gainst the confirmation of a Minister to a Foreign Court, who has already gone abroad, and has been received, and accredited, by the Government to which he is sent. I am aware, that the rejection of this nomination, and the necessary recall of the Minister, will be regarded by foreign States, at the first blush, as not in the highest degree favorable to the character of our Government. I know moreover, to what injurious reflections one may subject himself, especially in times of petty excitement, by giving a negative vote, on such a nomination. But after all, I am placed here to discharge *a duty*. I am not to go through a formality; I am to perform a substantial and responsible *duty*. I am to *advise* the President in matters of appointment. This is my constitutional obligation; and I shall perform it conscientiously and fearlessly. I am bound to say, then, sir, that for one, I do not advise nor consent to this nomination. I do not think it a fit and proper nomination, and my reasons are found in the letter of Instruction, written by Mr. Van Buren, on the 20th of July, 1829, to Mr. McLane, then going to the Court of England, as American Minister. I think these instructions derogatory, in a high degree, to the character and honor of the country. I think they show a manifest disposition, in the writer of them, to establish a distinction between his Country and his Party, to place that party above the country; to make interest, at a foreign Court, for that party, rather than for the country; to persuade the English Ministry and the English Monarch, that *they* had an interest in maintaining, in the U. States, the ascendency of the Party to which the writer belonged. Thinking thus of the purpose and object of these instructions, I cannot be of opinion that their author is a proper Representative of the United States at that Court.—Therefore it is, that I propose to vote against his nomination.

It is the first time, I believe, in modern Diplomacy, it is certainly the first time in our history, in which a minister to a foreign court has sought to make favor for one party at home, against another, or has stooped from being the Representative of the whole country, to be the Representative of a party. And as this is the first instance in our history of any such transaction, so I intend to do all in my power to make it the last. For one, I set my mark of disapprobation upon it; I contribute my voice and my vote, to make it a negative example, to be shunned and avoided by all future ministers of the United States. If, in a deliberate and formal letter of instructions, admonitions and directions are given to a minister, and repeated, once and again, to urge these mere party considerations on the foreign Government, to what extent, is it probable, the writer himself will be disposed to urge them, in his one thousand opportunities of informal intercourse with the agents of that Government.

I propose, sir, to refer to some particular parts of these instructions; but before I do that, allow me to state, very generally the posture of that subject, to which those particulars relate. That subject was the state of our trade with the British West India colonies. I do not deem it necessary now to go minutely into all the history of that trade. The occasion does not call for it. All know, that by the convention of 1815, a reciprocity of intercourse was established between us and Great Britain. The ships of both countries were allowed to pass, to and from each other respectively, with the same cargoes, and subject to the same duties. But this arrangement did not extend to the British West Indies. There our intercourse was cut off. Various discriminating and retaliatory acts were passed, by England and by the United States. Eventually, in the summer of 1825, the English Parliament passed an act, offering reciprocity, *so far as the mere carrying trade was concerned*, to all nations, who might choose, within one year, to accept that offer.

Mr. Adams' administration did not accept that offer; first, because it was never officially communicated to it, secondly, because, only a few months before, a negotiation on the very same subject had been suspended, with an understanding that it might be resumed; and thirdly, because it was very desirable to arrange the whole matter, if possible, by treaty, in order to secure, if we could, *the admission of our products into the British islands for consumption*, as well as the admission of our vessels. This object had been earnestly pursued ever since the peace of 1815. It was insisted on, as every body knows, through the whole of Mr. Monroe's administration. He would not treat at all, without treating of this object. He thought the existing state of things better than any arrangement, which, while it admitted our *vessels* into West India ports, still left our *productions* subject to such duties there, that they could not be carried.

Now, sir, Mr. Adams' administration was not the first to take this ground. It only occupied the same position which it predecessor had taken. It saw no important objects to be gained by changing the state of things, unless that change was to admit our products into the British West Indies, directly from our port, & not burdened with excessive duties. The direct trade, by English enactmests, and American enactments, had become closed. No British ship came here from the British West Indies. No American ship went from us to those places. A circuitous trade took place, through the islands of third powers; and that circuitous trade was, in many respects, not disadvantageous to us.

