to use the gentleman's own expression, a *federal measure*—Now the gentleman considers it as a *republican measure*, using his own terms of distinction—But sir, if the time has been when it was the favorite measure of opposite parties, I will venture to say that the *time never was*, when the subject has been fully discussed, examined and understood—Prior to the last Presidential election, and when I suppose the gentleman would consider this as a *federal measure*, a resolution containing the discriminating principle came from the legislature of New Hampshire to that of Connecticut, of which at the time, I was a member, and that legislature, although in the language of the gentleman, it was a *federal measure*, rejected it, I believe unanimously. It was at that time, opposed by those who chose to call themselves Republicans. The subject was not then very fully discussed and I believe was rejected, rather from a repugnance to innovate upon the principles of our constitution than from a full perception of all the beauties and advantages which belong to this feature in the constitution—But, sir, ever since that time, the more the provisions of the constitution, as it now stands have been examined, the more beautiful, useful and wise, do they appear, and the more reason have I had to be satisfied with the vote then given—Let the simple principle be stated, and almost any person, without much examination, would ask why shall not the electors be permitted to distinguish by their votes, which man is intended for the office of President, and which for Vice President? What good reason can be given? This measure is now said to be called for, by the voice of the people, it has received the sanction of several state legislatures, yet, as I have never seen any newspaper discussion of it, nor any debates of those legislatures, I am inclined to believe, that it has been acted upon by first impressions only, and the alteration been considered as proper, without much inquiry into the motives which induced the framers of the constitution, to adopt its provision.

Let me premise further, that I consider it as our duty to proceed, with the same care, and examine with the same deliberation, as if the proposed amendment became, by our vote, a part of the constitution—I state this because I understood a gentleman from Virginia, (Mr. Randolph) in a former day, to advance a different doctrine—That gentleman considered us, as only initiating a proposition, which could not become part of the constitution, until it shall be satisfied by the legislatures of three fourths of the states—This is correct.—But the inference drawn from it, that it is therefore unnecessary for us very seriously and carefully to consider it, before we give it the sanction of our votes is not correct—The constitution has here erected one of its most powerful barriers, against innovating upon its principles—It must not only be agreed to by us, but *two thirds* of both branches of Congress, must concur in proposing amendments—If we adopt any other rule of conduct than that of giving to this proposition the most deliberate attention, it will be dangerous in the extreme—The legislatures of some of the states, call upon Congress to propose amendments—The Senate take up the subject, and agree to it, because the states, and the people require it—It comes to us, under the confirmed influence of the vote of the Senate, and those legislatures—We adopt, because they recommend it And we send it to the states with accumulated credit——They adopt it because we recommend it——In this way, sir, it will, like the description which we have of fame, acquire strength by going—It is therefore our duty seriously to examine the merit of the amendment, and not give the sanction of Congress to an improper resolution, under an idea, that if it is wrong, the states themselves will reject it—

Received in this point of light, the resolution on your table assumes a very important aspect—it goes to change entirely, a fundamental principle of that constitution, under which, for more than fourteen years, the people of the United States have enjoyed unexampled national happiness and prosperity—It goes to change that constitution, in a part of all others, the most delicate and dangerous—that which respects the choice of a chief magistrate, to whom is confided the whole executive power, of an extensive country.

I consider it as more dangerous to change the principles in the constitution, by which a chief magistrate is elected, than any other; and a mode once adopted, ought not be altered until experience has proved to us its disadvantages—Gentlemen seem disposed to join in extolling the virtue, wisdom and integrity of the sages and patriots who framed the constitution—Why not then permit their work to remain untouched until we feel or clearly perceive, the evils which it does, or may produce? The framers of the constitution, adopted the principle which we are about to explode, at a time when no party spirit prevailed on this subject.—When they had no rival candidates in view to fill the office—They discarded the discriminating principle, which we are about to adopt, when all eyes were directed to, and all hearts united in the man, who was designed to become the first President of the United States, under this constitution——And nothing shews in a stronger point of light, how highly they valued the principle of election, by double ballot, contained in the constitution, than, that they were willing even to put at hazard, the election of that man, rather than to lose a principle, which was calculated to give future peace, tranquility and liberty to their country.

