

AMENDMENT OF THE CONSTITUTION.

The numerous amendments lately proposed to the Constitution of the United States, with regard to the mode of electing the President and Vice-President, have of late attracted much of the public mind.

As the Constitution was originally framed in this particular, the choice was principally effected, as at this time, by electors chosen by the citizens of the colonies, but there was no designation of candidates for the Presidency or Vice-Presidency.

The avowed object of those who are now proposing an amendment, is to give the choice of these two high officers directly to the people, without the intervention of a body of electors.

What is meant by giving the choice of President and Vice-President directly to the people, is the giving of it to a majority of all the free white male citizens of the United States, entitled, by the law of the respective states, to vote at elections.

As it is manifestly impossible to give the choice of President and Vice-President to a majority of all the free white citizens entitled to vote, without disfranchising, in a great degree, the slave holding states, it is equally impossible, by the substitution of direct popular votes, by districts, for the votes of electors chosen by the people, to give the certainty of an election of chief magistrates by a majority of popular suffrages.

Table with 2 columns: District No. and Majorities for Y. Majorities for Z. Rows 1-11.

Thus Y would gain six votes, by majorities of the popular suffrages amounting only to 1850, while Z, with minorities amounting to 3000, would gain but five.

Every view that can be taken of the Constitution of the United States, will demonstrate that it was formed upon a basis of states, rather than upon the pure basis of a free white population.

It was framed by a convention of delegates from the several states; it was ratified by state conventions; the representatives and senators in Congress are chosen by states, upon a fixed ratio, which nullifies the fractional parts of the population; the votes for President and Vice-President are apportioned according to the number of senators and representatives from each state; the constitution cannot be altered, unless through the consent of three-fourths of the states, in their character of states; and the people of the territories, however, they may be free white citizens, are totally excluded from a vote in Congress, and from giving their suffrages in the election of the Chief Magistrate of the United States, merely because they are not inhabitants of a state.

tion of the political foundation on which was established.

The report of the select committee of the Senate, made by Mr. Benton, presents as plausible reasons as can, perhaps, be offered in support of a district system, without the agency of electors. But the change proposed is a radical one, and it is merely a substitution of districts or electors, because, as the report, which the electors are generally pledged beforehand to vote for a particular candidate, and, therefore, the result in either case would be the same.

The argument of the report is equally imperfect in attempting to show that the people, on failing to elect a President in the first instance, would have a second choice, provided the question were again referred to them, according to the plan of the select committee of the Senate.

The report of the select committee of the Senate, however, does not stop here. After taking the election from the House of Representatives, on account of its liability to corruption, it brings it thither in the last resort.

The grand motive, and that which supercedes all other motives, assigned for the amendment of the Constitution, is the fear of corruption. According to the tenor of the report before the Senate, corruption is to be looked for in Congress, in the state legislatures, in the electoral colleges, and even among the people themselves to preclude the possibility of which, in the latter case, the community is to be divided into districts.

It would not be surprising, if the report made by Mr. Benton, as a select committee of the Senate has formally announced it as a fact to the world, we must be allowed to say that it proves too much; that is, it proves the people of the United States to be incapable of self-government.

It would be an easy task to follow the argument of the report made by Mr. Drayton, from beginning to end, and point out defects in it that are innumerable by reason. We could show that all the machinery of the corruption practised at Rome, as set forth in the display of a knowledge of Roman electing customs by the select committee of the Senate, would be spread all over this whole land, for which did not submit hesitantly to substituting its agents and contrivances to rule the nation.

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On the 6th Decemr. 1820, by Mr. McDuffie—To elect the President and Vice President by a uniform system of voting, by districts, and to prevent a choice by the House of Representatives.

On the 16th Feb. 1820, by Mr. McDuffie, in substitute. The same as the foregoing, and to make the districts in each state correspond with the number of Senators and Representatives to which it is entitled; each district to have one vote.

Dec. 14th. 1823, by Mr. Mitchell of Tennessee. To render Senators and Representatives ineligible of holding office within the terms for which they shall have been elected, and for a year thereafter.