In this state of things, sir, Mr. McLane was sent to England; and he received his instructions from the Secretary of State. In these instructions, and in relation to this subject of the colonial trade, are found the sentiments of which I complain. What are they? Let us examine and see.

Mr. Van Buren tells Mr. McLane "the opportunities which you have derived from a participation in our public councils, as well as other sources of information, will enable you to speak with confidence (as far as you may deem it proper and useful to do,) of the respective parts taken by those to whom the administration of this government is now committed, in relation to the course heretofore pursued upon the subject of the colonial trade."

Now, this is neither more nor less than saying, "you will be able to tell the British minister, whenever you think proper, that you, and I, and the leading persons in this administration, have opposed the course heretofore pursued by the government and the country, on the subject of the colonial trade. Be sure to let him know, that, on that subject, *we* have held with *England*, and *not* with *our own government*. Now I ask you, sir, if this be dignified diplomacy? Is this statesmanship? Is it patriotism, or is it mere party? Is it a proof of a high regard to the honor and renown of the whole country, or is it evidence of a disposition to make a merit of belonging to one of its political divisions?

The Secretary proceeds: "*Their views* (that is, the views of the present Administration) upon that point have been submitted to the people of the United States; and the counsels by which your conduct is now directed, are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts."

Now Sir, in the first place, there is very little reason to suppose that the *first* part of this paragraph is true, in point of fact. I mean that part which intimates that the change of administration was brought about by public disapprobation of Mr. Adams's conduct respecting the subject of the colonial trade. Possibly so much was then said, on a subject which so few understood, some degree of impression may have been produced by it. But be assured sir, another cause will be found, by future historians, for this change; and that cause will be the popularity of a successful soldier, united with a feeling, made to be considerably extensive, that the preferences of the people in his behalf had not been justly regarded, on a previous occasion. There is, Sir very little ground to say that "the only tribunal to which the late administration was amenable" has pronounced any judgement against it for its conduct on the whole subject of the colonial trade.

But, however this may be, the *other* assertion in the paragraph is manifestly quite wide of the facts. Mr. Adams's administration did not bring forward this claim. I have stated, already, that it had been a subject, both of negotiation and legislation through the whole eight years of Mr. Monroe's administration. This the Secretary knew, or was bound to know. Why then does he speak of it as set up by the late administration, and afterwards abandoned by them, and not now revived.

But the most humiliating part of the whole follows:—"To set up the acts of the late administration as the cause of forfeiture of privileges, which would otherwise be extended to the people of the United States, would, under existing circumstances, be unjust in itself, and could not fail to excite their deepest sensibility."

So, then, Mr. President, we are reduced, are we, to the poor condition, that we see a minister of this great Republic instructed to argue, or to intercede, with the British minister, lest he should find us to have forfeited our privileges; and lest these privileges should no longer be extended to us! And we have forfeited those privileges by our misbehaviour, in choosing rulers, who thought better of our own claim than of the British! Why, sir, this is patiently submitting to the domineering tone of the British Minister, I believe Mr. Huskisson —[Mr. Clay said "no Mr. Canning."] Mr. Canning, then, sir, who told us that all our trade with the West Indies was a *boon*, granted to us by the indulgence of England. The British Minister calls it a *boon*, and our Minister admits it as a *privilege*, and hopes that his Royal Majesty will be too gracious to decide that we have forfeited this privilege, by our misbehaviour, in the choice of our rulers! Sir, for one, I reject all idea of holding any right of trade, or any other rights, as a *privilege* or a *boon*, from the British Government, or any other Government.

At the conclusion of the paragraph, the Secretary says—"You cannot press this view of the subject too earnestly upon the consideration of the British Ministry. It has bearings and relations that reach beyond the immediate question under discussion."

And adverting again to the same subject towards the close of the despatch he says, "I will add nothing as to the impropriety of suffering any feelings that had their origin in the past pretensions of this Government, to have an adverse influence upon the present conduct of Great Britain."

I ask again, Mr. President, if this be Statesmanship? if this be dignity? if this be elevated regard for country? Can any man read this whole despatch, with candor, and not admit, that it is plainly and manifestly the writer's object to gain credit with the British Ministry for the present administration, at the expense of the past? Certainly, this object appears to me as plain and visible as the sun at noon.

