Easton Gazette.

EASTON, MD.

SATURDAY EVENING, MARCH 25.

The large space taken up to day by the "review" of the late executive proceedings in the Senate of the U. States in relation to the Panama mission, must be our apology for crowding out some other interesting matter. This subject has been under consideration for several months in secret session of the Senate, and is now made public. As it has been seized on by the opposition to the administration as the rallying point of new parties in this country, it ought to be understood by the people, and we recommend this review to our readers as a clear exposition of this subject.

The message of President Adams to the House of Representatives accompanying the Panama documents, which had been called for, has been received, and is among the strongest and most satisfactory state papers that we recollect to have seen from any quarter. We shall endeavour to give our readers a sight of this paper in our next, and confidently believe it will command approbation wherever it goes.

We learn, from a good channel, that the President has recommended the payment of interest upon the Maryland claim for service money during the late war, in strong terms to congress and we have little doubt now that Maryland will receive one hundred thousand dollars more.

FEMALE ACADEMY.

An examination of the scholars in the institution conducted by Mr. and Miss Ring, took place on Wednesday last—For want of room, we can do little more than state the regret we feel at not being able to enter into a particular detail of its merits, in our paper of today, and the necessity we are under of deferring till next week, the publication of an article on the subject, which has just been handed us by a correspondent. Never, we understand, has a school examination in Easton been honoured with the presence of a more respectable and talented audience; and it is scarcely possible that an exhibition of the kind could excite a higher feeling of interest, or convey more general satisfaction.

A gentleman walking along the margin of Third Haven, some days since, where the bank was about 8 or 9 feet high, observed the end of an Indian axe sticking out about half way up the bank, and near it an appearance, which upon examination turned out to be a human head nearly entire.--The teeth were perfectly sound, the face lying up.

The bones were afterwards disinterred —Six other axes of various sizes lay between the shoulder and the right side of the head—The body lay on the left side—the thigh bones at right angles to the hips, and the leg bones doubled back again—the right leg being brought up close to the back of the thigh; near the knees were found deposited 4 darts of stone—3 arrow points of wood, and a few wampum, with a piece of the substance out of which they were made—a small wooden hook more like a fish hook than any thing else, was also found.

We insert in our paper of to day, from the Baltimore American, the Act to prevent the unnecessary accumulation of costs in civil cases, passed at the last session of our Legislature—the Baltimore Gazette states, they are informed it differs from the one passed by the Legislature, in two particular materials, viz:

1. Instead of its being made the duty of the Clerks of the Courts not to issue more than one writ upon a joint and several obligation, where the obligees reside in the same county, the Plaintiff is prohibited from doing so under the penalty of a judgment of *non. pross.* 2. Instead of the laws going into effect *immediately*, its operation is postponed to the last of this or the first of the ensuing month. The error originated in copying the bill as reported to the house—it was subsequently altered in the Senate.

The quantity of *flour* received in Baltimore from the Susquehanna, during the last week, says the American of the 20th inst amounted to upwards of *ten thousand barrels.* The quantity of *whiskey* received from the Susquehanna during the week, amounted to *one hundred and thirteen thousand gallons*

The Legislature of Pennsylvania has agreed to adjourn on the 11th of April.

Extract of a letter from a member to the editors of the Balt. American, dated

"WASHINGTON, March 21, 1826.

"I was in the Supreme Court room this morning, and heard Judge Story deliver the opinion of the court in the case of Browning. The landholders of Maryland may now hush their fears, which I always thought were unnecessarily alarmed. The judgment of the Circuit Court is confirmed This extravagant and visionary claim, in a short and pithy exposition of the facts and the law in the case, has thus by the judgment of the Supreme Court, received its quietus forever."

Extract of another letter to the editors, of same date.

"The great cause of the claim for quit rents, brought by the heirs of Lord Baltimore against the citizens of Maryland, has just been decided by the Supreme Court. in favor of Maryland. This I trust will put an end forever to those unjust claims."

CHARLESTON, March 14.

Notwithstanding the numerous arrivals with Corn, several cargoes were sold yesterday at 92 cents per bushel.

[COMMUNICATED.]

A Review of the late Executive proceedings in Senate of the U. States, relating to the nomination of Ministers to the Congress at Panama.

These secret proceedings are just now published, after the determination of the Senate to advise and consent to the appointment of Messrs. Anderson and Sergeant as Ministers, and of Mr. Rochester as Secretary, to attend the Congress at Panama on the part of the United States.

This nomination by the President was made in consequence of an invitation given to our country to be present at that interesting and important Congress, by means of our representative ministers; and this his intention was officially made known in his message to the present congress, now in session, when they convened.

