

# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

—An extra half sheet accompanies the present—and yet as much matter for insertion remains as there was before!—the most of which is very interesting for record.

The undersigned, for a long time past, has been without an assistant in his editorial business; and forced to give a daily, and almost hourly, attention to the duties that belong to the patrons of this old and much favored establishment; and oftentimes under the most irksome or painful circumstances: for, "he is not so young as he was," and an injury received in October last, incapacitates him, except in a small and very laborious degree, for his formerly favorite occupation—writing; and also of the facility of handling and overhauling papers, as heretofore. And thus, as the means are diminished, the amount of patience and employment to perform is increased—to the manifest injury of his health, through the want of wholesome exercise and needful relaxation. Indeed, it would seem that almost all the business of his place depended upon "force-work." As an instance, he has been compelled to give up his numerous and important, endeared and honored private correspondents; not being oftentimes able to write in a manner that is comprehensible to any one, imperfectly acquainted with the character of his letters or signs, *uncertainly* and confusedly drawn by him, to express ideas.

It will be recollected, by some, that attending the fair of the AMERICAN INSTITUTE, at New York, about four months ago, he had the great misfortune, when in the act of descending from an "Omnibus," to fall in the street, (as has happened to hundreds of others),\* in consequence of a sudden starting of the horses at the rate of nine or ten miles an hour, and at the moment when he was in the act of stepping on the pavement—which consequently and necessarily threw him on his back; and, in putting out his hand to save himself, the two bones of his lower left arm, were broken short off, and the muscles severely strained, or, possibly, also broken. The bones healed speedily—say in about three weeks, but the muscles remain nearly as they were—though much has been attempted to improve them: but the "misery" does not stop here—the pain, soreness and stiffness that belongs to the left arm, by the "power of sympathy," or some unknown cause, (and especially in damp weather), extends also to the right, and renders that nearly as incompetent to its accustomed employments as is the left. It may be sufficient to say, that, since the accident, he has been unable either to dress or undress himself, or to cut up his meat at the table. It is impossible for him to perform these "operations" though he hopes that the injury received has been, in some small degree, abated.†

Under such circumstances, the undersigned desires to obtain an assistant—a gentleman of respectable talent, indefatigable industry and application, courteous deportment, and a willingness to perform all things belonging to the place—of undoubted integrity, sobriety, &c. and qualified, by his means or credit, speedily to take a permanent interest, such as may be agreed upon, in this old, but still prosperous establishment—all the circumstances of which will be candidly stated, or may be ascertained by personal observation or inspection—which latter, probably, will be the best. It will afford a decent income, and may be increased. It is unnecessary to say more, except that the qualifications set forth are indispensable. The opportunity for such a person to put himself into a reasonably profitable, and highly respect-

\*As an evidence of this, the editor, on his return home, met, in the steamboat, no less than four other persons, (strangers to him), who had received serious injuries from the recklessness of the "Omnibus" drivers—how many more there were among the passengers, he knows not; but probably a dozen had been thrown down, or "spilt" in the street, as one of them said. †This is rather an "illud of woes"—but he thinks it right to speak of "things as they are."

able situation, rarely occurs. A literary fop, or *catcher of words*, is not desired; but a modicum of *common sense* with a due application of it, is required by the generally sober and sedate readers of the Register. Address

H. NILES, Baltimore, Md.

The Susquehanna canal bill has passed both branches of the legislature of Maryland, and is now a law.

This is to be very important to the future trade of Baltimore.

We learn from Richmond, under date of April 2, that the resignation of governor *Tazewell* has actually taken place, and the executive duties are now performed by *lieut. gov. Robertson*. Governor T. has left this city for his residence in Norfolk.

The bill which has been for some time before the legislature of Massachusetts, proposing to create a bank with a capital of ten millions, was indefinitely postponed on Thursday last week, by a vote of 261 to 89.

It is said that schemes for rail roads are before the British parliament, involving an expenditure of upwards of two hundred millions of dollars.

A law has passed the legislature of Pennsylvania indemnifying Mr. Robb for injury done to his property, in Moyamensing, during the election riots in 1834.

When the public arsenal at Frankfort, Ky. blew up and all its arms supposed to be destroyed, it was found, on digging among the rubbish, that a brass field piece had remained uninjured. The history of this piece is interesting. It was in the first place, captured from Burgoyne at Saratoga, afterwards surrendered to the British by gen. Hull—retaken by the army under gen. Harrison, at the battle of the Thames, presented by congress to gov. Shelby, and by him to the state of Kentucky.

Land is selling at Dunkirk, about 30 miles west of Buffalo, on Lake Erie, at \$4,000 an acre for lots only half a mile out of the town. Dunkirk has one of the finest harbors on the lake, and is just within the line dividing New York from Pennsylvania.

Captain J. B. Nicholson, a distinguished officer of the U. S. navy, has presented to the corporation of Richmond, his native city, portraits of Columbus and Americus Vespuccius, copied from original paintings at Naples.

Such is the anxiety to increase the culture of silk in New England, that the seed of the white mulberry sells at \$7 50 per lb. Some persons who were sagacious enough last summer to foresee this, will realize no mean fortunes.

We are gratified to observe, says the New Jersey State Gazette, an increasing attention to the culture of silk. Five companies were incorporated by our legislature to prosecute this business, one of which is located in Trenton.

There are 28 banks at Boston, with an aggregate capital of \$18,150,000; on which an average dividend, was made, for the last six months; of rather less than 3 per cent—in all 543,000 dollars.

The New Orleans papers state that *J. B. Perrault*, esq. has been appointed cashier of the citizens bank of New Orleans, with a salary of ten thousand dollars per annum, a house to reside in, *et cetera*.

The surplus revenue has increased, is increasing, and must be diminished. The amount of public moneys in the deposit banks, by the returns to (or nearest to) the 1st of March, had increased to *thirty-three million and seven hundred and fifty thousand dollars.*

☞ See the table, next page.

A meeting was held in Philadelphia on Thursday week, on the subject of the "system of gambling in stocks," now extensively practised in that city. One of the resolutions passed sets forth that the tendency of the practice is to affect, injuriously, commerce and general business, by causing frequent and serious agitations in the money market, and to blunt the moral feeling of young men, who are looked to as the future hope of commercial and manufacturing enterprise. A committee was appointed to recommend such remedies at a future meeting as would correct the evils.

The governor of *Pennsylvania* is in the full tide of "reformation." "Few die and none resign."

It is stated in the *Newburg Gazette*, that hundreds of cattle are dying in Orange county, New York, from the want of food and the unexampled severity of the winter and spring. It is estimated that one-tenth of all the cattle and sheep of Orange county, had perished previous to the deep snow of Tuesday, which must greatly increase the distress of the farmers. The average depth of snow and ice is now stated [say 10 days ago], to be about three feet over the whole county, and there can be no prospect of any grazing until May. In the mean time, the stock of hay and grain has been distributed until few farmers have retained sufficient to last until the middle of April.

James Buchanan, esq. his Britanic majesty's consul at New York, has presented to the United States naval lyceum, in that city, a full length portrait of his majesty, king William the fourth.

*Five hundred thousand dollars* worth of whips are annually made in the town of Westfield, Massachusetts. Many persons are employed—especially females, in weaving and plaiting.

A screw manufacturing company has been formed at Schenectady, which it is expected, will turn off *five hundred gross per day* of wood screws of all sizes, from a half an inch to three inches.

The nomination of *Upton S. Heath*, to be U. States judge for the district of Maryland, to supply the vacancy occasioned by the resignation of *judge Glenn*, was, on Monday last, confirmed by the senate of the U. States.

#### APPOINTMENTS BY THE PRESIDENT,

*By and with the advice and consent of the senate.*

Jesse L. Holman, to be judge for the district of Indiana.

James P. Grundy, to be attorney for the western district of Tennessee.

John Wells, jr. Robert Getty, Nathaniel Luffborough, C. H. W. Warton and John Holtzman, to be justices of the peace for Washington county, in the District of Columbia; and

Jonathan Shillaber, George W. P. Custis, George W. Wise, George Brent, William C. Gardner, Robert Brocket, and Tench Ringgold, to be justices of the peace for Alexandria county, in said district.

A French paper calls attention to the fact that in the month of August next, the city of Rome will number 2,584 years since its foundation, *ab urbe condita*.

The Mobile Register says—

Accounts from New Orleans represent the money market in that city as somewhat embarrassed. From the collision between Mexico and Texas, the usual receipts of specie from Mexico have been diminished the present season, several millions of dollars; and the demand for specie in New Orleans has occasioned a reduction in bank facilities, and brought down exchange on New York to  $\frac{1}{2}$  per cent. discount for the best sixty days bills. Constant and heavy drafts made on the banks

for specie have rendered it necessary for them to take this course, and in the exercise of a prudent discretion, to place themselves in a condition to meet any emergency. The effect of it is to be seen in a check to business operations generally.

There are causes of another character that have contributed to this embarrassment. The high prices of produce in Havana, coupled with the abundance of the crops of the Island of Cuba, have changed the usual balance of trade, and the amount drawn and to be drawn, against shipments to countries requiring their sugars, coffee, &c. is largely increased. That to the United States is particularly so, owing to the great deficiency in the sugar crop of Louisiana, which has rendered large importations of that article indispensable. The consequence has been that exchange on the United States, hitherto ranging from 1 to 3 per cent. discount, has now fallen to 8 and 9. Formerly, sterling bills bore a higher premium in Havana than in the United States,—now they are quoted at 4 per centum there, while in this country the command 9 per centum readily. Under these circumstances remittances cannot be made to Havana in bills without inevitable loss, and they are consequently made in specie.—Hence another cause for large drafts of coin on New Orleans.

