily say that the members from Caroline, were all opposed to the measure —we, as well as a number of others who were in the house, proposed that each and every member of both branches of the legislature, should pay out of his per diem, the sum of five dollars, to furnish a dinner for the General, and not go to the Treasury for it; but it being left to a committee of 5 members to decide, three from the Western and two from the Eastern Shore, and there being four for going to the treasury for payment and but one against it, we were bound to abide by their decision, therefore, I hope that the good people of Caroline, will not charge us with that of which we were not guilty, and for which we are all ready to come before the people and clear ourselves.

My best respects to the good voters of Caroline county.

EDWARD BARWICK.

July 25, 1825.

For the Easton Gazette.

THE CONVENTION.—No. 3.

To enter the list of controversy with the editor, may seem an unsuitable requital to his courtesy, in opening his columns, to speculations of which he disapproves, his opinions are justly entitled to respect, he deals with a parsimonious hand, and tantalizes with expectations, but in his own good time, will he appear in his strength. Many unenlightened men, will then be instructed; and Thrasia must needs be silent when the "argument shall be made irrefragible and unanswerable." Men of ordinary perceptions are apt to judge the future by the past, and were I to anticipate the sequel from the prelude, I should entertain apprehensions, that the editor had fallen in the common error of believing that the reflection which had satisfied his own mind, must be equally conclusive to the rest of the world. Next to the love we bear our children, our affections for our opinions are the strongest, and if they be our own legitimate offspring we see no blemishes.

Had the remarks on Thrasia appeared under any other head, I should have believed them to be the suggestions of timidity; many men have an instinctive dread of the people, but the editor is above the suspicion: his reason is never instructed by his fears; zeal may betray him into a wrong argument; but when the 'argument is exhausted, he will stand to his arms."

I can never agree, that the power imparted to the legislature, to alter the Constitution, supersedes at this time, and at all future times, the necessary duty to call a Convention. By the constitution the power is given to the House of Delegates, (the popular branch of the government) to call a convention, and by the same instrument the legislature under certain restrictions may alter the constitution. It would seem strange that the one should forever remain a dead letter, while the other is always ready and fit for practical use. I pretend not to deep constitutional learning, but it appears to me that these two powers, were to be exercised under different circumstances, the one for important, the other for minute purposes, the one a primary, the other an incidental power: for I still think a power may be incidental, though expressly granted, but I will not dispute about a word; I only desire to be understood by the people, and bow to a taste more classic and philologic.

The wise and enlightened men, who formed the constitution, were aware that what appeared right in theory, might be found inconvenient in practice, that change might be necessary, which would not demand so grave and important a step as calling a convention, and this power was imparted to the legislature, in confidence of a sound and discreet application of it—in many instances it has been beneficially exercised by the constitution. The Field officers in the militia were inhibited from seats in the legislature. The restriction was found inconvenient, but it was not sufficient to authorise a call of a convention, and the alteration was properly made by the legislature. But when the Executive and Judicial branches of the government, are to undergo revision, the work requires more than an ordinary legislature. The appeal ought to be directly to the people, and under their authority and by their power should the change be effected, should a convention be called, among other changes I confidently hope, that the power of the legislature to change the constitution (that beautiful feature, so much now admired by the *Anti's* will be considerably abridged; for experience has taught us that under the influence of bad passions and party feelings, it has been a grievous engine in the hands of demagogues to advance their own private schemes

Though the same people who elect delegates to the assembly, would elect members to the convention, I think that men superior to the common class of delegates, would be chosen, the people impressed with the importance of the subject would seek men of ability and approved worth. Some of our most distinguished citizens by their offices are interdicted the legislature; there are others who from habits of unambitious retirement, never obtrude upon the people, such men would be sought for, and motives of patriotism would induce them to obey the call.

THRASIA.

[For the Easton Gazette.]

To the Editor.

SIR,—Though a subscriber and pretty constant reader of your paper, I did not, from an accident, see the number containing Vice-President *Calhoun's* address, on being toasted at the dinner given him in the district which he formerly represented in Congress, and your commentary on it, till within a few days. I regretted to perceive in the latter a harshness and severity of phrase, (not common in your respectable paper) especially when applied to a statesman of such distinguished ability and integrity as Mr. CALHOUN. While I differ from him with you as to some of the topics of his address, I do not think a difference of opinion, though too strongly expressed, called for an unqualified charge of *want of truth*. You and he and I may differ in our ideas of what constitutes submission to a foreign power, but if each of us should call that *submission*, which we respectively think in sincerity to be *submission*, we should neither of us be guilty of an indecorum in using the word, which corresponded with our notions on the subject, nor would either as long as his integrity remained unquestioned, have a right to take offence at the other, or charge him with *falsehood*, which implies not only incorrectness in point of fact, but the moral turpitude also of wilful misrepresentation.