As the Congress at Panama is a representative meeting of all the South American States, which have declared themselves independent, to consult, as is understood, for their general welfare and common defence—to promote union at home, and free and peaceful intercourse abroad—and to secure to themselves and to their posterity, the blessings of established liberty and good government—it will present a scene of as great universal concern and interest to the civilized world as could occur. Whether these States will be able to maintain their independence, is an affair exclusively with themselves and the mother country—we have no right, and we will not interfere upon that point—but if, as the prevalent opinion throughout the world seems to be, they shall be enabled to maintain their independence, a free and favourable commercial intercourse with them must for a long time to come be of great advantage to us. To avail ourselves of these advantages it is wise to stand upon the best terms with them, and to gain the fullest and earliest intelligence of their policy and plans—of their condition—of the dangers that may await them, or of their hopes of success—and finally, of every thing in relation to those states that may be necessary to guide the councils of our country, to take a wise, judicious and prudent course in all measures relating to South America. How this could be better effected than by sending two or three prudent and able men, to attend this great meeting at Panama, where all these subjects will be developed and brought to light, it is not easy to conceive—and if it is an object for this country to be on good terms with them, and to have all necessary information about them, and to be in readiness to improve events to our advantage, surely the acceptance of their invitation to be present by our ministers at this great meeting, was an essential, an indispensable step for us to take—and we should applaud President Adams for the very correct course that he has pursued.

That these South American States look to this country with anxious hope and flattering expectations, we ought neither to dissemble nor deny—they regard their contiguity to us, the similarity of their struggle with that of our own, the known expression of sentiment in our country, as so many grounds for calculating upon our best dispositions towards them—whilst we, entertaining every generous wish in their behalf, will prudently forbear from any unnecessary or improper involvement on their account. They have marked with delight the sentiments expressed by the present Secretary of State, Mr. Clay, in his brilliant course in our Congress, and they have seen, no doubt, with not less satisfaction, his recent elevation—They have remarked the characters of those citizens we have sent to them as ministers, to represent us, particularly that of Mr. Poinsett—and in all this, they saw, they could see nothing else than a noble-minded and magnanimous feeling towards them, prevailing both in our government and among our people.

Under such circumstances, to refuse to send ministers to Panama, we should think, would be unwise—to presume that our country would, or was likely to be involved in any difficulty, by sending them, is to anticipate evil without reason, or to suspect without justification.

In looking at the opposition made in the Senate, to the Panama Mission, as appears by their proceedings, we are forcibly struck with the astrite and captious nature of it, rather than with any solidity of ground or statesman-like view taken against it. What were the arguments we know not, as they are not published—they are reported to have been very angry and violent on the part of those in opposition, and we are bound to suppose they were marked with great talent, from the sources from which they came.

There were various sorts of resolutions introduced by the opposition, to which, amendments were offered by their friends; the whole of which, appear to have been intended to embarrass and to entangle—they wear the appearance of systematic opposition to the administration, rather than of profound objections, to the matter before the Senate. It was anticipated that this Panama mission would be seized on by the opponents of the President as the rallying ground of a regular opposition—how far that anticipation has been realized, must be left to the opinions of all who read the Executive proceeding upon that subject.

The first resolutions were introduced by Mr. Van Buren, to wit:

Resolved, That, upon the question whether the United States shall be represented in the Congress of Panama, the Senate ought to act with open doors; unless it shall appear that the publication of documents, necessary to be referred to in debate, will be prejudicial to existing negotiations.

Resolved, That the President be respectfully requested to inform the Senate whether such objection exists to the publication of the documents communicated by the Executive, or any portion of them; and, if so, to specify the parts, the publication of which would, for that reason, be objectionable.

The first of these resolutions asserts a propriety of course, that we believe, is unexampled in the history of the executive proceedings of our country, since an established system of business has been adopted. All executive business has been uniformly transacted with closed doors, and for the wisest and best state reasons—nor is there reason to deviate from the course; for if it is thought useful to give the proceeding to the world, it may be done, as it has been done in this and in various other cases, as soon as the business is over, exhibiting the propositions, and yeas and nays thoughout. But the public interest can in no way be promoted by transacting the executive business with open doors, and may be most injuriously impaired—Every thing may be made public that is worthy to be known, by subsequent publication of the Journal.

The second resolution is out of time as well as out of usage—documents are always laid before the Senate in their executive character, for their information—after having made use of them and acted on them, if they are supposed to contain intelligence important to be known to the country, either as to what they contain, or as the justification for the course that has been taken, then an enquiry of the President, whether their publication would affect any existing negotiation, would be proper and in right time—and a previous enquiry would be useless, because a previous publication would be wholly unnecessary.