We are now about to destroy this principle—Before we do this, let us pause and enquire—What are the evils to be feared under the constitution, as it now is? What are the benefits to be gained by the alteration proposed. I say feared, because no evils have, as yet been *experienced*—Gentlemen tell us that the constitution as it now stands, is calculated to promote intrigue, venality and corruption, and that the amendment is to give a death blow to these enemies of our repose, and republican institutions. If this be true, it is certainly a formidable objection to the constitutional provision—But when gentlemen say this, they deal only in general terms. Why not condescend to tell us, how the constitution is calculated to produce these evils?—Has it been shewn to us by experience, that such is its operation?—If so, at what period of our government has it done it?—When did this intrigue, venality and corruption shew itself? At the first, or second Presidental election? The thought will not be harboured for a moment.—At the third? No one will pretend it.—At the fourth? The friends of this amendment, will not surely say, that the present Chief Magistrate owes his election, to intrigue, venality or corruption. Reference has been often had, to the last Presidential election for instruction on this subject—But what does that prove to us? Why, that two men, whom the friends of the present amendment chose to select, and recommended to the people of the United States, were elected; and that they now fill the *very* offices for which gentlemen themselves say, they were intended. Experience then proves to us, not that any evil has actually occurred, but that there was a period, when they *dreaded* an evil—And what was that evil? They feared that their own favorites might have been misplaced! On a review our proceedings under the constitution, it cannot be surely said, that experience has proved to us, that the provisions of the constitution as they now stand are pernicious—If experience does not furnish this evidence, are gentlemen capable of pointing out to us, clearly, how the constitution is *capable* of producing the evils, which they fear? I heard a supposition stated, that hereafter a party might arise in this country, hostile to a republican government, and favorable to introducing a monarchy, and that the constitution must be amended to prevent this—To be able to prevent this, is one of the very reasons, why the constitution ought not to be altered. If such a party should ever arise in this country, they will either be a majority or a minority. If a majority, the amendment to the constitution now proposed to be adopted, furnishes them with the ready means of designating their man, without competition or embarrassment, and elevating him to the Chief Magistracy—But suppose they are a minority? Leave the constitution as it now is, and they will be compelled to have for their President, one of two republican candidates, who shall be presented to them, by a republican majority. The constitution has therefore erected a most effectual barrier, against the intrigue and corruption of any aspiring individual, who may be disposed to trample on the liberties of his country—But the moment you introduce the designating principle such an individual may proceed directly towards his object—Set all his engines to work, and operate with effect, having no competitor and but a single object in view.

Suppose a proposition should be made to alter the constitution, so as to elect one man President for life? Would not gentlemen startle at it? I think they would—and yet in my view of the subject, the proposition on your table falls little short of doing it. The advantages which the designating principle holds out, will always be in favor of the present incumbent of office—When I say *present incumbent*, I would be understood to refer to the Chief Magistrate for the time being—at any time—Once elevated to that high station, and the double ballot being abolished, he will, by means of his extensive powers, and the patronage which he possesses, always have the means of exercising a species of indirect corruption, if he should be ever disposed to use them. Preserve the constitution as it now is, and he will have little inducement improperly to exert himself to maintain his station, because he must always be uncertain whether he can operate to effect. I am therefore, clearly of opinion that the provisions of the constitution as it was originally adopted, are wisely calculated to *prevent* intrigue and corruption, and that the amendment on your table if substituted in lieu of those provisions, is calculated to open the door to these evils, and perpetuate the executive power in the hands of a single man, and am therefore opposed to it.—

I am not disposed, Mr. Speaker, to go at this time, into arguments which have already been advanced, with much force, respecting the influence of this change upon the rights of great and small states—I can add nothing to their weight by a repetition—but I may be permitted again, to call the attention of the House, to the important and singular additions which the Senate have annexed to the descriminating principle. We sent a resolution to the Senate, in which we declared, that in case no choice should be made by the electors, a President should be chosen from the five persons, highest on the list. The Senate have not adopted this, but sent down to us, the number three—Without attending at this time to verbal criticism, or adverting to the extreme ambiguity of the sentence which contains the number or numbers of persons, or classes of persons, out of which the House of Representatives are to chuse, in case no election is made by the electors; I will only say, that whether *three* in that sentence is made to refer to persons, or to classes of persons, highest on the list, it is in either view, the most objectionable *number*, which the Senate could have selected. I am not disposed to cultivate local feelings, or distinctions arising from geographical situations—But, sir, such is the extent of this country—such its diversity of interests, manners and habits, that parties will rise up hereafter, influenced by such considerations—Look at the United States, and consider what may, and probably will be the great sections of the union, most likely to be united in their views respecting a Chief Magistrate—The eastern states will form one section—The middle another—The Southern a third—And the Western a fourth. This last from its great accessions, and rapid increase, will soon be the most influential of the whole—Suppose each of these sections of the union should set up their candidates for the offices of President and Vice President? From a disunion, no election is made—A choice devolves on the House of Representatives. By this resolution a choice must be made from the candidates presented by three of these sections of the union, to the total exclusion of the fourth—and which that fourth will be, is not difficult to predict—The adoption of this part of the resolution is, on this account, extremely objectionable—

But sir, the Senate have in this resolution proposed to alter the constitution, in another important particular; and have varied, essentially from the resolution, which we sent to them: No less in effect, than to take the choice from us, the immediate Representatives of the people, and assume it to themselves—And we are called upon to submit to this! I speak not now, under the impression of state or any other local feelings, but as the Representative of a free people—In case no choice is made by the electors, the constitution has confided that choice to the Representatives of the people, without even the concurrence of the Senate—By the resolution on your table, we surrender that power wholly, in certain events to the Senate.