Dec. 30th, 1825, by Mr. Cook. For a uniform system of voting by districts, directly by the qualified voters, to prevent the election devolving on Congress, and the eventual choice to be from the list on the list previously voted for, the two and to be made by states.

Jan. 11, 1826, by Mr. Phelps. In case the question should come before the House, and, after two ballots there is no choice, the election to be made by lot, to be drawn by the Speaker, from the names of candidates having the highest number, put into a ballot box.

Feb. 16, 1826, by Mr. Gannett. The people of the several states, authorized to vote for members of the House of Representatives, by districts, and to elect the President and Vice President, and a plurality of voters to determine the choice.

Feb. 20, 1826, by Mr. Buchanan. To re-establish the 31st clause of the 1st section of the 2d article of the original constitution, except that portion which confers the power of electing the President on the House of Representatives; and in case of no election by electors, the states to choose the President from the two highest on the list, as the state legislatures may direct, each state having one vote.

Feb. 20th, 1826, by Mr. Doney. For an uniform system of voting, by districts for electors, the number of districts to be equal to the whole number of senators and representatives which each state is entitled to in Congress; each elector to have one vote; in the contingency of no choice, a new election to be held, and they from the two highest numbers on the first trial, to choose one; the votes to be taken by states; each state to have one vote; the electors to vote viva voce.

Feb. 21st, 1826, by Mr. Cwell. In the event of the election devolving on the House of Representatives, no member voting, to receive an appointment, within the nomination of the President for three years afterwards, unless in case of war, when members may receive appointments in the army or navy.

Feb. 21st, 1826, by Mr. Dorn. To authorize qualified voters for the most numerous branch of the state legislatures to vote directly for President and Vice-President, in such manner as the legislature of each state may direct.

Feb. 22d, 1826, by Mr. Haynes. The people of the several states to vote by general ticket, and the candidate receiving the greatest number of votes in a state, to be taken to have received a number of votes equal to the number of the senators and representatives of the state in Congress. Should there be no election, the two candidates highest on the list are to be returned to the people, who are to vote again by general ticket; and the one receiving the highest number of votes in a state, to be taken to have received one vote; in either event, a majority of the whole number of votes to be necessary to a choice.

Feb. 24th, 1826, by Mr. Livingston. To vest the choice of President and Vice-President directly in the people, without the intervention of electors.

Feb. 24th, 1826, by Mr. Thompson, of Penn. The citizens in each state qualified to vote for the most numerous branch of the state legislatures, to vote directly for President and Vice-President; the return to be made to the governor, who, with such persons as the state legislature may appoint, shall ascertain the candidate having a majority of all the votes given in the state, and he is to be declared to have received the number of electoral votes to which the state is now entitled. In case no candidate has a majority of all the electoral votes, the people are to vote again, in the same manner, confining their choice to one of the two highest on the list.

Feb. 24th, 1826, by Mr. Sloan. To give to the free white male citizens of the several states, above the age of twenty-one years, by a general vote per capita, throughout the United States, the election of President and Vice-President.

Feb. 24th, 1826, by Mr. Weston. After the next election, when a President has served four years, he shall be ineligible again for six years; a uniform system of voting by districts; the electoral colleges hereafter to elect the President and Vice-President, by a parity of votes; in the event of the election devolving on Congress, the votes to be given viva voce, and members voting on such occasions, to be disqualified from holding any office, within the life or denoument of the President, for four years.

Feb. 24th, 1826, by Mr. Mace. That it is expedient to alter the constitution of the United States, in that part which relates to the election of President and Vice-President.

Feb. 24th, 1826, by Mr. Hemphill. To choose the President and Vice-President by electors, every sixth year; the electors to meet and vote in August; the Congress to be in session in October every sixth year; the electoral votes to be opened and counted as at present; if there be no choice, the qualified citizens are to hold an election in December, and vote directly between the persons having the two highest numbers for President; this second election to be conducted as the state legislatures may direct; and the certificates of the votes to be returned and counted in Congress; each state to be reckoned as one vote. If, at the first election, no person has a majority, and more than two have an equal number of votes, or if, at the second election, the two persons shall have an equal number of votes, the choice to be determined according to the constitution of the United States, in that part which relates to the election of the President and Vice-President.

children, and to the protection of the community, and to the preservation of the peace of the Union. No person is eligible to the office of President, who has not attained the age of thirty-five years; the terms of President and Vice-President to be four years, and the President to be ineligible to the same office forever thereafter.

