

The National Intelligencer,

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HISTORICAL FACT:

THEODORE SABOTIEUX.

Speaker of the House of Representatives.

From Dec. 1799 to March 5, 1801.

The period is at hand, when the SPEAKER of the House of Representatives declines from the caudal fillet to which he has been raised by the voice of the representatives of the people, under a profound sense of his talents, his virtues, and his impartiality.

In a republic, where merit constitutes the only just claim to distinction, it is the duty of public opinion to reward the upright and enlightened servants of the nation by the timely avowal of its approbation; it is also the duty of public opinion to punish by the no less nearly avowal of its censure the ignorant and unprincipled violator of national confidence.

The unintentional mistakes of ignorance, and the essential aberrations from truth, of a mind too imbecile to discern it, can excite but a momentary treatment of indignation in those, who view error as venial, and are disposed to ascribe to an equivocal action the best motives that charity can indulge.

But when error and misconduct, not confined to disgracing the man who habitually commits them, involve in addition the character and precedents of the Government of the nation; if that council which every patriotic mind would wish to unite the affection and respect of the people; it is time to rend the veil that artifice has drawn between action and profusion; and to show the hollowiness of the one and the enormity of the other.

A Speaker of the House of Representatives should know his duty and should observe it.

It is the duty of the Speaker to preserve the order of the House.

To satisfy this obligation he should be acquainted with the rules of order, decided by the house itself, and with the numerous incidental rules which, though not defined in precise terms by the house, are of equal obligation.

How far these rules have been understood, and if understood, in what degree they have been observed, let the following facts demonstrate.

To carry a favorite point, on a division of the house, the Speaker declared a majority of the members to be against an adjournment, when in fact, a majority of five were in favor of it. Questioned by a member as to the correctness of the result, a new count was made, and the Speaker was compelled to retract his decision.

On one day the Speaker three times misapplied the rules, and declared three to be a quorum which had no existence. In two of these cases, confounded by an exposture of his partiality, he acknowledged his error. But mark the consequence: He drove from the lobby and afterwards from the Gallery the man, who knowing no duty superior to that of truth, dared to publish without even a comment the unqualified blunders of the chief.

In the case of agreeing to a report of a Committee, the preamble of which expressed opinions, deemed by a large portion of the members to be incorrect, an untrue, the Speaker declared that the question was not upon agreeing to the preamble, but simply on a resolution that contained no recognition of such opinions in consequence of which several members voted for the report. But no sooner was the vote of agreement taken and carried by yeas and nays, than the Speaker declared that that report was agreed to, including the preamble. Altonhough it was on the face of every member, and a reconfirmation of the vote was moved by those who had thus influentially been drawn into the approbation of principles which they considered as false and with difficulty, owing to the obliquities of the chair, they carried their point. Be it known that this preamble contained among other fratricidal, encomiastic upon the Speaker for exercising usurped power, and censure upon members who had expressed their disapprobation at its exercise.

An inconsiderate man made a noise in the gallery. The Speaker properly directed the attention of the members who removed him from the gallery, & afterwards identified him from arrears. After that act of identification the man withdrew from within the walls of the house was again arrested by the Sergeant, at the express direction or avowed permission of the Speaker, without the advice of the house. Whereby a practice was established that invested the Speaker with the power of arresting at his own uncontrolled pleasure any citizen of the United States under any pretext whatsoever.

During the period in which the repeated votes were made for the election of a President, & during which the house had frequently decided that noninterposition of the ballot should take place, the Speaker repeatedly attempted to violate the rules by his own acts, and by false constructions of the rules; constructions which were treated with respect even by his political and personal friends.

The object of these attempts was to interrupt the ballot, and of course to nullify the election.