The sensitiveness of the money market is well understood by merchants. Touched at an important point, it is instantly felt through all the ramifications of trade. Mobile is intimately connected in business with New Orleans, and whatever causes affect the moneyed interests there, are certain of their operation here. Independently of those considerations, it is known that large drafts of specie have been made upon the banks in this city, for objects unconnected with regular business, and we regret to add that they are continued from day to day.

*Hudson tunnel.* Our readers are aware that a project is on foot for constructing a tunnel under the Hudson river at Albany, where it is more than half a mile wide. The Albany Advertiser says—"this project is no jest. It is believed the stock will be immediately taken up, and that the work can be done for about \$300,000.

According to a table furnished to the New York Transcript by Mr. Sickels, the city inspector, the number of buildings erected in that city in 1834 was 877, and in the following year 1,259, showing an increase in a single year of 382. In a single ward, the 12th, 274 buildings were put up in 1835. In the same year twelve new churches were built.

The officers of the marine corps have presented col. Archibald Henderson, the commandant, with a splendid sword-cane, made from a piece of the original timber of the old Cyane, which has recently been broken up at Philadelphia. It appears that the colonel commanded the main guard on board the frigate Constitution, with the gallant Stewart, when he captured the Cyane and Levant.

On the 2d instant, the Hudson was opened to navigation only so far as West Point. It was thought that Newburg would be reached by steamboats on Monday the 4th.

The New York Journal of Commerce states that a new steamboat, of great length and power, has been put upon the line between that city and New Haven. She made an experimental trip, and accomplished the distance (usually stated at 84 miles by water), in *four hours and a half*, or at the rate of about eighteen miles per hour.

The Pennsylvania canal is filled with water on the main line from Columbia to Pittsburgh, and burthen and passenger boats are now running on it. The canal business is opening with unusual activity and bustle.

Auction sales of real estate were made in New Orleans about a fortnight ago, to the amount of \$322,000 in two days. The principal purchaser was Mr. Achille Murat, on account of Joseph Bonaparte.

The militia of the United States amounts to about one million and a half of men, of which Pennsylvania and New York have 200,000, Ohio 130,000, and Virginia 100,000.

A Washington letter writer states that all the signatures to the abolition memorials presented to congress at its present session, do not exceed 27,000, and that of

these, nearly 10,000 are females, and perhaps 2,000 or 3,000 are boys.

Mehemet Ali, the civilizer of Egypt and conqueror of the Arabs, is evidently backed by Russia. He derives 35 millions of francs tribute annually from the oppressed Syrians, over whom his son Ibrahim holds a rod of iron.

The steamboat "Old Dominion" arrived at Baltimore, from Norfolk, with specie for Nicholas Biddle—said to be 500,000 dollars.

The assembly of Upper Canada have appropriated \$200,000 for the improvement of the roads in that province.

Naval force in the Mediterranean. The Russians have 6 ships of the line in the Levant, the Turks 8, the Egyptians 9, and the English 10.

PENNSYLVANIA. The legislature of this state closed its annual session on Friday last. The Harrisburgh Intelligencer says: "There has not been, for many years, a legislature which has done so much for the commonwealth. They found the state under a system of taxation, her public works unfinished, her treasury empty; and absolute necessity, if some new course was not adopted, of increasing the public debt, of continuing and increasing the taxes, or stopping the completion of the public works. What has been done? Let this question be asked by every Pennsylvanian, and he will find an answer in the repeal of the tax laws—in the progress of the public works without an increase of the public debt, and a full treasury. Is this not worthy of commendation? Let the same policy be continued, and we shall soon have our improvements completed—the trade of the west secured to Pennsylvania—a sinking fund established for the extinction of the public debt, and a tide of prosperity rolling into our commonwealth which will make her the pride and glory of the republic."

Extract of a letter from captain Barr, of the Louisiana volunteers to, the editor of the New Orleans Bulletin, dated Fort Brooke, Tampa Bay, February 17th:

"On the morning after our arrival an Indian prisoner was killed in an attempt to escape; he was taken in a manner which might grace even the romantic days of chivalry. A fine noble looking Indian, asked in marriage the daughter of Black Dirt, a friendly chieftain; the old man declared that none but a warrior need pretend to his daughter, and desired young Yellow Hair, if he wished to prove himself one, to go into the woods and make prisoners of three hostile Seminoles. Yellow Hair accordingly brought in three of the enemy; whether he surrounded them, (as the Irishman did), or not, I do not pretend to say, but two of the prisoners are now chained in the fort, and the other was killed in the manner I mentioned. Yellow Hair of course married his black haired damsel, and set out on the 13th, at the head of a party of his countrymen, to act as a scout to the main army, who have marched in quest of the enemy."

The receipts and expenditures of Massachusetts are stated as follows:

The revenue of the commonwealth of Massachusetts, for the year 1835, was derived from the following sources—

Bank tax,.....	\$305,000
Auction tax,....	55,000
Principal and interest for eastern lands,.....	45,000
Interest on deposits city bank.....	3,000
Cash on hand January 1st, 1836.....	73,501 71
	\$481,501 71

The expenditures of the government for the same year were \$538,661 43, of which \$120,000 went to pay the members of the multitudinous legislature. The bank tax may seem a very cheap way of raising revenue, but it may possibly turn out in reality to be very dear.

The estimate of the expenditure of the commonwealth for the present year is \$538,661. The pay of the legislature is \$120,000. Salary officers \$37,000. For malitia services \$30,000. Pensions and gratuities to old soldiers \$6,000. The deaf and dumb \$6,500. The blind \$6,000. Lunatic hospital \$18,000. Agricultural societies \$4,500. American institute of instruction \$300. Boston society of natural history \$300. Bounty for the reeling of silk and destruction of wild cats, &c. \$18,000.

The revenue is derived from the bank tax, \$305,000. Auction tax, \$55,000. Notes for eastern lands, falling due, \$45,000. Interests on deposits in City bank, 3,000. Cash in treasury January 1st, \$73,700.

NEW YORK, MARCH 30. The last of the ruins. The masonry walls of the late exchange building have been under the process of demolition for a few days past.

Yesterday afternoon, by means of iron cables, the marble front, which had hitherto stood a prince over the ruins, and one of the most beautiful and interesting objects which any country has exhibited among the ravages of time or the elements, was levelled to the ground, with a tremendous crash, which brought vividly to mind the scenes of the night of 16th December, when hundreds of walls, by the mere agency of fire, tumbled to the earth in a similar manner. All the marble columns in front were broken by the fall. They were, however, of little value, large slabs having been scaled off from them by the heat of the conflagration.

NAVAL. The U. S. sloop of war St. Louis sailed on Monday last for the Balize. It is intended to carry her up to New Orleans. Some of the newspapers of that city gave out, a short time ago, that there was to be found on the bar, at the entrance into the Mississippi, only eleven feet of water. We had supposed the depth to be thirteen feet. The St. Louis, it is said draws fifteen feet. [Pensacola Gazette.]

PROMPT DESPATCH. Under this head the editors of the Norfolk Beacon mention that they despatched a letter to Baltimore on the afternoon of the 27th, for certain articles wanted in their establishment, and received those articles before breakfast on the morning of the 29th. "This (adds the Beacon) was the result of no particular despatch, but the ordinary course of things. Baltimore is but a stone's throw from Norfolk."

BEE-ROOT SUGAR. Several gentlemen have associated for the purpose of cultivating the beet, and introducing the manufacture of the beet root sugar. They have sent a person to France for the purpose of obtaining information in relation to the manufacture. [Boston Daily Adv.]

MASSACHUSETTS. The proposition to incorporate a new bank, with a large capital, (five millions of dollars), has, after much consideration, been negatived in the legislature of this state:— It might have been passed by a bare majority; but, upon finding that the vote, in the house of representatives, upon a vital question concerning the bill, was as close as 242 to 241, Mr. Lawrence, of Boston, rose, and said his only object in supporting the bill was the public good, and he was not willing to push it through with a bare majority of one, but would prefer to leave the whole subject open to the deliberation of the people, and for that purpose he would move the indefinite postponement of the bill. In his course he was sustained by a number of the friends of the bill, and the indefinite postponement was carried by 261 votes against 89.

THE DEPOSITE BANKS.

Recapitulation of the condition of the deposite banks, according to the returns received at the treasury department dated nearest to the 1st of March, 1836.

LIABILITIES.	
Capital.....	\$43,193,930 27
Treasurer of the United States.....	30,810,640 03
Public officers.....	2,945,945 56
Due to banks.....	16,029,566 35
Contingent fund.....	950,101 78
Profit and loss, discount and interest.....	3,436,511 08
Circulation.....	27,300,098 92
Private deposits.....	15,913,819 10
Other liabilities.....	6,375,596 98
	\$146,956,210 07

MEANS TO MEET THEM.