Having stated this objection on a former day, when that part of the resolution was under discussion, a gentleman from Virginia (Mr. Randolph) in reply to my objection, gave two answers—One which he considered as conclusive was, that although the Senate, if this amendment becomes part of the constitution, may elect a Vice President, who may become President of the United States, for four years, yet that this could only happen, upon a failure of the House of Representatives to do their duty, and make a choice. Did the gentleman, before he gave this answer, consider that the provision in this resolution, to which the objection is taken, is predicated wholly on the idea, that the House of Representatives will fail to make a choice; The provision itself supposes that a case will happen, in which no choice will be made by the House of Representatives. It is introduced to guard against the evils which it is supposed may result from such an event; and is wholly idle and nugatory, unless we are to suppose that such a case may happen.—Another answer which the gentleman gave to this objection, but which he did not consider as conclusive, as the former, was that in case an election should devolve on the House of Representatives, the vote must be taken by states; and he says, that the Senate are peculiarly the Representatives of the states, and will be as faithful guardians of their rights on such an occasion as the members of this House.

Is this, sir, a reason for our resigning to that body a power which the constitution has confided to us? It is true that the Senate, in performing this high duty, may act as wisely, and with as much circumspection as the representatives would, under the same circumstances—

But let it be recollected that they are chosen for a much longer period than the representatives, and may not *feel* the same responsibility as they would—Besides, the Senate would not vote by states when electing their President, who may become the President—It is true, that all the states are equally represented, in that body,—but it does not follow, that the vote would be taken as in this House, by states—A member from a state may be absent—If present they may disagree in sentiment—That may happen in this House, it is true where the representatives from any state shall be equally divided—But the states here, being represented by much greater and generally unequal numbers, it is much less likely to happen—The election therefore in almost all its features, will be essentially changed, in case the amendment should prevail—And I believe the time has been when the people of this country, would have startled at the idea, of conferring on the Senate of the United States the power of giving them, in any event a Chief Magistrate—But gentlemen say it is desireable to provide for the contingency of no choice being made, either by the electors, or the House of Representatives, that the United States may not be without a chief magistrate—Admit it—But why not provide for a new election immediately by electors, and designate some officer of the government to administer in the mean time—This is easily done, and would be much preferable to taking for four years, such President as the Senate may give us.—

As therefore I can see no necessity for resigning this power to the Senate, of giving to the United States a President in any event, I shall feel constrained to resist this insidious claim of theirs, by my vote against the resolution which they have sent us.

(To be continued.)

(By Authority.)

By the PRESIDENT *of the* UNITED STATES *of* AMERICA,

A PROCLAMATION.

WHEREAS a treaty between the United States of America and the Delawares, Shawanoes, Putawatimies, Miamies, Eel River, Weeas, Kickapoos, Piankashaws and Kaskaskias nations of Indians was concluded and signed on the seventh day of June in the year one thousand eight hundred and three, and was duly ratified and confirmed by the President of the United States on the twenty fifth day of November in the year aforesaid, by and with the advice and consent of the Senate, which treaty is in the words following, to wit:

ARTICLES of a Treaty between the United States of America and the Delawares, Shawanoes, Putawatimies, Miamies, Eel River, Weeas, Kickapoos, Piankashaws and Kaskaskias Nations of Indians.

Articles of a Treaty made at Fort Wayne on the Miami of the lake, between William Henry Harrison, governor of the Indiana Territory, Superintendant of Indian affairs and Commissioner Plenipotentiary of the United States for concluding any treaty or treaties which may be found necessary with any of the Indian tribes North West of the Ohio of the one part, and the tribes of Indians called the Delawares, Shawanoes, Putawatamies, Miamies and Kickapoos by their Chiefs and head Warriors, and those of the Eel River, Weeas, Piankashaws and Kaskaskias by their Agents and Representatives Tuthinipee, Winnemac, Richewillie and Little Turtle (who are properly authorised by the said tribes) of the other part.

Article 1st. Whereas it is declared by the 4th article of the treaty of Greenville that the United States reserve for their use the Post of St. Vincennes and all the lands adjacent to which the Indian Titles had been extinguished: And whereas it has been found difficult to determine the precise limits of the said tract as held by the French and British governments; it is hereby agreed that the boundaries of the said tract, shall be as follow: Beginning at Point Coupee on the Wabash, and running thence by a line North seventy-eight degrees, West twelve miles; thence by a line parallel to the general course of the Wabash, until it shall be intersected by a line at right angles to the same, passing through the mouth of White river; thence by the last mentioned line across the Wabash and towards the Ohio seventy-two miles; thence by a line North twelve degrees West until it shall be intersected by a line at right angles to the same, passing through Point Coupee and by the last mentioned line to the place of beginning.