In the case of messages received by the Speaker from the President of the United States, the Speaker has treated, from time to time, the subject and style of those messages with an insolent and wantonly impertinence; and in one instance, when the reading of a message was called for, being directed that the house should adjourn, has declared the message to be of no public importance; and in another instance, when an objection was made to reading a message at a particular time, has declared, for a long time as to be heard by members on the floor, that it was no matter when the message was read, as it was a very foolish thing.

In taking the yeas and nays, the clerk, sometimes, in an audible voice, the name of each member. On one occasion, the Speaker pronounced the name of *W. A. Allen*, as the moment when Mr. Allen entered the house, who not being acquainted with the question, hesitated in his reply; the clerk, as is usual in such cases, repeated the name; & the Speaker, with an abruptness of manner, and in a momentary display of voice, that inspired with awe the house and a large attendant audience, exclaimed, *W. A. Allen married* &c. From that day on which this disgraceful occurrence, in the annual of parliamentary usage, occurred, to the present hour, no one has been bold or fortunate enough to obtain from the Speaker an explanation of his *parliamentary question*.

There are a vast of the many, very many instances of want of knowledge, or misapplication of its which have made the distinguished Speaker of the first council of the nation an object of unqualified derision. But in addition to these acts, those which have, during the present Session, applied to the Editor of the National Intelligencer, are so notoriously hostile to every principle of truth or respect for the rights of the citizen, and betray a mind so weak, and a temper so indomitable, that justice forbids a summation of them.

On the 23d of December 1860, certain resolutions in relation to the official conduct of the Speaker, were moved by Mr. Davis were ridiculed in the house. During the debate, at the close of a speech made by Mr. Claiborne, a person in the gallery leaped.

On which the Speaker said, "Sergeant, go to that man." The forjeant removed from the gallery the person that had made the disturbance.

During the debate on Mr. Davis's resolutions, several points of order occurred, which the Speaker undertook to decide. By a motion was made to commit the resolutions.

Mr. Harper asked whether it was in order to amend the resolution.

The Speaker answered that it was, Mr. Claiborne enquired whether the motion was in order.

The SPEAKER again affirmed that it was in order.

Mr. Eggleston said, "I hold in my hands the rules of the house, where

I find it declared that a motion for amendment shall precede all amendments."

Mr. Dent then made a motion, which the Speaker declared to be out of order, and refused to receive it; though the motion was in order, and ought to have been received.

The SPEAKER then said, with unintelligible abruptness, that a vote on the main question had just been put.

Mr. Eggleston said the vote had been on the previous question, and not the main one.

The SPEAKER acknowledged that it was so, but declared the proposition of Mr. Dent out of order.

Mr. Randolph then moved the reference to a committee of the laws, documents, and other papers accompanying them.

The SPEAKER said that appeared to him to be the original resolution.

Mr. Randolph replied that the original resolution was for the transmission of them to the President.

The SPEAKER, acknowledged that it was so.

Thus, it appears that the Speaker was obliged in one case to refer to his own former peremptory decision, twice made; that in another case he persevered tenaciously in error after it was exposed; & that in two other cases he expiated his total ignorance of the question before the house, and afforded a decision to have been made, which had not been made.

The errors of the Speaker, whether intentional or otherwise, involved the house in confusion. No longer was the Speaker obliged from one mistake than he sheltered himself behind another. Member after member to self questions, which were answered in such a way as to increase the original confusion. The gravity of the body became disconcerted; and those who did not feel indignation, indulged in expressions of derision at the degraded state to which the house had deliberately brought the nation.

The Reporter felt mortified. He believed with regret the dignity of the Representatives of the American people profaned to the capacious and unscrupulous will of an individual, who amidst his Protestant blunders, still lapped upon the necessity of observing decorum and dignity.

He determined, therefore, without comment, to report the statement of that day's proceedings, hoping that, from an exposure of its weakness, would reform some of its abuses.