Loans and discounts.....	\$64,031,005 22
Domestic exchange.....	30,323,686 62
Real estate.....	1,872,016 73
Due from banks.....	16,138,395 28
Notes of other banks.....	10,876,586 07
Specie.....	11,067,718 58
Foreign exchange.....	89,468 08
Expenses.....	138,573 52
Other investments.....	12,427,759 97
	\$146,956,210 07

CONNECTICUT ELECTION. This election took place on Monday last, and the Journal of Commerce says—

By the steamboat Splendid, captain Stone, from New Haven, we have a slip from the office of the Columbian Register, (Jackson paper) of that city, dated 9 o'clock last evening, which gives returns from 48 towns out of 132 in the state. To these we have added two others. The result is 7,091 votes for Tomlinson, the whig candidate for governor, and 8,447 for Edwards (Jackson) the present incumbent. This is a Jackson gain as compared with last year, and makes it probable that the state has gone in that direction by an increased majority. Forty-nine towns have elected 28 whig representatives to the legislature, and 48 Jackson. William W. Ellsworth (whig) is elected to the senate from the 1st district, comprising Hartford and vicinity,

where last year the Jackson candidate succeeded. On the contrary, a Jackson senator is elected, in the 15th district, comprising Litchfield and vicinity, which was last year represented by a whig. The Jackson men are anxious to secure two-thirds of the legislature, that they may be able to effect certain changes in the constitution. There are also two senators to congress to be elected by this legislature,—one to supply the vacancy occasioned by the death of Nathan Smith, now temporarily filled by judge Niles, and the other to supply the place of Gideon Tomlinson, whose term of service expires on the 4th of March next.

**Humiliating apology.** A young man in Bradford, in this state, lately sent a letter to the editor of the Essex Banner, inclosing an advertisement, purporting to come from a young lady of Bradford, who was anxious to enter the estate of matrimony. Some pitiable feeling towards the young woman inducted the letter; but the sequel must have been like vinegar to the author of it. He was ferreted out, and obliged, by the friends of the lady, to make a public confession in the following lowly manner. He gives himself a beautiful character:

"Whereas an unauthorised, false and malicious advertisement, purporting to be subscribed by Hannah Hull, was inserted in the Essex Banner of last week, I, Nathaniel Holmes, jun. of Bradford, hereby confess that I was the author of it, and that I have thereby wronged Miss Hull most cruelly, and without the least provocation or reason. I therefore penitently ask her pardon, and also take this method of informing the public, that there has never been any impropriety of any kind on her part, which could justify said advertisement, but on the contrary, that her conversation and conduct have been at all times correct, virtuous and inoffensive, and that in causing said advertisement to be sent to Mr. Farnsworth, through the post office, in a letter, inclosing two dollars for its insertion, I was actuated by a blind infatuation, and a reckless disregard for principle, honor and humanity. I therefore beg leave to express my sorrow for my barbarous insult upon Miss Hull, and to solicit her, and Mr. Farnsworth, the editor of the Essex Banner, and the public generally to forgive me. NATHANIEL HOLMES, JR., Bradford, March 9th, 1836.

**INCREASE OF THE ARMY.** General Macomb has submitted to the senate, in obedience to a resolution of that body, a plan for the increase of the army to ten thousand men, without adding to the number of officers. The opinion seems to be unanimous among men of all parties, that our present force is entirely inadequate to the public defence. Had it been in the power of the general government to send a full and efficient force to Florida on the first breaking out of hostilities, that war would ere this time have been over, and a heavy loss of lives and property would have been saved. Our immense frontier is but half protected. General Macomb proposes that there shall be eight regiments of artillery, each comprising five companies of 100 men; nine regiments of infantry, each comprising eight companies of 72 men; and one regiment of dragoons comprising 715. The aggregate, including the non-commissioned staff, will be 9,955 men.

**INDICTMENT FOR CONSPIRACY.** The grand jury of Philadelphia on Friday last week, presented an indictment against sundry journeymen tailors for a conspiracy. It contains four counts, charging the defendants with having formed themselves into an unlawful club or combination, and adopted certain arbitrary by-laws, rules or regulations injurious to trade and commerce, and unjust and oppressive towards employers and journeymen who are not members of the society. Among these rules are the following, in substance, viz: That no member of the society should work for any employer, who employed a man that was not a member of the society. That no member should work for an employer who employed a man at a less price than that established by the society. That no member should work for any employer who refused to keep a slate to be hung up in a public part of his store, upon which should be entered the name of every journeyman taking a job from the store, and that no journeyman should take a job out of his turn. Also that during the time of a strike, a certain number should be selected from the members each day, to watch the shops; and that any one selected, on refusing to watch, should be fined five dollars.

**The Yankees outdone.** The Georgia Constitutionalist, a daily paper printed at Augusta, Georgia, states, that in the subscription to the stock of a certain corporation, six persons continued to subscribe for about a thousand shares, although by law only twenty shares could be subscribed by each individual. Their plan of operations was this—each individual subscribed for his twenty shares—then, by conjunction of their six names as firms of two and three partners each, and transposing the names a sufficient number of times, they formed forty-eight firms and subscribed in the names of these firms to four hundred thousand dollars worth of stock. The commissioners for distributing the stock objected to taking the subscriptions, but the gentlemen insisted, and being all lawyers, took out a precept from court to compel the commissioners to accede to their demands. The judge, before whom the case was examined, decided that—notwithstanding a regular copartnership of each firm was proved, and the articles exhibited to him—there was an evident evasion of the law in the case, and the six individuals

could only take the twenty shares each, as stated in the act of incorporation.

This is equal to the best story ever related of a Yankee, although its birth-place was Georgia.

**AMERICAN ENERGY.** A London paper gives, as an instance of American energy, the story of a merchant from New York, who was at the London coffee house, in Ludgate Hill, when the news of the great fire which lately occurred in that city arrived. His premises were totally consumed, and he found himself, in a moment, a ruined man. His plan was instantly formed. In fifteen minutes from the time his eyes had rested on the paper, a chaise and four was at the door, in which he hurried to Dover. Arriving in the night, he hired a steamboat for 75 guineas, which soon landed him at Calais. Thence he hastened, with all possible expedition, to Lyons. He reached that city eight hours before the news of the fire, and employed his time in purchasing silk goods, to such an extent, and on such terms, as to secure a profit of at least £25,000, the destruction being principally of French silks, and to so large an amount, as to require more than all the existing stock in Lyons to make it good.

**COTTON TRADE OF SCOTLAND.** The cotton trade of Scotland continues to increase every year. Last year the increase was more than 3,800 bags. Total consumption nearly 100,000 bags. 32,000,000 lbs. at 9d. £1,200,000; charges and profits on spinning at 7d. £930,000; of this sum, about a half, would be for wages, and a half for tear and wear, profit, &c. Value of yarn, £2,130,000; exported (about a fourth), £530,000. Left for manufacturing £1,600,000; an expense and profit of manufacturing £1,200,000. Value of manufactured goods, £2,800,000. [Glasgow Chronicle.]

#### TOASTS AT RICHMOND, VA.

At a dinner lately given to Messrs. Tyler and Leigh.

##### Regular toasts.

"The Van Buren majority in the present general assembly—acquired by professions never fulfilled, and never meant to be fulfilled. The evidence of dexterous juggling, not of the will of the people—Clear the kitchen.

"Our sisterstate of Pennsylvania: The whigs of Virginia share her indignation at the insolence of federal power and its minions, in daring to dictate to her sovereign free will. They rejoice that the effect has been to re-animate the slumbering energies of '98—Auld Lang Syne.

"Our honored guest John Tyler: 'Expunged' from a post that he adorned, and the functions of which he ever faithfully and ably discharged, by the complying tools of an unprincipled aspirant—he is but the more endeared to the hearts of his countrymen—Haste to the wedding.

"Our honored guest, Benj. Watkins Leigh: 'As Cato firm, as Aristides just.' A man above the times; whom its profligacy cannot appreciate or corrupt. 'Modern degeneracy has not reached him'—Marseilles Hymn.

"The governor of Virginia, Littleton W. Tazewell: It is well that demagogues and tools should carp at such a man. His wisdom shames their folly; his virtues rebukes their vices; his independence scorns their servility.

"Virginia's 'expunging resolutions': The only black spot on her vestal robe! Shame to them who inflicted it! Fools rush where angels dare not tread—Dirge.

"The senator's tenure—fixed by the constitution at six years—what must be thought of those who, sworn to support the constitution, get rid of the senators by placing before them, perjury or resignation?

"William C. Rives—the missionary of the party, to expunge the journal of the senate. He is a worthy guardian of the constitution, with whom presidential veal is superior to his oath! Such a man would better serve a prince than a republic!"—(Three groans!!!)

##### Volunteers.

"By gen. Lambert. [President.] The Abolition of slavery: Let the work first begin in the two houses of congress.

"James Lyons, esq. on behalf of the committee of arrangements, offered the following toasts:

"1. Our beloved townsman and distinguished representative, John Robertson: Faithful among the false. When he turns traitor, it will then indeed be time to 'despair of the republic.'

"2. Virginia's youthful hero, Henry A. Wise: Intrepid as eloquent. Born to be the scourge of scyophants, traitors and toad-eaters—Providence has vouchsafed him to avenge the wrongs of an insulted country.

"3. The senate of the United States: The only states right feature of the government. It has answered thus far the end for which it was wisely created; its fall must expose to shame and ignominy the pretenders who now assail it under professions of regard for the rights of the states and of the people.

"The hon. John Bell and Balie W. Peyton, of Tennessee. "By Robert Stanard. Unwavering and inflexible resistance to the mandate of executive power, which nominates its minion to the first magistracy of a free and gallant people, and presumptuously expects tame submission from them."

## TWENTY-FOURTH CONGRESS—FIRST SESSION.

## SENATE.

*April 1.* After some minor business—  
The senate proceeded to consider the bill to establish the northern boundary line of Ohio, and to provide for the admission of the state of Michigan.