From the summary of the resolutions offered in the House, it will be seen that sixteen different propositions have been submitted, in that body alone, in the course of the last three months, for altering the organic law of the general government, respecting the election of the chief executive magistrate of the nation; and when a doubt may reasonably be entertained as to the final adoption of any one of them by Congress.

MEMBERS OF CONGRESS.

We believe it to be a sound republican axiom, that the power of patronage should be so distributed, and diffused, in a republican government, as not to be dangerous in the hands of any one man or department, or give them any undue influence over the other branches of government.

The committee have gone into deep research, and have drawn from the archives of the early times of the government, the sentiments of the ages of those days by which they prove, that a section was adopted in the early stage of the convention that formed the constitution, by an almost unanimous vote, excluding members of Congress from appointment to any office under the authority of the United States, during the time for which they have been elected, and the senators for one year afterwards.

The committee go into an elaborate argument to prove the soundness of the principle upon which the proposed amendment is founded. They energetically combat the argument of the Federalists, where it offers palliation for this defect in the Constitution, by saying that the Constitution guards against an abuse of this power by excluding members from offices created during the term of their election and vacancies in other offices would be insufficient to have much influence.

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COLUMBIA.

TUESDAY MORNING, MARCH 21, 1826. Wm. HARRIS, Esq. who has been recently appointed by his Excellency Governor Manning, to fill the vacancy occasioned by the death of the Hon. JOHN GAITHER in the Senate of the United States, took his leave of our town on Saturday last for Washington City.

In publishing the Free List of the sixth department of the Atlantic Bank Lottery of August, the following transcription of numbers took place.—Immediately after 5,000 were printed, these continuing with 17,000 which should properly have come in under the bottom of the list. In order to correct this error, those intended will read 17,000 near the bottom of the second column, then a number at the tenth number from the bottom of the third column, then the tenth number from the bottom of the fourth column, all of which numbers to the bottom of the respective columns belong to 17,000 ending with 17,900. We are unwilling to further the error, but to show the managers and those concerned in the Lottery of any imputation, and to name those who are in error to pursue the list correctly, we have taken this notice of the error.

CONGRESS. The House of Representatives was engaged chiefly, in discussing private bills. The bill authorizing a subscription to stock of the Diamond Swamp Canal Company, was postponed, to give time for some information to come from the department, which is expected in a few days. Mr. Cook, of Illinois, laid a resolution on the table, proposing a referendum of all the various amendments of the constitution, now before the committee of the whole, on the state of the Union; to a select committee. Nat. Journal, March 8.

In the Senate, the bill making appropriation for certain fortifications was ordered to be engrossed for its third reading. The motion to strike out the appropriation of 11,000 dollars for the purchase of land at Throck's Neck, with a view of the erection of a fort at that place, was rejected by a vote of 26 to 12. An incidental motion was made to resume the consideration of Executive business. In the House of Representatives yesterday, Mr. Herrick, of Maine, laid on the table a resolution proposing an amendment to the Constitution, providing that propositions to amend the Constitution shall not be offered more than once in ten years. He accompanied his resolution with some remarks, in which truth was mixed under the favor of humor. Some discussion took place on the amendments made in the Senate to the Great appropriation bill, some of which were disagreed to, and returned to the Senate. In committee of the whole on the state of the Union, Mr. Drayton, of South Carolina, concluded his remarks, and Mr. Everett, of Massachusetts, obtained the floor for 15 days. Nat. Journal, March 7.