The next resolutions are those of Mr. Rowan, to wit:

Resolved, That it is the unquestionable right of the Senate to call, in respectful terms, upon the President of the United States, for such information as may be in his possession, and which the Senate deem necessary to the faithful discharge of the duties imposed upon it by the Constitution: and, more especially, the duties resulting from matters which the Constitution makes it the duty of the President to submit to the Senate for its advice and consent.

Resolved That the two following resolutions, of the 15th instant, viz: "*Resolved*, That, upon the question whether the United States "shall be represented in the Congress of Panama, the Senate ought to act with open doors; unless it shall appear that the publication of documents, necessary to be referred to in debate, will be prejudicial to existing negotiations. "*Resolved*, That the President be respectfully requested to inform the Senate, whether such objection exists to the publication of the documents communicated by the Executive, or any portion of them; and, if so, to specify the parts, the publication of which would, for that reason, be objectionable:"—requested information in the possession of the Executive, and in his possession only, which the Senate deemed important to guide its decision on a subject within the scope of its advising powers, and deeply interesting to the States, and to the People of this Union.

Resolved, That the message of the President, in the following words, viz: "In answer to the two resolutions of the Senate of the 15th instant, marked (Executive,) and which I have received, I state, respectfully, that all the communications from me to the Senate, relating to the Congress at Panama, have been made like all other communications upon Executive business, in *confidence*, and most of them in compliance with a resolution of the Senate requesting them confidentially. Believing that the established usage of free confidential communications, between the Executive and the Senate, ought, for the public interest, to be preserved unimpaired, I deem it my indispensable duty to leave to the Senate itself the decision of a question, involving a departure, hitherto, so far as I am informed, without example, from that usage, and upon the motives for which, not being informed of them, I do not feel myself competent to decide"—does not give to the Senate the information requested, "whether the publication of the documents," or "any portion of them," communicated by the Executive, as to the mission to Panama, "would be prejudicial to existing negotiations."

Resolved, That the Senate has the sole right in all cases to determine what shall be the "rules of its proceedings;" and that the President cannot interfere with the same, without violating the Constitutional privileges of the Senate.

Resolved, That the Senate has the sole right to determine, what are its existing "rules of proceedings," whether founded on "usage" or positive written regulations —and that the President cannot officially decide what those rules are, or whether any proposed mode of acting, is a "departure" from them "without example," or whether it be essential to the "public interest," that some supposed 'usage' of the Senate should be 'preserved unimpaired.'

Resolved, That it is not competent for the President, on a call from the Senate, to decline giving information, whether 'the publication of documents necessary to be referred to in debate, will be prejudicial to existing negotiations,' on the ground that he disapproves of the mode of proceeding, which the Senate proposes to follow on the subject, to which those documents relate.

The evident tendency, and it would not perhaps, be considered either harsh or indecorous to say, and seeming intention of these resolutions, is to produce a direct breach between the President and Senate, under the appearance that the President had wilfully withheld from the Senate, important information, which it was necessary for them to possess, to further the performance of their duties. Now is there a man out of the Senate, who has read these resolutions, that believes, that important or useful information was their direct object? on the contrary, can we hesitate a moment, to believe that the evident tendency of these resolutions, as well as of those which preceded them, was to throw the responsibility of either opening or closing the Senate doors upon the President, where it ought not to have been thrown—and who acted most wisely and most firmly in the correct answer which he gave? where was the necessity to discuss this matter with open doors, except to give vent to the violent attacks that may have been made upon the President in the course of debate, to bring him into disrepute? and if no necessity, why send to him the enquiry? From all that appears, these resolutions do not seem to seek useful information, so much as to be calculated to place the President in a perilous and disadvantageous point of view—his answer completely extricated him, and perhaps no little mortification may have been felt at his discretion & calmness.

Mr. Rowan's resolutions were rejected by a majority of about four votes on each.

The next resolution was that of Mr. Holmes.

Resolved, That the Senate having, on the 15th day of February, passed the following resolutions:

"*Resolved*, That, upon the question whether the U. States shall be represented in the Congress of Panama, the Senate ought to act with open doors: unless it shall appear that the publication of documents, necessary to be referred to in debate, will be prejudicial to existing negotiations.

"*Resolved*, That the President be respectfully requested to inform the Senate whether such objection exists to the publication of the documents communicated by the Executive or any portion of them; and, if so, to specify the parts, the publication of which would, for that reason, be objectionable."

To which the President returned the following message in answer, viz:

"WASHINGTON, 16 h Feb 1826.