The question being on the motion of Mr. *Wright*, to admit the state as soon as the assent of delegates appointed by the people of Michigan for that purpose to a line should be obtained.

Mr. *Southard* resumed the observations he had commenced on the preceding day, and spoke at much length.

Mr. *Hendricks* then explained the amendments which he laid on the table yesterday, and which he proposed to offer at a proper time.

Mr. *Wright*, Mr. *Benton*, Mr. *Clayton*, Mr. *Ewing*, Mr. *Buchanan* and Mr. *Clay*, severally addressed the senate.

After which, Mr. *Ewing* moved that the senate adjourn; which motion was decided in the negative—yeas 21, nays 24.

The debate was then resumed by Mr. *Clay*, Mr. *Buchanan* and Mr. *Walker*.

Mr. *Clayton* moved an adjournment; which was decided in the negative—yeas 21, nays 23.

Mr. *Ewing* of Ohio, moved that the senate should adjourn.—  
Determined as follows:

YEAS—Messrs. Black, Calhoun, Clay, Clayton, Crittenden, Davis, Ewing, of Ohio, Kent, Knight, Leigh, McKean, Mangum, Moore, Naudain, Porter, Prentiss, Preston, Robbins, Southard, Swift, Tomlinson—21.

NAYS—Messrs. Benton, Brown, Buchanan, Cuthbert, Ewing, of Illinois, Grundy, Hendricks, Hill, Hubbard, King, of Alabama, King, of Georgia, Linn, Morris, Niles, Nicholas, Ruggles, Robinson, Rives, Shepley, Tallmadge, Tipton, Walker, White, Wright—24.

Several other adjournments were moved, with very near similar results.

An amendment moved by Mr. *Wright* was carried unanimously.

Mr. *Southard* moved to amend the bill in the part which provides that the senators and representatives already elected shall take their seats without delay. He denied that the senate had any right by law to determine that point, without either the senate or house having looked into the qualifications of the persons so elected. He moved to strike out that clause, and called for the yeas and nays.

Mr. *Benton* opposed the motion.

Mr. *Clay* said it was not necessary to declare what the constitution already declared, that the states would have a right to send senators and representatives as soon as admitted.

The question was then taken on Mr. *Southard's* motion to amend, and decided as follows:

YEAS—Messrs. Black, Clay, Crittenden, Davis, Ewing, of Ohio, Leigh, Naudain, Porter, Southard, Swift, Tomlinson, White—12.

NAYS—Messrs. Benton, Brown, Buchanan, Cuthbert, Ewing, of Ill. Grundy, Hendricks, Hill, Hubbard, King, of Alabama, King, of Georgia, Linn, Morris, Nicholas, Niles, Rives, Robinson, Ruggles, Shepley, Tallmadge, Tipton, Walker, Wright—22.

Mr. *Calhoun* (half past seven) said he would make one more effort to obtain time to look into the amendments, many of which were new, and required to be examined. He moved that the senate now adjourn; which was negatived—yeas 12, nays 24.

Mr. *Benton* moved to reconsider the motion by which the senate had determined to adjourn over until Monday.

Mr. *Benton* having been counted among the nays, could not make the motion, and it was renewed by Mr. *Tallmadge*.

The question being taken on reconsideration, there appeared; yeas 19, nays 3.

The yeas and nays being called, the question was again taken, when there appeared—yeas 20, nays 5.

The motion to adjourn until Monday was then put, and decided in the negative.

Mr. *White*, (at quarter before eight) moved that the senate proceed to the consideration of executive business.

The motion was agreed to.

The senate proceeded to the consideration of executive business, and, after some time, adjourned.

[The yeas and nays were frequently called this day.]

*April 2.* A communication was received from the post office department, in reply to a resolution (offered by Mr. *Southard*) making inquiry as to the cause of a mistake which was discovered in the accounts of the treasurer of the department.

The following is a copy of the communication:  
Post office department, April 1, 1836.

Sir: In obedience to the resolution of the senate, adopted on the 29th ult. and communicated to me on the 30th, requiring me "to report to the senate whether the cause of the discrepancy of forty thousand four hundred and seventy dollars and ninety-one cents, stated in the report of the accountants to the committee of the senate, dated 3d March, 1835, as then existing in the accounts of the treasurer of the general post office, has been discovered, and the said accounts finally adjusted; and, if so, further to report the cause of said discrepancy, and who was the occasion thereof, and whether the balance, if any, has been paid," I have the honor to submit the following statement, viz:

The "account of the treasurer of the general post office," alluded to in the resolution, is presumed to be the general cash account of the department, as no account with the treasurer, as such, was ever kept.

The cash account of the department, before the first day of July last, is known to be deranged in a high degree. It is believed that many months of labor would be required to ascertain the causes and extent of that derangement. So entirely has the force of the department, employed on accounts since the first of May last, been occupied in the current business; and in examining and adjusting individual accounts of long standing, that no attempt has been made to solve the difficulties in the cash account, and no additional light has been cast upon it, except incidentally in a few of its items.

"The report of the accountants to the committee of the senate, dated 3d March, 1835," does not appear to have been officially communicated to the department, forms no part of its books or papers, and has not been thought of as a basis of official action, however useful it may be as information.

I have the honor to be, very respectfully, your obt<sup>t</sup> serv<sup>t</sup>,  
AMOS KENDALL.

Hon. Martin Van Buren, president of the senate.

Mr. *Grundy* said that it was very desirable for the department to be put in possession of the statements which had been made out by the two accountants employed by the committee during the investigation of the situation of the department under the preceding administration. If these accounts could be furnished to the department, there would be much time saved in arriving at the cause of the error, and the department was very anxious to have possession of these materials. He wished the gentleman from New Jersey to make some disposition of the communication.

Mr. *Southard* said he did not clearly see what particular disposition he could make of this document. If the senator from Tennessee would propose any course, he would make no objection to it. There appeared to be no important error, and the treasurer of the department had not been able to make his account with the office clear within \$40,000. It had been supposed that the present head of the department, who had been so much lauded for his economy and management and general efficiency, would have lost no time in instituting a rigid investigation of the accounts of the treasurer. It appeared, however, that he had been so busily occupied in settling the old accounts, which were left in a state of confusion almost inexplicable, that he could not find time for this examination. It would seem to be reasonable that the treasurer himself, under the eye of this vigilant head, would himself have labored to dispel the mystery which involved the affair. I (said Mr. S.) am possibly wrong in my views of this subject, as I have generally been in all my conjectures respecting the management of the post office, but I am certainly right in my convictions that there has been a lamentable want of regularity and system, since we have now the declaration of the postmaster general himself to this effect. He declares that it has occupied all his time to extricate the affairs of the department from the disorder into which they have been plunged. I hope then that I shall hear no more of the denunciations which have been so liberally poured forth against those who have said that the department had been in a state of utter confusion and disorder. He concluded with saying that, at present, he would only move for the printing of the document.

Mr. *Grundy* said he did not wish to go into any discussion of the ancient affairs of the department. That there existed a great discrepancy in the accounts, he presumed no one would pretend to dispute. He concurred with the senator from New Jersey in the opinion that the causes of this discrepancy ought to be ascertained. Perhaps the best course would be to refer the communication to the committee on the post office and post roads; and as that committee would meet on Monday, some course might then be determined on, which it would be best to pursue.

He moved to refer the communication to that committee and to print it; and the motion was agreed to.

The bill to establish the northern boundary of Ohio, and to provide for the admission of the state of Michigan into the U. States was read a third time.

On the question of its passage,  
Mr. *Porter* stated some objections which he had to the bill, and moved to recommit it.

A wide and general debate followed—

Mr. *Calhoun* moved that the bill be recommitted; and the question being taken by yeas and nays, was decided as follows:

YEAS—Messrs. Calhoun, Clay, Clayton, Crittenden, Davis, Ewing, of Ohio, Kent, Knight, Leigh, Mangum, Naudain, Porter, Prentiss, Preston, Robbins, Southard, Swift, Tomlinson, White—19.

NAYS—Messrs. Benton, Brown, Buchanan, Cuthbert, Ewing, of Illinois, Grundy, Hendricks, Hill, Hubbard, King, of Alab. King, of Geo. Linn, McKean, Morris, Nicholas, Niles, Rives, Robinson, Ruggles, Shepley, Tallmadge, Tipton, Walker, Wright—24.

[Similar motions were decided by the same numbers. The majority were resolved to pass the bill.]

On motion of Mr. *Preston* that the senate adjourn, it was decided in the negative—yeas 20, nays 23.

The question was then taken on the passage of the bill, and decided in the affirmative; 23 to 8, many of the senators having left the chamber.

The bill was then passed in the following form:

A bill to establish the northern boundary line of the state of Ohio, and to provide for the admission of the state of Michigan into the union upon the conditions therein expressed.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the northern boundary line of the state of Ohio shall be established at, and shall be a direct line drawn from the southern extremity of Lake Michigan, to the most northerly cape of the Maumee (Miami) bay, after that line, so drawn, shall intersect the eastern boundary line of the state of Indiana; and from the said north cape of the said bay, north east to the boundary line between the United States and the province of Upper Canada, in Lake Erie; and thence with the said last mentioned line, to its intersection with the western line of the state of Pennsylvania.