Lest I should do the Secretary injustice, I will read all that I find in this letter, upon this obnoxious point. These are the paragraphs:

"Such is the present state of our commercial relations with the British colonies; and such the steps by which we have arrived at it. In reviewing the events which have preceded, and more or less contributed to, a result so much to be regretted, there will be found three grounds, upon which we are most assailable 1st in our too long and too tenaciously resisting the right of Great Britain, to impose protecting duties in her colonies;" 2nd, &c.

"The opportunities which you have derived from a participation in our public councils, as well as other sources of information, will enable you to speak with confidence(as far as you may deem it proper and useful so to do) of the respective parts taken by those to whom the administration of this Government is now committed, in relation to the course heretofore pursued upon the subject of the colonial trade. Their views upon that point have been submitted to the people of the United States; and the counsels by which your conduct is now directed are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts. It should be sufficient that the claims set up by them, and which caused the interruption of the trade in question, have been explicitly abandoned by those who first asserted them, & are not revived by their successors. If Great Britain deems it adverse to her interests to allow us to participate in the trade with her colonies, and finds nothing in the extension of it to others to induce her to apply the same rule to us, she will, we hope, be sensible of the propriety of placing her refusal on those grounds.—To set up the acts of the late Administration as the cause of forfeiture of privileges which would otherwise be extended to the People of the United States, would under existing circumstances, be unjust in itself, and could not fail to excite their deepest sensibility. The tone of feeling which a course so unwise and untenable is calculated to produce, would doubtless be greatly aggravated by the consciousness that Great Britain has, by order in council, opened her colonial ports to Russia and France, notwithstanding a similar omission on their part to accept the terms offered by the act of July, 1825. You cannot press this view of the subject too earnestly upon the consideration of the British ministry. It has bearings and relations that reach beyond the immediate question under discussion"

"I will add nothing as to the impropriety of suffering any feelings that find their origin in the past pretensions of this Government to have an adverse influence upon the present conduct of Great Britain."

Sir, I submit to you, and to the candor of all just men, if I am not right in saying, that the pervading topic, through the whole, is, not American Rights, not American interests not American defence, but denunciation of past *pretensions* of our own country, reflections on the past Administration, and exultation, and a loud claim of merit, for the Administration now in power. Sir, I would forgive mistakes; I would pardon the want of information—I would pardon almost any thing, where I saw true patriotism and sound American feeling: but I cannot forgive the sacrifice of this feeling to mere Party. I cannot concur in sending abroad a public agent who has not conceptions so large and liberal, as to feel, that in the presence of foreign Courts, amidst the monarchies of Europe, he is to stand up for his country, and his whole country; that no jot nor tittle of her honor is to come to harm in his hands; that he is not to suffer others to reproach either his Government or his Country, and far less is he himself to reproach either; that he is to have no objects in his eye but American objects, and no heart in his bosom but an American heart; and that he is to forget self, to forget party, to forget every sinister and narrow feeling, in his proud and lofty attachment to the Republic, whose commission he bears.

Mr. President, I have discharged an exceedingly unpleasant duty, the most unpleasant of my public life. But I have looked upon it as a duty, and it was not to be shunned. And, sir, however unimportant may be the opinion of so humble an individual as myself, I now only wish that I might be heard by every Independent Freeman in the United States, by the British Minister, and the British King, and by every Minister and every crowned head in Europe, while standing here in my place, I pronounce my rebuke as solemnly and as decisively as I can, upon this first instance, in which an American Minister has been sent abroad as the Representative of his Party, and not as the Representative of his Country.

Latest from Europe.

The New York Journal of Commerce of the 2d inst. says—A little before 10 o'clock last evening, our news schooner "Evening Edition" came up from the packet ship North America, Capt. Macy, bringing us London and Liverpool papers to Dec. 31st, both inclusive. The 1st of January being Sunday, no Liverpool papers were issued. The news is of considerable importance, both commercially and politically. The rapid extension of the Cholera in England—the passage of the bill by the Peers, abolishing hereditary Peerage in France—the execution of Torrijos and his partizans, 54 in number, by the Spaniards—and a reported Revolution in Rome—are the most prominent topics of interest.