"*To the Senate of the U. States*:

"In answer to the two resolutions of the Senate, of the 15th instant, marked (Executive,) and which I have received, I state, respectfully, that all the communications from me to the Senate, relating to the Congress at Panama, have been made, like all other communications upon Executive business, in *confidence*, and most of them in compliance with the resolution of the Senate requesting them confidentially. Believing that the established usage of free confidential communications, between the Executive and the Senate, ought, for the public interest, to be preserved unimpaired, I deem it my indispensable duty to leave to the Senate itself the decision of a question, involving a departure, hitherto, so far as I am informed, without example, from that usage, and upon the motives for which, not being informed of them, I do not feel myself competent to decide.

JOHN QUINCY ADAMS."

Resolved, That, as the Senate have not been informed by the President, whether the publication of the documents, in relation to the proposed mission to the Congress at Panama, would effect any pending negotiations, it is expedient to proceed to the discussion of the subject of that mission with closed doors

On motion by Mr. King,

The Senate adjourned.

Having embodied Mr Van Buren's resolutions and the President's answer, the resolution of Mr. Holmes, states, that the Senate had not been informed by the President whether the publication of the documents would interfere with any existing negotiation, (on which matter we are sure every body was satisfied, except the enquiring Senators, and we should have thought they could have had no doubt, but for their votes,) and simply comes to the determination, that the Senate will proceed in the discussion with closed doors. But this determination was too simple for Mr. Dickerson, who moved to improve it by substituting the following:

Resolved, That, although the Senate cannot find, in the answer of the President of the United States to their resolutions of the 15th instant, relative to the proposed mission to Panama, any distinct information that the publication of the communications, alluded to in said resolutions, would or would not be prejudicial to existing negotiations, they find a strong objection on the part of the President, to the publication of those communications, inasmuch as they were made 'in confidence, and most of them in compliance with a resolution of the Senate, requesting them confidentially.' And although the Senate have the right to publish communications so made, and to discuss the same, with open doors, without the assent of the President, when, in their opinion, the public interest may require such publication and such discussion, they do not think that present circumstances require the exercise of this right, so far as respects a discussion of those confidential communications, with open doors. Therefore,

Resolved, That the discussion upon the proposed mission to Panama, and the confidential communications upon the same, be held with closed doors.

This substitute is more complex, more constructive—it is not so artless as that of Mr. Holmes, though with more display, it arrives at pretty much the same forlorn alternative.

The next resolution is that of Mr. White.

To amend the proposed amendment, by striking out the following words: "Resolved, That the discussion upon the proposed mission to Panama, and the confidential communications upon the same, be held with closed doors,' and inserting 'Resolved, That the Senate cannot, consistently with the duty which it owes to the United States and to itself proceed to consider the expediency of appointing Ministers to attend the Congress at Panama, until it can receive the information necessary to enable it to determine whether the consideration of that question ought to be with open or with closed doors.

This resolution is intended as a substitute for Mr. Dickerson's last one, and wishes the Senate to determine, that they cannot, consistently with their duty, proceed in the consideration of the Panama mission, until they can learn *whether they are to sit with open or with closed doors.* Such a difficulty as this was probably never suggested to the Senate before—it was a novel mode of arresting their proceedings —This substitute was not accepted, but Mr. Dickerson's was.

Mr. Lloyd of Massachusetts, then proposed to consider the resolution reported by the Committee on Foreign Relations, which was to this effect, viz: "Resolved, that it is not expedient, at this time, for the United States to send any Ministers to the Congress of American Nations, assembled at Panama"—This resolution Mr. Benton wished to amend by substituting the following:

On motion of Mr. Benton the said amendment was modified as follows: Strike out all after '*Resolved*,' and insert—'That it is not expedient for the United States to send any Ministers to the Congress of American nations assembled at Panama, before it shall have received satisfactory information upon the following points: First, The subjects to which the attention of the Congress will be directed: 2ndly. The substance and form of the powers to be given to the respective Representatives: 3dly. The mode of organizing the Congress: 4thly. The mode of action in deciding the questions which may be submitted to it.'

This substitute undertakes to demand that the four points therein stated must be made known to the Senate, before they can agree that it will be expedient to send the mission. Of these four points, the first, the third and the fourth, no one on earth, we suspect, can have the information necessary to give the detail required—it would require a prophetic spirit. Was there any source where the enquiry could have been made, with any hope of rational satisfaction, previous to the meeting of the Convention, in 1787, to form a Constitution for these U. States, as to the different "subjects to which the attention of the convention would be directed"—as to the "mode of organizing that convention," or as to the "mode of action in deciding the questions which may be submitted to them?" to demand such a statement in relation to the Congress at Panama, is to ask for that which it is impossible to give—The world will therefore decide on an inexpediency that is vested upon impossibilities.

The second point of enquiry, viz: "the substance and form of the powers to be given to the respective Representatives," cannot be known until the Representatives meet in the Congress, when there will, no doubt, be an exhibit of all their various

©Maryland State Archives, msa_sc2940_scm11029-0259.jpg