Sec. 2. And be it further enacted, That the constitution and state government which the people of Michigan have formed for themselves be, and the same is hereby, accepted, ratified and confirmed; and that the said state of Michigan shall be, and is hereby, declared to be one of the United States of America, and is hereby admitted into the union upon an equal footing with the original states, in all respects whatever: *Provided always, and this admission is upon the express condition,* That the said state shall consist of and have jurisdiction over all the territory included within the following boundaries and over none other, to wit: Beginning at the point where the above described northern boundary of the state of Ohio intersects the eastern boundary of the state of Indiana, and running thence with the said boundary line of Ohio, as described in the first section of this act, until it intersects the boundary line between the United States and Canada, in Lake Erie; thence with the said boundary line between the U. States and Canada, through the Detroit river, Lake Huron, and Lake Superior, to a point where the said line last touches Lake Superior; thence, in a direct line through Lake Superior, to the mouth of the Montreal river; thence, through the middle of the main channel of the said river Montreal, to the middle of the lake of the Desert; thence, in a direct line, to the nearest head water of the Menomonic river; thence, through the middle of that fork of the said river first touched by the said line, to the main channel of the said Menomonic river; thence down the centre of the main channel of the same, to the centre of the most usual ship channel of the Green Bay of Lake Michigan; thence, through the centre of the most usual ship channel of the said bay, to the middle of Lake Michigan; thence through the middle of Lake Michigan, to the northern boundary of the state of Indiana, as that line was established by the act of congress of the nineteenth of April, eighteen hundred and sixteen; thence, due east, with the north boundary line of the said state of Indiana, to the north east corner thereof; and thence, south, with the east boundary line of Indiana, to the place of beginning.

Sec. 3. And be it further enacted, That, as a compliance with the fundamental condition of admission contained in the last preceding section of this act, the boundaries of the said state of Michigan, as in that section described, declared and established, shall receive the assent of a convention of delegates elected by the people of the said state, for the sole purpose of giving the assent herein required; and as soon as the assent herein required shall be given, the president of the U. States shall announce the same by proclamation, and thereupon, and without any further proceeding on the part of congress, the admission of the said state into the union, as one of the United States of America, on an equal footing with the original states in all respects whatever, shall be considered as complete, and the senators and representatives who have been elected by the said state as its representatives in the congress of the United States shall be entitled to take their seats in the senate and house of representatives respectively, without further delay.

Sec. 4. And be it further enacted, That nothing in this act contained, or in the admission of the said state into the union as one of the United States of America upon an equal footing with the original states in all respects whatever, shall be so construed or understood as to confer upon the people, legislature or other authorities of the said state of Michigan, any authority or right to interfere with the sale by the United States, and under their authority, of the vacant and unsold lands within the limits of the said state, but that the subject of the public lands, and the interest which may be given to the said state therein, shall be regulated by future action between congress, on the part of the United States, and the said state, or the authorities thereof. And the said state of Michigan shall in no case, and under no pretence whatsoever, impose any tax, assessment, or imposition of any description, upon any of the lands of the United States within its limits.

The bill for the admission of the territory of Arkansas as a state into the union, was then, on motion of Mr. Wright, taken up and read; and before any action was had upon it,

A motion to adjourn was made and lost—nays 27.

Mr. White then moved to amend the bill as follows:

Strike out from the word "river," in the 15th line of the 1st section, to the word "Arkansas" inclusive, in the 17th line, and insert the following words: "the lines described in the first article of the treaty made between the United States and the Cherokee nation of Indians west of the Mississippi, on the 26th day of May, in the year of our Lord one thousand eight hundred and twenty-eight."

After some remarks from Messrs. Calhoun, Southard and Buchanan,

Mr. King, of Alabama, moved that the senate adjourn; which was negatived—yeas, 16, nays 18.

The amendment of Mr. White was then unanimously adopted.

After some observations from Mr. Crillenden and Mr. Calhoun, touching the qualifications of voters, and a few words in explanation from Mr. Buchanan, the bill was ordered to be engrossed for a third reading, and then, on motion of Mr. Mangum, the senate adjourned.

April 4. Mr. Grundy, from the committee on the post office and post roads, to whom was referred the communication from the postmaster general, reported the following resolution, which was considered and agreed to:

Resolved, That the report of the accountants employed by the committee on the post office and post roads, at the last session of congress, be printed, and a copy thereof be furnished to the postmaster general, and the postmaster general is directed to report to the senate whether the cause of the discrepancy of \$40,090 91, stated in the report of the accountants to the committee of the senate, dated March 3, 1833, as then existing in the accounts of the general post office, has been discovered; and further to report the cause of said discrepancy, and who was the occasion thereof, and whether the balance, if any, has been paid.

The bill for the admission of the state of Arkansas being read a third time, and the question being on its passage,

Messrs. Benton, Swift, Buchanan, Prentiss, Porter, Morris and Ewing, of Ohio, made a few observations, when the question was taken by yeas and nays, and decided as follows:

YEAS—Messrs. Benton, Brown, Buchanan, Calhoun, Clayton, Cuthbert, Ewing, of Ill. Ewing, of Ohio, Grundy, Hendricks, Hill, Hubbard, King, of Alabama, King, of Geo. Linn, McKean, Mangum, Moore, Morris, Nicholas, Niles, Preston, Rives, Robinson, Ruggles, Shepley, Tallmadge, Tipton, Walker, White, Wright—31.

NAYS—Messrs. Clay, Knight, Porter, Prentiss, Robbins, Swift—6.

On motion of Mr. Leigh, the expunging resolution offered by Mr. Benton was taken up for consideration.

Mr. Leigh then addressed the senate at length in opposition to the resolution.

About 20 minutes before 4 o'clock, Mr. Leigh gave way and Mr. Mangum moved to adjourn, but withdrew the motion; and the subject being informally laid on the table,

The senate, on motion of Mr. White, proceeded to the consideration of executive business; and, after remaining for some time with closed doors, the senate adjourned.

April 5. Mr. Hendricks presented the petition of sundry citizens of Carroll county, in the state of Indiana, representing the town of Delphi as the head of steamboat navigation of the Wabash river, and praying that a port of entry may be established at that place. Referred to the committee on commerce.

Mr. Benton asked and obtained leave to introduce a bill to provide for the more effectual supply of bullion to the United States mint.

After a few words from Mr. Benton in explanation of the bill, from which it was gathered that the object is to supply the mint with bullion out of the public money in the deposit banks, at the rate (at present) of a million per month, he referred to letters from the director of the mint, giving the necessary statements as to the supply which the mint could consume.

The bill was read twice, and referred to the committee on finance.

Several bills were passed to a third reading, &c.

A bill was received from the house, amendatory of the act for the relief of the sufferers by fire in New York.

Mr. Davis stated that it was necessary to pass this bill at once, owing to a misconception of the bill which had been previously passed by the collector, who had construed it as extending its benefits to all bonds up to the day of the passage of the bill.

The bill was then, without opposition, read a first and second time, considered as in committee of the whole, read a third time, and passed.

After Mr. Leigh had concluded his speech on the "expunging" resolution, it was, on the motion of Mr. Benton, laid on the table and ordered to be printed.

A good deal of other business was attended to—but nothing important or decisive happened. Adjourned.

April 6. The morning business being disposed of, the special order of the day, "The bill to prevent the circulation of incendiary publications and pictures through the mail" was taken up and considered.

And, after some remarks by Mr. Calhoun and Mr. Davis, was postponed until to-morrow.

The bill concerning the payment of revolutionary and other pensioners was considered—and on an amendment being offered by Mr. Wright.

Mr. Niles moved to amend the amendment by making specie payments to sums under ten dollars for the present year, and under twenty dollars after the 3d of March, 1837.

After a few remarks from Messrs. Benton and White, the question was taken on the amendment of Mr. Niles, by yeas and nays, and decided as follows:

YEAS—Messrs. Benton, Brown, Calhoun, Grundy, Hendricks, Hill, Hubbard, King, of Alab. Leigh, Linn, McKean,

Morris, Nicholas, Niles, Porter, Robinson, Ruggles, Shepley, Tomlinson, Walker, White, Wright—22.

NAYS—Messrs. Black, Clay, Davis, Ewing, of Ohio, Kent, King, of Georgia, Knight, Mangum, Moore, Naudain, Prentiss, Robbins, Swift—13.

So the amendment was agreed to.

Other amendments being made—the bill was ordered to a third reading.

Mr. Wright laid on the table an amendment which he proposed to move to the bill to regulate the public deposits, whenever that bill shall be called up. If the senator from South Carolina did not call up that bill, (as he had intimated that he should not), he, (Mr. W.) would call it up at the earliest opportunity.

Mr. Calhoun expressed his gratification that the gentleman from New York and the senator from Missouri had taken this bill under their protection. They had the power to carry it through, and he was glad that they had it in their charge.

The amendments were ordered to be printed.

The senate proceeded to the consideration of executive business; and after remaining some time in secret session, adjourned.

April 7. Mr. Grundy, from the committee on the post office and post roads, made a report on the subject of the bill to authorize contracts with the rail road companies; which he read from the table.

Mr. Ewing, of Ohio, stated that the report contained much important matter which it was proper to lay before the public, and he accordingly moved that there be 5,000 extra copies printed.

Mr. Grundy suggested that there should be appended to the report the bill of the committee, as it was proposed to be amended.

Mr. Calhoun suggested some difficulties that he apprehended in the bill—Mr. Knight, one of the post office committee, acquiesced in the report—Mr. Ewing, of Ohio, desired time to consider it—and the motion to print, &c. was agreed to.

After other minor business, and the passage of sundry bills—The senate proceeded to consider the bill prohibiting deputy postmasters from receiving or transmitting through the mail, to any state, territory or district, certain papers therein mentioned, the circulation of which, by the laws of said state, territory or district, may be prohibited, and for other purposes.