A candid statement of the proceedings was therefore published. In a debate, four days after, the conduct of the Speaker in relation to the individual, stated above, to have been arrested, came before the house. Several members declared it illegal. The Speaker, as usual, in repeated speeches endeavored to defend and among other remarks declared the statement, as published, to contain a gross misrepresentation of facts. The Editor of the National Intelligencer, reported the declaration of the Speaker, with a comment proving the truth of his previous statement.

On the 19th of January, the Editor as usual, took his place in the lobby of the House. He immediately received an order from the Speaker to withdraw. He did withdraw & took a place in the upper gallery, open to the indiscriminate admission of all orderly citizens. He attended there un molested until the 15th of February, when an arbitrary order of the Speaker removed him also from that place.

The Editor, unappalled by the insults of the Speaker, waited upon him at his lodgings on the ensuing morning.

An account of the interview was published. It established, beyond the reach of passion, every preconcerted calumny of incompetency.

Never, perhaps, did any official agent so repeatedly violate principles, equally inexcusable and ideas equally pernic. From the period of this publication friendship ceased to defend, and enmity was lost in derision of the chair.

It becomes every citizen to read this statement, as it contains an avowal of facts, and principles, which never have been, and which probably never will be again, expressed in this country. Every one will find it too plain to need a comment.

From the publicity given to this transaction there no longer remained a doubt that the Speaker had assumed powers, which he did not rightfully possess, and that a citizen had been deprived of rights which he did possess.

It became a question of delicate inquiry what steps should be taken.

The crisis was a solemn one. The will of the people had been declared unequivocally on the Presidential Election. Indications, however, were not wanting of a disposition offered to giving effect to that will. Of all objects this appeared to be the most important. It was believed that this object would be best promoted by the avoidance of every unharmonious diffidence. It became, therefore, a matter of expediency, to withhold an enquiry into the conduct of the Speaker, which in the then state of individual feeling might have had eventually the reverse of the action. All diffidence, therefore, in the public prints at the seat of government, were withheld, until the 14th of February, when Mr. Davis, on the table of a resolution concerning in terms of undignified severity the assumed powers of the Speaker.

On the 20th inst, this resolution was taken up for consideration.

Mr. GALLATIN, in support of the substance, and wishing to repress every indication of immoderate triumph, proposed a resolution, in the shape of a new rule, which would, had it been passed, have restored the editor to his position in the lobby, and would have prohibited the Speaker from any future act of exclusion.

Mr. Davis's resolution, which was first read, a warm debate ensued, in which the conduct of the Speaker received the keenest animadversion and censure. A suggestion was made, without any satisfactory reason being assigned, that the motion was not in order. A question was then taken on this point by yeas and nays, and it was declared by a majority of 5 members to be out of order. The vote was conclusive as it applied to Mr. Davis's motion. But it took no man's opinion. It brought no conviction upon the speaker, and the motion undoubtedly was ordered; and every citizen in the lobby, vote acting, but a clumsy contrivance to avoid putting the main question.

Mr. Gallatin's motion then came before the house, on which also a debate ensued.

Its opponents, fearing to meet directly the question, called for the previous question, which effect is to prohibit by an instantaneous vote of further discussion and to dismiss the subject unadvisedly.

The previous question prevailed, by a majority of three votes.

It thus appears that no decision has been made. The friends of the Speaker have been unable to prevail on the will of the House to prevent a decision. The enquiry is natural, why they presented a question? For this extraordinary procedure, not only a satisfactory reason can be found, but a satisfactory reason can be found. It was known that several Federal members condemned the conduct of the Speaker, and it was believed, that if a question were taken directly upon his conduct, they could not withhold an expression of their censure. With their aid the resolution would have been imposed. The only mode which ingenuity could devise of averting the decision of the House, was to declare one motion out of order, and to evade either a discussion or decision of the body.

The above exhibition of facts it is presumed, will be of essential use to the United States, if it shall either, in the first place, produce a correct estimate by the people of the merits of the various parties; or in the second place, demonstrate the necessity of defining by law, at some future period, the extent of the powers of the Speaker.