In the Senate yesterday, the bill making appropriation for the support of government for the year 1826, was passed, and the bill to enable the President of the United States to hold a treaty with the Cherokee and Chickasaw nations of Indians, for the purpose of extinguishing their title of lands within the State of Mississippi, was ordered to be engrossed for a third reading. The bill making appropriation for certain fortifications was called up, and, after some debate on the item of the appropriation of \$17,000, for the purchase of land at Throck's Point, N. Y. for the purpose of erecting a fort, on motion of Mr. Harrison, the bill was laid on the table, and the Senate proceeded to the consideration of Executive business.

In the House of Representatives, a resolution was laid on the table by Mr. Rogers, of Alabama, calling on the President for information as to certain practices in the sale of relinquished lands, and the propriety of allowing a right of repurchase, under certain conditions, to the original purchaser. Mr. Kellog, of New-York, offered a resolution to amend the Constitution, by taking away the election of President from the House and giving the right to voters to vote direct for President and Vice-President, each individual to have a right to vote for two persons, one of whom shall not be an inhabitant of his state. The committee on the Territories were instructed by a resolution on motion of Mr. Conway, of N. Y. to make appropriation for compensation to the members of the General Assembly of the Territory of Arkansas, and refunding to the Territory the amount heretofore paid for the same purpose. Mr. Wood, of New York, laid on the table a resolution to require that resolutions authorizing the payment of money for services not previously required by law, should be due only on the table.

The discussion on the amendments to the constitution was resumed in committee of the whole on the state of the Union; when Mr. Cambridge speaks in reply to Mr. Storrs, and in favor of the amendments. Mr. Storrs made a brief rejoinder, and was followed by Mr. Drayton, who spoke for nearly an hour, in favor of the amendments, but before he had concluded his remarks the committee rose. Nat. Journal, March 8.

When Mr. Drayton closed his speech yesterday, in the House of Representatives, there were about twenty members started for the door. There is little prospect, therefore, of the speedy termination of the discussion now in progress, unless it shall be arrested by some motion or resolution out of the ordinary course. Nat. Journal, March 9.

ROBBERY OF THE MAIL.

Washington City, March 6.—The Post-Master of this city, on opening the post-millions which contained the Eastern mail, on Tuesday last, discovered that the twilled cotton bag, which contained the letters, had been cut with a knife between two and three feet, and an examination of the packets destined for places south of Washington, were found to be missing. The letter post-master which contained the cotton bag, bore no marks of violence; the lock was unbroken, and all the fastenings were in good order. These facts were communicated to the Post-Master General, who was at once convinced that a robbery of the mail had been committed. He immediately dispatched an express for Baltimore and Philadelphia, with instructions to search no where, or attempt to discover and arrest the offenders. On the arrival of the express at Philadelphia, numerous expresses were put in motion, and the most thorough investigation was commenced. It was ascertained that S. & H. Allen, of Philadelphia, had transmitted a large sum of bank notes, by the mail that day, and a part of the same notes had been sold to another broker in Philadelphia, the day after the robbery. One of the drivers of the mail stage was suspected, and arrested. He is still confined in jail. On Thursday evening of Friday morning, one of the drivers, who had himself been arrested, was arrested in the city of New York, a part of the same notes were found in his possession. He is now in custody, and more expresses, and those of the same date, from the citizens of that city, are being examined.

Beat Company,

YOU are ordered to parade, completely equipped, in front of the Town Hall, on SATURDAY, the 1st of April, at 12 o'clock, for inspection and drill.

JAMES O'HANLON, Captain. It gives tone to a laudable spirit of emulation and pride, (which every man should feel) whilst it adds to the appearance and discipline of troops, and reminds them of the character they assume, and the duty they have to perform. With a view to this end, it is desirable that the members of the above company will appear on parade in white pantaloons and blue coats. This is a request that none should comply with, unless it suits their own convenience and pleasure. It is made in accordance with the feelings of many, who are in favor of uniformity. J. O'H. 13 2

Caution.

THIS is to caution all persons not to credit my name with any subscription, or to give any money to any person, without my personal authority. I have determined not to give any credit to any person, and I have no interest in any subscription. ANTHONY GRADICE. March 21