Mr. Davis made some observations in opposition to the bill; after which,

On motion of Mr. Calhoun, the senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, April 1. Mr. Wm. B. Shepard, after some remarks, offered the following resolution—

Resolved, That Thursday and Friday, the 5th and 6th days of May next, be assigned for the exclusive consideration of bills relating to the District of Columbia.

The resolution was adopted by a vote of 88 to 42.

Mr. J. Y. Mason, by consent of the house, presented a memorial from certain clerks in the employ of the government, praying an increase of their compensation; which was referred to the committee of ways and means, and ordered to be printed.

Mr. Lawrence, by leave, presented a memorial of importing merchants of the city of Boston, representing that much inconvenience is frequently experienced by them in consequence of unavoidable delays in passing their importations through the custom house, arising wholly from the insufficiency in the number of officers allotted to the business of the customs in that city. And further, that the public warehouses are too circumscribed and ill suited for the purpose for which they are designed, and soliciting an enlargement of the public stores, and an increase of the number of clerks, by which means greater facilities will be afforded to the appraisers for the more speedy and correct discharge of their duties, which the memorialists represent have greatly increased during the present year; which memorial was referred to the committee on commerce.

Mr. Wm. B. Shepard, from the committee for the District of Columbia, reported the senate bill for the relief of the corporate cities of the District, without amendment; which bill was read twice and committed.

After some other business which will sufficiently appear in its progress—

On motion of Mr. Whittlesey, the house proceeded to the orders of the day for Friday, which were private bills.

Sundry bills were passed to a third reading, and the house adjourned.

Saturday, April 2. The chair presented a letter from the hon. John Banks, resigning his seat in the house of representatives of the United States.

On motion of Mr. Speight, the letter was laid on the table, and ordered to be printed.

Mr. Patton asked the house to take up the bill for the establishment of the territorial government of Wisconsin.

Mr. Jones, of Michigan, said he was about to make the same request of the house. He had information showing that there was imminent danger of an Indian war on that frontier, and it was necessary that the militia should be organized; which could not be done without the establishment of a territorial government. The country was, at present, destitute of any form of government.

Mr. Storer said he felt bound to object to the consideration of this bill.

Mr. Patton moved to suspend the rules for one hour for the purpose of taking up and considering the bill; which was agreed to.

The house then went into committee of the whole on the state of the union (Mr. Speight in the chair) upon the bill for the establishment of the territorial government of Wisconsin.

Mr. Storer wished to ask the gentleman who represented Michigan territory for some explanation. He understood that a government, sufficient for all practical purposes, was organized already over this district; and he wished to know what was the number of the population.

Mr. Jones, of Michigan, replied that he did not know precisely. No census had been taken by the general government; but a census taken by the people themselves, for their own gratification, showed in one particular district about twelve thousand, and in the whole territory about thirty thousand.

Mr. Storer said he was not opposed to the bill, but he wanted to know the reason why it was attempted to be passed in so unusual a mode. The house would pardon him for making some remarks, because of the peculiar situation of the state he represented, in regard to this matter and the territory of Michigan. The state of Ohio was not contiguous to this territory, but was immediately connected in interest with the settlement of this question. There was a bill before the house to determine the northern boundary line of Ohio, which it was much more important should be immediately passed, and he wanted to know why that had been postponed to give way for this. He again said he was not opposed to this bill, but should vote for it. But what had produced the state of facts that made such a bill necessary? One year ago this territory was under the supervision of judges appointed by the executive of the United States. The laws of the United States were in operation then. How is it we are told now there is no organization, and that the doors of justice are closed? It was not the fault of the people of this territory. Is it the fault of the house? If so, he would leave it to be explained by others. There was, however, a territory which had cut loose this district, had caused the confusion complained of, and raised this whirlwind, which has now come in claiming to be a state of this union, without waiting for the forms of legislation, and has compelled this section to ask to be erected into a territory. He could not let this bill go by without expressing his opinions of this proceeding on the part of Michigan, and attempting to put down this most dangerous attempt to become a state without the proper enactment. It was not three years since this hall echoed, as it were, with one voice, upon the doctrines of the South in regard to the rights of states. He thought the south was wrong then, and thought so now; but here is practical nullification of a most dangerous tendency. Michigan has now a governor, legislature and judges, in the form of a state government, and by this act, the territory of Wisconsin is deprived of the usual forms of territorial government. He could not prevent this course; he must be swept along with the current, but he felt bound to enter his protest against such proceedings.

Mr. Patton thought the gentleman might have found some more proper time to offer his remarks. The committee had studiously avoided dragging into the bill any thing touching the boundary dispute between Michigan and Ohio. The difficulty which had called for this bill had not grown out of that dispute, but had arisen from an omission in the act establishing the territory of Michigan, in not extending the jurisdiction of the laws over this territory. This bill had nothing to do with the boundary in dispute, and he hoped it would not be drawn into the discussion.

A good deal of conversation followed as to the boundaries—but the hour having been past—

Mr. Whittlesey moved that the committee rise, which motion prevailed.

Mr. Sutherland, from the committee on commerce, reported a bill for making appropriations for the improvement of certain harbors of the United States for the year 1836. Read twice, and committed to the committee of the whole on the state of the union.

A great number of private bills were passed, or ordered to be engrossed, and read a third time. Adjourned.

On motion of Mr. Mercer, on Friday last, it was

Resolved, That a select committee, consisting of a member from each state, be appointed to consider the expediency of providing general rules for conducting the proceedings in contested elections, and that they have leave to report by bill or otherwise.

The following gentlemen were appointed a committee, in pursuance of the above resolution:

Messrs. Mercer, of Virginia; Evans, of Maine; Burns, of New Hampshire; Cushing, of Massachusetts; Ingham, of Connecticut; Sprague, of Rhode Island; Hall, of Vermont; Wardwell, of New York; Parker, of New Jersey; Buchanan, of Pennsylvania; Milligan, of Delaware; Howard, of Maryland; Hawkins, of North Carolina; Griffin, of South Carolina; Jackson, of Georgia; Boyd, of Kentucky; Maury, of Tennessee; Kilgore, of Ohio; Garland, of Louisiana; Davis, of Indiana; Claiborne, of Mississippi; Casey, of Illinois; Martin, of Alabama; Ashley, of Missouri.

The following is the committee to which was referred the bill from the senate, entitled "an act to purchase the right to use the apparatus invented and patented by Boyd Reilly, for applying gas or vapor to the human body, in the naval and military

service, in the hospitals, and in the penitentiary of the United States."

Mr. Reed, Mr. Thomson, of Ohio, Mr. Mason, of Maine, Mr. Taliaferro, Mr. Schenck, Mr. Williams, of Kentucky, Mr. Joshua Lee.

Monday, April 2. After the morning business—  
Mr. Wise rose (he said) to offer a resolution on an important subject, which would, he hoped, be adopted without debate.—The resolution was read, as follows:

Resolved, That a select committee be appointed, with power to send for persons and papers, to inquire into the agency or mode of selecting the banks of deposit for the public money, and into the contracts with the treasury department, by which they are regulated, and into the manner in which, and the persons by whom, such contracts are made; and to inquire whether any, and, if any, what connexion or relation, official or unofficial, exists or has existed between a certain Reuben M. Whitney and the treasury department of the United States, or between him and the banks of deposit of the public money, and into the extent of his agency generally, in keeping and controlling the public money, and into the amount of his compensation, whether the same be paid out of the public treasury or by the deposit banks; and that said committee have leave to report by bill or otherwise.

Objections being made,

Mr. Wise moved the suspension of the rules; to enable him to offer the resolution; and thereupon he asked the yeas and nays; which were ordered.

The question being taken, it was decided in the negative—yeas 84, nays 90.

Mr. Peyton asked the consent of the house to offer the following resolution; which was read.

Resolved, That the bill reported by the committee of ways and means, entitled, "a bill regulating the deposit of the money of the United States in certain local banks," together with any amendments which may be offered to the same, be made the special order of the day, and that it have precedence over all other business of the house, from the hour of twelve o'clock on the second Monday in May next, and on each succeeding day, from the same hour, Fridays and Saturdays excepted, until the same shall be finally disposed of.

Mr. Cambreleng said he would pledge himself to call up that bill at the earliest possible day; but he hoped the gentleman would not press the motion to make it the special order of the day until the appropriation bills were passed; he hoped there would be no more special orders.

Mr. J. Q. Adams asked whether the resolution was consistent with the resolution of the house making the appropriation bills the special order of the day.

The chair said that the resolution referred to by the gentleman would, of course, be rescinded by a subsequent order of the house.

Objections being made,

Mr. Peyton moved that the rules be suspended in order to enable him to offer the resolution indicated; and upon this motion, he asked the yeas and nays, which were ordered.

The question being taken, it was decided in the negative—yeas 67, nays 99.

Mr. Peyton gave notice that he should renew this motion at a suitable time, thinking it highly important that the subject should be considered during the present session.

Mr. Evans moved that the rules be suspended for the purpose of calling the states for petitions; which motion was not agreed to.

On motion of Mr. Cambreleng, the house went into committee of the whole, (Mr. Hamer in the chair), and resumed the consideration of the bill "making appropriations for the naval service of the United States for the year 1836."

The question being on the motion of Mr. Bell to strike out the following clause: "for repairs and improvements of the navy yard at Portsmouth, \$67,000."

Mr. Jarvis, being entitled to the floor, spoke at length upon the subject, until near the hour of adjournment.

Mr. Robertson took the floor, but the hour being late, gave way for a motion that the committee rise, which was carried. The house then adjourned.