Art. 2d. The United States hereby relinquish all claim which they may have had to any lands adjoining to, or in the neighbourhood of the tract above described.

Art. 3d. As a mark of their regard and attachment to the United States, whom they acknowledge for their only friends and protectors, and for the consideration herein aftermentioned, the said tribes do hereby relinquish and cede to the United States the great Salt-spring upon the Saline creek which falls into the Ohio below the mouth of the Wabash, with a quantity of land surrounding it, not exceeding four miles square, and which may be laid off in a square or oblong, as the one or the other may be found most convenient to the United States. And the said United States being desirous that the Indian tribes should participate in the benefits to be derived from the said spring, hereby engage to deliver yearly and every year for the use of the said Indians a quantity of salt not exceeding one hundred and fifty bushels, and which shall be divided among the several tribes in such manner as the General Council of the Chiefs may determine.

Art. 4th. For the consideration before mentioned and for the convenience which the said tribes will themselves derive from such establishments it is hereby agreed that as soon as the tribes called the Kickapoos, Eel River, Weeas, Piankshaws and Kaskaskias shall give their consent to the measure, the United States shall have the right of locating three Tracts of land (of such size as may be agreed upon with the last mentioned tribes) on the main road between Vincennes and Kaskaskias, and one other between Vincennes and Clarksville for the purpose of erecting houses of entertainment for the accommodation of travellers. But it is expressly understood that if the said locations are made on any of the rivers which cross the said road and ferries should be established on the same, that in times of high water any Indian or Indians belonging to either of the tribes who are parties to this treaty shall have the privilege of crossing such ferry toll free.

Art. 5th. Whereas there is reason to believe that if the boundary lines of the Tract described in the first article should be run in the manner therein directed that some of the settlements and locations of land made by the citizens of the United States will fall in the Indian country. It is hereby agreed that such alterations shall be made in the direction of the said lines as will include them; and a quantity of land equal in quantity to what may be thus taken shall be given to the said tribes either at the East or the West end of the tract.

IN TESTIMONY whereof the Commissioner of the United States, and the Chiefs and Warriors of the Delawares, Shawanoes, Putawatamies, Miamies and Kickapoos, and those of the Eel River, Weeas, Piankashaws and Kaskaskias, by their agents and representatives Tuthinipee, Winnemac, Richewille and the Little Turtle, (who are properly authorised by the said tribes) have hereunto subscribed their names and affixed their seals at Fort Wayne this seventh day of June in the year of our Lord one thousand eight hundred and three, and of the independence of the United States the twenty seventh.

WILLIAM HENRY HARRISON, (seal.)

SHAWANOES.

Neanemsicch, his x mark (seal.)

PUTAWATAMIES.

Tuthinipee, his x mark (seal.)
Winnemac, his x mark (seal.)
On behalf of the Putawatamies and Eel River, Weeas, Piankashaws and Kaskaskias whom they represent.

Wannungsea, (or five medals) his x mark (seal.)
Kee-saas, (or Sun) his x mark (seal)

MIAMIES.

Richewille, his x mark (seal.)
Me-she kun-nogh quoh, (or Little Turtle) his x mark (seal.)
On behalf of themselves and Eel River, Weeas, Piankashaws and Kaskaskias whom they represent.

KICKAPOOS.

Nah-mah-to-hah, (or standing) his x mark (seal.)
Pash she-we-hah, (or Cat) his x mark (seal.)

DELAWARES.

Tetubuxike, his x mark (seal.)
Bu-kon-ge-helas, his x mark (seal.)
Hockingpomskenn, his x mark (seal.)
Rechkawhanund, his x mark (seal.)

SHAWANOES.

Cut-he-we-ka-saw, (or black hoof) his x mark (seal)
Methawnasue, his x mark (seal)

Signed, sealed and delivered in the presence of }

John Rice Jones, Secretary to the commissioner.
Jno. Gibson, Secretary Ind. Ter.
Tho. Pasteur, capt. 1st. regt. inft.
Wm. Wells, Interpreter.
Jno. Johnson, U. S. Factor.
Hendrick Aupaumut, chief of Muhhecon.
Thomas Freeman.

The proceedings at the within treaty were faithfully interpreted by us John Gibson and William Wells, that is for the Delawares John Gibson, and for the rest, of the tribes William Wells.

John Gibson.
William Wells.

Now therefore to the end that the said treaty may be observed and performed with good faith on the part of