It is not, however, my intention to go at large into an examination of the merits of Mr. CALHOUN's speech, or of your commentary. Different opinions will be formed, by different minds, and *honestly too*, in relation to both: though I trust, that no man, truly attached to our republican institutions will differ from the Vice-President, with respect to the fundamental principle laid down in relation to the election of the Chief Magistrate, *that the voice of the people should control*, or that contained in his toast, *that the responsibility of public agents to the people is the basis of our system.* My object is to correct a mistake, which you have fallen into with respect to Mr. Calhoun's opinions and conduct in relation to gun boats and the restrictive system. *He never was, in any part of his political career, the friend of either.* He gave one vote and only one in favour of an embargo, and that was, when a bill was before Congress to lay an embargo of three months in anticipation of war, which, admitting the war to be proper, few will condemn as an unsuitable measure to precede it. Suppose I should now roundly charge you with making a "*totally false statement of the facts,*" in relation to Mr. Calhoun's political opinions and conduct, would you not think my language extremely harsh and altogether unmerited? would you not have reason to complain of my not besitating to impute to you the moral turpitude of wilful misrepresentation?

I doubt not you will cheerfully correct the error into which you have fallen—and as it is of importance to the public to know the *real* opinions of a man, who has been thought by a respectable portion of the people of the United States, to be worthy of being supported as a candidate for the Presidency, and is in actual possession, *by the vote of the people too*, of the second honour within their gift. I send you for publication together with these remarks, two extracts from speeches made by him, while a member of Congress, in confirmation of what I have above stated—the first relating to a navy and other measures of defence—and the second to the embargo and other restrictive measures.

"The navy, said he, most certainly, in every point of view, occupies the first place. It is the most safe, most effectual, and the cheapest mode of defence. We have heard much of the danger of standing armies to our liberties; the objection cannot be made to a navy.—Generals, it must be acknowledged, have often advanced at the head of armies to imperial rank and power; but in what instance had an Admiral usurped the liberties of his country?"

"The maritime frontier is our weak side, and ought to be rendered strong. There are two points in it particularly weak, the mouths of the Mississippi and Chesapeake Bay—which ought to be cautiously attended to—not, however, neglecting others. The administration which leaves these two points in another war without fortification, ought to receive the execration of the country. Look at the facility afforded by the Chesapeake Bay to maritime powers in attacking us. If to its margin we add those of its rivers, navigable for vessels of war, it makes an addition of 1400 miles to the line of our sea-coast; and that of the most vulnerable character; for an enemy is there so securely protected, that he is without the fear of being driven from his position. He has, besides, the power of assaulting two shores at the same time, and must be expected on both. Under such circumstances, no degree of expense would be too great for its defence. The whole margin of the Bay is, besides, an extremely sickly one, and fatal to the militia of the upper country."

The other extract, which follows, is taken from a speech in favour of a repeal of the non-importation act and gives his own sentiments as to the embargo, &c. at large, and at the same time gives an admirable exposition of the true nature of the restrictive system.

"The restrictive system, as a mode of resistance, or as a means of obtaining redress, has never been a favorite one with me. I wish not to censure the motives which dictated it, or attribute weakness to those who first resorted to it for a restoration of our rights. But, sir, I object to the restrictive system—because it does not suit the genius of the people, or that of our government, or the geographical character of our country. We are a people essentially active. I may say we are pre-eminently so. No passive system can suit such a people: in action superior to all others; in patient endurance inferior to many. Nor does it suit the genius of our government. Our government is founded on freedom, and hates coercion. To make the restrictive system effective, requires the most arbitrary laws. England, with the severest penal statutes, has not been able to exclude prohibited articles; and Napoleon, with all his power and vigilance, was obliged to resort to the most barbarous laws to enforce his continental system."

After showing how the whole mercantile community must become corrupted, by the temptations and facilities for smuggling, and how the public opinion of the commercial community, (upon which the system must depend for its enforcement,) becomes opposed to it, and gives sanction to its violation, he proceeds:

"But there are other objections to the system. It renders government odious. The farmer inquires, why he gets no more for his produce, and he is told it is owing to the embargo or commercial restrictions. In this he sees only the hand of his own government, and not the acts of violence and injustice, which this system is intended to counteract. His censures fall on the government. This is an unhappy state of the

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