Tuesday, April 5. Mr. Whittlesey, for the committee on claims, reported a number of bills. Many others were reported from the same and other committees.

Mr. Smith, from the committee of ways and means, reported a bill amendatory of an act for the relief of the sufferers by the late fire in New York; which was read a third time, and passed.

[The object of this bill is to limit the operation of the act to which it is an addition, and which extends the bonds of sufferers by the late fire to such bonds only as were actually given before the fire on the 16th of December last. Some debate arose on the character of the bill, and the manner in which it should be disposed of, in which Messrs. Smith, Adams, Cambreleng, Briggs, Mercer, Cushing, Speight, Everett and C. Johnson participated.]

Mr. Wise asked permission to offer the resolution presented by him yesterday. Objections being made to suspend the rules—the question was taken by yeas and nays, and decided against the proposition: for it 89, against it 94.

The naval appropriation bill again came up—

Mr. Robertson, being entitled to the floor, went on to examine the acts of the government in relation to the expenditure of

money; and in reply to the arguments of Mr. Garland and Mr. Jarvis, at length.

Mr. Robertson gave way, at the usual hour of adjournment, for a motion made by Mr. Storer that the committee rise.

Mr. Cambreleng rose to say that he and many others were anxious to be heard upon this question; but the debate upon general subjects had continued so long upon this bill, that not only was the public interest suffering greatly, but in a few days not a dollar would be left in the treasury for the support and pay of the navy. He had determined to waive his right, which he wished to exercise, from personal considerations, to speak upon this bill; and he hoped it would be immediately passed; in which case, he would pledge himself to bring in a bill to make a million appropriation for the increase of the army, which would open all the subjects connected with the conduct of the administration. Such a bill would be reported by the committee of ways and means.

Mr. Peyton asked if the gentleman was authorized by his party to bring in such a bill for the express purpose of opening a debate upon the merits of the administration, or whether he acted from personal considerations.

Mr. Cambreleng said he acted as the organ of the committee of ways and means, which comprised individuals of both parties; but if the gentleman from Tennessee belonged to the party which wished to stop appropriations, he did not think there was any member of that party on the committee.

Mr. Storer insisted on his motion.

Mr. Cambreleng said he was instructed by the committee of ways and means to say that, if, to-morrow, when the gentleman from Virginia shall have concluded, if the question could not be taken, and the debate upon the bill stopped, he should ask the house to discharge the committee of the whole, with a view to expedite the public business.

Mr. Storer again insisted that his motion should be put; and having been put, the committee rose.

The house, however, did not then adjourn, but passed a number of private bills about which there was no dispute.

Wednesday, April 6. Mr. Sutherland, from the committee on commerce, reported the following joint resolution:

Resolved by the senate and house of representatives of the U. States of America in congress assembled, That so much of the third section of the act entitled "an act making appropriations for the civil and diplomatic expenses of government for the year 1835," as provides that the whole number of custom house officers in the United States on the 1st of January, 1834, shall not be increased until otherwise allowed by congress, be, and the same is hereby, suspended until the further action of congress.

Mr. Harper opposed the resolution, on the ground of information which he had that there were now in Philadelphia more custom house officers than were needed. He thought the limitation of power to appoint was a proper one.

Mr. Lawrence said it might be there were officers of the customs sufficient for the service in Philadelphia, but he knew that in New York and Boston there was great delay and much inconvenience occasioned to the merchants by the deficiency of a proper number of custom house officers. He said he had received many letters making serious complaints, and he thought the resolution ought to be passed immediately, and without debate. He gave also a statement of the increase in the commerce of Boston for the last six years, during which time no addition had been made to the number of officers. The number of entries had increased fifty per cent. and the revenue had more than doubled since 1830. This would show, he thought, to the satisfaction of the house, either that the officers were too numerous in 1830, or there should be more appointed now; and he thought the latter proposition the correct one.

Mr. Cambreleng confirmed Mr. Lawrence's remark in relation to New York; and stated that, owing to the extraordinary influx of business, and the insufficiency of officers, the collector was obliged to assign one inspector to three ships.

Some other desultory debate took place; when

Mr. Whittlesey suggested that it might not be competent to the house to suspend the operation of a law by resolution, but that it should be done by a bill.

Mr. Adams supported this view.

Mr. Sutherland then moved to amend the resolution by striking out the word "Resolved," and inserting the words "Be it enacted, &c." so as to make it a bill; and also to strike out the words "until the further action of congress," and insert "until the end of this session of congress."

Both these amendments were adopted, and the resolution was ordered to be engrossed for a third reading, and the bill was subsequently passed.

After some other business—Mr. Wise said he had somewhat modified the resolution which he had heretofore indicated in relation to the deposit banks, and he again asked leave of the house to offer that resolution.

The resolution being read, Mr. Wise rose, he said, to assure the house, on the part of himself and his friends, that there was no desire nor intention to discuss the subject at present. There were no data for discussion, and could be none, until the inquiry proposed had been made. He hoped that the house would give their unanimous assent to the motion.

Objections being made.

Mr. Cambreleng said he would merely suggest that the opposition to the introduction of this resolution was not made for



the purpose of stifling inquiry, but from an apprehension that it would provoke a discussion. As that apprehension was now removed, he should cheerfully vote for the resolution.

Mr. *Wise* moved that the rules be suspended in order to enable him to offer the resolution, and thereupon he asked the yeas and nays, which were ordered.

The question being taken, it was decided in the negative—yeas 96, nays 87.

Two-thirds being required to carry a motion to suspend the rules, the house again by this vote refused to allow Mr. *Wise* to make his motion.

Mr. *Wise* now rose, he said, to retract the notice which he had heretofore given of his intention to press this motion. He should not offer it again, being now convinced that the house was opposed to any inquiry for the purpose of resolving what was a reasonable doubt in relation to the connexion between the government and the deposit banks.

Mr. *Rencher* asked whether, when the graduation bill came up, it would be in order to move to substitute for it the bill commonly called Mr. *Clay's* land bill.

The chair said the gentleman was aware that any amendments which were in order, might be offered to any bill before the house.

Mr. *Peyton* made an attempt to suspend the rules, by which he might offer his resolution—decided in the negative 108 to 95. Other motions, not important, were variously disposed of.

On motion of Mr. *Cambreleng*, the house then resolved itself into a committee of the whole on the state of the union, for the further consideration of the bill "making appropriations for the naval service of the United States for the year 1836."

The question being on the motion of Mr. *Bell* to strike out the appropriation for the navy yard at Portsmouth,

Mr. *Vanderpoel* having concluded,

Mr. *Storer* took the floor, but gave way, as the hour was late, to a motion from

Mr. *Jenifer*, who moved that the committee rise; which motion was negatived—yeas 49, nays 77.

Mr. *Storer* then proceeded with his remarks.

Thursday, April 7. Mr. *Harrison*, of Missouri, from the committee on public lands, reported the following joint resolution: Resolved by the senate and house of representatives of the U. States of America in congress assembled, That the secretary of war be, and he is hereby, directed to cause to be surveyed, by sufficient number of competent engineers, the inundated lands on the Mississippi river, the Missouri, the St. Francis, the Arkansas and Red rivers, and that he report to congress as the same is done the practicability of reclaiming the same, and removing the obstructions from said rivers; the best mode of doing the same; the amount of money which it will cost to accomplish it; the quantity and estimated value of the lands that may be so reclaimed; and the effects which such works may have upon the health and prosperity of the country.

Mr. *Harrison* stated that the committee had estimated the quantity of inundated land at twenty millions of acres; but to avoid any exaggeration, they had called it ten millions, which, at five dollars per acre, would amount to fifty millions of dollars. The expenses of reclaiming these lands the committee had estimated at two or three millions of dollars; but, in their calculation they had allowed double that sum. There was not a doubt that the United States would realize nearly fifty millions of dollars from these lands, if they were reclaimed.

The joint resolution was then read twice, and committed.

Several other resolutions being disposed of—

Mr. *Patton* asked the house to go into the committee of the whole on the state of the union upon the bill for the establishment of the Wisconsin territory, for the space of one hour.

The house did so, and the bill was finally reported to the house, by the committee.

The bill making appropriations for the naval service of the United States for the year 1836 was taken up.

The amendments agreed to in committee of the whole were concurred in.

Mr. *White*, of Florida, renewed his motion to increase the appropriation for the navy yard at Pensacola, and asked for the yeas and nays on his motion, which were ordered.

A long and desultory debate followed, and the motion was negatived—151 to 26—and the bill finally ordered to a third reading and passed. And, at 6 o'clock the house adjourned.

#### BALTIMORE AND OHIO RAIL ROAD.

At a meeting of the president and directors of the Baltimore and Ohio rail road company, held on Wednesday, the following preamble and resolutions were adopted:

Whereas the city of Baltimore has recently tendered a subscription of three millions of dollars in aid of the completion of the Baltimore and Ohio rail road, in accordance with the original plan of the work; and whereas a liberal subscription has likewise been tendered by the city of Wheeling in furtherance of the same object, and considerable aid may also be expected from the city of Pittsburgh, and other places in the west; and whereas this board relies with full confidence upon the patriotism and enlightened public spirit which characterise the legislature of Maryland, for a further subscription to the stock of this company, on the part of the state, sufficient, with the other available means that are expected to be at the disposal of the board, to complete the road to the points of its ultimate destination at Wheeling and Pittsburgh; and whereas the public interest requires that the most strenuous efforts should be made to accom-

plish this important object with all possible diligence and expedition:

Therefore, Resolved, That this board will forthwith proceed to commence the necessary surveys with a view to the entire location of the road as soon as practicable.