This is the first return voyage of the North America, and a most flattering one it is, both to the Captain and owners. We wish her the same success in time to come.

Goods were going forward freely from Liverpool for the United States.

The Packet ship Sampson, from New York for London, was discharging her cargo at Portsmouth on the 30th.—A letter from Capt. Chadwick says, his deck was swept Dec. 5th, five days out from N. York. Dec. 9th, while scudding, a sea wrung off the rudder by the counter and carried away all the braces from the stern post. On the 13th weather moderated; shipped a rudder by which the ship steered well. On the 20th, during a hail storm, was struck with lightning at the foremast head, The fluid came down through both decks into the lower hold where it entered several boxes & set fire to a bale of cotton which lay near the foremast. Succeeded in getting off the fore hatch, and removing the cargo so as to extinguish the fire. Weather thick until 25th. The Sampson had a large quantity of specie on board.—The ship and cargo were worth $700,000. Seldom has a ship been overtaken with such a series of disasters.

A letter from Captain Holdridge, of the Silas Richards says, he was nine days in getting to the Banks, when he took a hurricane from the West, and reached Holyhead, a distance of 2000 miles, in eight and a half days,—all safe.

A meeting of the creditors of Remington, Stephenson, & Co (Rowland Stephenson) took place Dec. 23rd, in Basinghall-street, London. Additional debts were proved to rather above £[illegible],000 The total amount of claims as yet is £490,729. A further dividend of two pence in the pound was declared. The amount of previous dividends is 9s 6d in the pound.

A London date of the 20th says, "The cholera is still raging with frightful virulence at Smyrna. In 11 days nearly 9000 deaths took place, and its ravages were extending by late accounts, to the neighboring villages." [Perhaps there is one 0 too many. Eds. Jour. Com.]

PRESTON, Dec. 31.—The Reform Bill has become quite a dead letter. Few think it worth while to bestow a thought upon the subject, much less discuss its merits, but the little that does transpire is, however, of the most satisfactory kind. We have it from the organs of Government, that all idea of breaking in upon the ranks of the Lords' majority, by negociation or otherwise, has been totally abandoned.

LONDON, Dec. 27.—The French papers of Friday and Saturday, which we received last night, are full of interesting matter. Those of Friday contain the conclusion of the debate on the political system of Ministers in the Chamber of Deputies, and the commencement of the debate on the Peerage in the Chamber of Peers. The former discussion lasted three days, without including the sitting in which the Prime Minister made his statement on the affairs of Lyons, which furnished its chief theme. This statement was encountered with rancor and hostility on the two first days. Ministers, however, triumphantly refuted every charge brought against them on this ground, and an immense majority pronounced their honorable acquittal. The scene was then shifted from Lyons to Paris, and the tumults of July in the latter substituted for the rebellion of November in the former. As the Administration was blamed for not foreseeing the disturbances at Lyons, it was likewise censured for the conduct of a police which had foreseen clearly enough, and put down—perhaps by unjustifiable means—those of Paris. The President of the Council having passed over the burning ploughshares of the former ordeal, was obliged to prepare himself for a judicial combat in the latter, with the doughty champions who had already supported the cause against him before the tribunals. In both cases he was victorious, and his ministry may be considered as strengthened by a struggle which threatened its overthrow.

HEREDITARY PEERAGE ABOLISHED IN FRANCE!

LONDON, Dec. 30, (evening.)—An Hereditary Peerage has ceased to exist in France,—in that country which is within three hours sail of the English shores. The Paris papers mention that the question was brought to a conclusion on Wednesday evening, (Dec. 28th,) when the entire law was put to the vote, and passed by a majority of 33, the number for the abolition being 103; against it 70! The final settlement of this question has created, comparatively speaking but little sensation in the French capital; for it had not long since been determined by the people that the hereditary Peerage should go; consequently the majority in favor of the Ministers was looked on merely as a matter of course.

A paragraph in the London Times of the 31st, states that of the 36 new Peers only 32 voted; the others being absent or not having taken their seats. Of the whole number of Peers, 40 were absent.

THE SLAVE TRADE.—*Horrid Barbarity.*—The Fair Rosamond and the Black Joke, tenders to the Dryad frigate, have captured three slave vessels which had originally 1100 slaves on board, but of which they succeeded in taking only 306 to Sierra Leone. It appears the Fair Rosamond had captured a lugger, with 106 Africans, and shortly afterwards saw the Black Joke in chase of two other luggers; she joined in the pursuit, but the vessels succeeded in getting into the Bonny River, and landed 600 slaves before the tenders could take possession of them. They found on board only 200, but ascertained that the rascals in command of the slaves had thrown overboard 180 slaves, manacled together, four of whom only were picked up. Such scoundrels as these should be tried for Piracy.—*Hamp Tel.*

SPAIN.

Destruction of Gen. Torrijos & his party.—The Gazette de Madrid has published the following additional details of the arrest of General Torrijos: On the night of the 30th of November two small vessels left Gibraltar with Torrijos (the revolutionist) and his partisans. Followed & backed by the felucca Neptune they were forced to throw themselves on the coast of Malaga, where they abandoned their vessels. The Spanish authorities informed of this landing, took measures accordingly, and sent troops in every direction to cut off their retreat on Gibraltar; and as Torrijos might possibly endeavor to escape by means of some fishing boats, the brigantine Le Heros was charged to watch the coast. Gen. Gonzalez Moreno placed himself at the head of a detachment. After various movement, the General learned on the 4th of December, that he was near the hiding place of the Liberals, who were sheltered in a barn. They defended themselves for some time. The number of the Liberals was not known.—Some said they were 2000, others only 80. Towards evening Torrijos solicited a safe conduct to have an audience of Gen. Gonzalez, and obtain his life and that of his companions. The General, not feeling himself authorised to accede to this demand, granted six hours to Torrijos to decide whether he would surrender at discretion, or run the risk of an attack, in which all would have died by the sword. The first six hours having passed away, without any result, the General granted another and yet another hour. The night had passed, and at break of day Torrijos surrendered at discretion, as well as fifty four of his companions.

We received yesterday the news of the execution of Torrijos, and his companions at Malaga. Torrijos was shot first; he met his end with the courage of a soldier. His companions, drawn up in line, all fell at the same time. Among the victims, are Don Maria Torrijos, a very distinguished General, Don Juan Lopez Pinto, formerly Prefect, and commander of the National Guard; Mr Robert Boyd, an Englishman of distinguished family; Don Manuel Florez Calderon, President of the Chamber in Spain; Don Francisco Fernandez Golfin, Minister of War.

A Parliament in Dublin.—Mr. O'Connell has cut the Gordian knot, and has superseded the functions of King, Lords and Commons. This audacious usurper—the Cromwell of his day, with all his hypocrisy, but without his courage—has had the unparalelled effrontery to issue his "writ," and has actually convoked an assembly of the Peers and Commons of Parliament, to meet in Dublin on the 9th of January next, to take into their consideration the high and mighty affairs which appertain to his kingdom of Ireland, and this is upon pain of his mighty displeasure!!!—*Dublin Times.*

President's Message.—This document was received at Liverpool, Dec. 27th by the packet ship Silas Richards, from New York.

LIVERPOOL, Dec. 30.

Grain and Flour.—It appears to be the opinion of most persons engaged in the corn trade, that the last crop of Wheat fell short of an average, and the general statements made by them are to the following effect:—In the southern, eastern, and many of the middle counties, the deficiency is estimated at one-fourth less than average crop, whilst in the western counties, average crops were generally obtained, and of good quality. In Scotland, the eastern counties produced indifferent crops, and westward they were good and equal to an average. In Ireland the Wheat crop is good quality, and is estimated a full average. The crops of Oats and Barley were generally deficient. Potatoes and Turnips yielded abundantly; and Hay was a very light crop. It is worthy of remark, that the export of wheat from Ireland during the last ten years, has nearly exceeded 475,000 quarters in one year, and on an average under 400,000 quarters yearly. From official documents it appears that 2,430,260 quarters of Wheat, and 1,431,280 cwt. of Flour, were released from bond between the harvests of 1830 and 1831; and as the stocks of Wheat in the hands of

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