Resolved, That the president instruct the chief engineer to organize the requisite number of surveying parties for the purpose of making the necessary preliminary surveys, beginning at or near to *Harper's Ferry*, or at such other point as he may deem most expedient, in order that the board may be prepared, in the first instance, to effect the location of the road from that place to the summit of the *Alleghany mountain*, as early as the same can be accomplished.

#### AFFAIRS IN FLORIDA.

From the Savannah papers of the 24th we learn that, by a steam packet from the St. John's, which arrived on the preceding evening, came passengers col. *Twiggs*, of the 4th regiment infantry, maj. *Mountfort*, of the 2d regiment artillery, and maj. *Lear*, of the 4th infantry, with capt. *Marks*, of the Louisiana volunteers. These officers left Fort Drane on the 19th. Gen. *Scott* was still there with the forces under his command. The whole army was in fine health and spirits, and in excellent discipline, and would be prepared to leave Fort Drane on or about the 25th, for the banks of the *Wythlacoochee*, (gen. *Gaines'* battle ground). There generals *Scott* and *Eustis*, and col. *Lindsay*, with their immediate commands, were to unite—gen. *Eustis* having moved on the 18th from Volusia, and col. *Lindsay* being on his way from Tampa.

The Floridians, not in the field, are generally returning to their homes in the vicinity of Micanopy and elsewhere, as they have been assured that the Indians will comply with their agreement with gen. *Gaines*.

Gen. *Gaines* and gen. *Scott* met at Fort Drane and passed one day together—sitting at the same table, and showing as much courtesy to each other, the Jacksonville Courier says, as two men can, who take no notice of each other.

The subjoined general order, issued by gen. *Gaines* upon giving up the command of his troops to general *Clinch*, before their return to Fort Drane, is published in the Savannah papers.

The National Intelligencer says:—"We are sorry to see in this general order the manner in which general *Scott*, placed in command of the campaign by the executive, is alluded to. So far from peace with the Indians being certain, we apprehended much blood will yet be shed before they are subdued, or before general *Scott's* diplomatic powers will come into play. We presume, that after what has passed, that his orders require the subjugation of the Indians, and their removal beyond the Mississippi, is the indispensable condition of peace for them.

Head quarters, western department, Fort Izard, on the *Wythlacoochee*, Florida, March 9, 1836.

I. Called to East Florida by the savage massacres and confagurations of the 28th December, and the following month, the commanding general hastily collected, in Louisiana, the forces which accompanied him from that patriotic state. These troops, in the short space of thirty-six days, have marched by land and water, nearly eight hundred miles—one hundred and forty through the country occupied by the enemy, whose principal force they have met, beaten and forced to sue for peace.

II. These important objects of the campaign having been accomplished with the hearty and cordial co-operation of brig. gen. *Clinch*, (to whose sound judgment the defence of this frontier had been wisely confided, and by whose gallantry the enemy had been chastised on the 31st December, and since held in check as far as his limited means would allow), the troops from Louisiana are placed under his command, in order to guard against the known faithlessness of the enemy, until the arrival of the forces under the officer charged with the diplomatic arrangements of the war department. Whenever, and as soon as that officer shall mature his plan of operations, and accomplish the duties assigned him, the forces from Louisiana will return to New Orleans.

III. The commanding general cannot consistently with his views of propriety take leave of the troops by whom he has been so manfully sustained, without tendering them his grateful acknowledgements for the constancy and courage with which they have performed every duty, and borne privations, the recital of which would not fail to command the admiration of the virtuous and wise of every section of the republic. The officers and soldiers of the whole of these forces, (including the artillery from Tampa Bay, acting as a light brigade, under command of lieut. col. *Twiggs* of the 4th infantry) have performed their duty so much to the satisfaction of the general, that he cannot discriminate between the relative claims of corps, of officers, or other individuals, without the risk of invidious distinction. All did their duty cheerfully and gallantly, and when it became necessary to meet the question, whether to eat the meat of their own horses, or to abandon an important position, all cheerfully preferred this unpleasant subsistence to any movement that would endanger the frontier. The horse meat was accordingly eaten by horses and men until the enemy was beaten and sued for peace. A timely supply of provisions arrived, escorted by the brave Georgians, Floridians and regulars, under gen. *Clinch*, at the moment the pacific propositions of the enemy were in the act of being answered. The Indians were fired on by the general's light troops before he could be notified of the object of their being near the camp; they have since disappeared.

IV. The general deeply regrets the fall of the 1st lieutenant J. F. Izard, of the dragoons, acting brigade major, and in command of the advance guard. He fell at the head of his corps, and, though mortally wounded, had the heroic presence of mind to order, "keep your positions, men, and lie close." 2d lieutenant Duncan, 2d artillery, was slightly wounded. Captain Saunders, commanding the friendly Indians, was severely wounded. Captain Armstrong of the U. S. transport schooner *Motto*, was slightly wounded. The two last named officers were in the advance, where their services have been highly useful during the march. This officer, and twenty-nine N. C. officers and soldiers of other companies of the regiment, evinced their gallantry by their good conduct, as well as by their honorable wounds. The general is convinced that he never commanded a finer corps—its chief would do honor to any service.

The officers of the medical department merit the approbation of the general, for the attentive and skilful manner in which their duties were discharged.

List of killed and wounded:

Killed—1st lieutenant J. F. Izard, dragoons.  
Sergeant F. Dunn, 2d artillery.  
Private F. Bolie, La. volunteers.  
Do V. Beck, do do.  
Do H. Butler, do do.

Total—5.

Wounded—officers, non-commissioned officers, and privates:  
2d artillery.....8  
4th infantry.....8  
La. volunteers.....30

Total wounded.....46

By command of major general Gaines:

GEORGE A. McCALL,  
A. D. C. acting ass. adj. general.

*Extracts of letters received in Charleston, dated Indian Key, March 17.*

"It is now ascertained without a doubt, that there is a large number of hostile Indians embodied near Cape Sable, within 30 miles of us, and the inhabitants of this island are hourly in imminent danger of an attack. What we always apprehended has turned out to be the case, that as they were driven from the north eastern part of the interior, they would retreat to the southern point and the keys. One canoe came to this island yesterday with only one Spaniard in it, under the pretence to trade, suspicions however arose that he did not come alone, and we concluded to keep him here—in the course of the day we obliged him to tell that two Indians came with him, and that he left them on an island about one mile distant. A boat was immediately despatched with a number of men in search of them, and after some difficulty, they were found and brought to this island, where I think they will be kept safe for the present; we have every reason to believe they were spies; they have already acknowledged that there is a large number of Indians near Cape Sable.

*From the Charleston Courier.*

A letter from an officer under gen. Clinch, dated Fort Drane, 13th March, gives a detail of the occurrences which took place with general Gaines' army. In speaking of the success given him by gen. Clinch, he says:

"Gen. Clinch procured all the transportation he could possibly get, and, with 60 head of beef cattle, took up the line of march on the 5th. We reached gen. Gaines' camp the next day, about 4 o'clock in the afternoon; and of all the sufferings that have, or will be borne during this war, that of the forces under gen. G. was the most severe. They were living on horse flesh which was starved to death, and the dogs in the camp; one dog's leg sold for \$5. Not a particle of bread had been seen there for many days, and the Indians kept up a regular fire, night and day, for eight days, on the entrenchment. After giving the troops all the supplies we carried down, gen. Gaines turned over the command to gen. Clinch, who put the whole in line of march for this place on the 10th, and we arrived on the 11th pretty well fatigued. It is truly fortunate that general Clinch had it in his power to relieve Gaines, otherwise his whole army must have been cut off, as disease had begun to make its appearance in his camp, and he had no possible means of carrying off his wounded men. The Indians are on the same river, but a little back from Gaines' camp, in an impenetrable swamp of cypress, which has many islands in it. The Indians say they are willing to quit fighting, but they will not leave the country—they will die first."

The following extract from the "Tallahassee Floridian," is of interest:

"Captain Watson, of Columbus, Ga. passed through this place on his way to Fort King. He goes, we understand, for the purpose of tendering to gen. Scott, the services of two hundred warriors of the Euchee tribe. The Euchees are the hereditary foes of the Creeks and Seminoles. Their bravery and cunning has long rendered them a terror to their enemies, though comparatively few in number. They have been restrained many years by the United States from open hostilities, yet they have uniformly kept aloof from all intercourse with their old enemies—refusing to participate in any of the national festivals, such as corn dances and ball playing; and continued to brood over the wrongs of their ancestors, which have been

transmitted from age to age, as an inheritance of revenge. This tribe once possessed sovereign power over a vast extent of country, but by their perpetual wars, they have been reduced to their present limited numbers. Their language is spoken by no other tribe, and has never been learned in a solitary instance by a white person. It is not an articulate language, it consists entirely of guttural sounds so similar that none but a native ear can distinguish them. They understand the Creek language, and it is through that they communicate with the whites. Their physiognomy is as distinct as their language. It would be a curious subject of inquiry, to trace out the origin of this fierce and untameable race of men. They reside in Alabama and Florida. Captain Watson's offer, we have no doubt, will be accepted. He is a brave officer, and distinguished himself a short time ago in an encounter with a very superior number of Creeks on the Chattahoochee."

The Columbia (S. C.) Times and State Gazette, on the 25th inst. says: Drs. Caldwell and Cabell, of gen. Scott's staff, passed through this town on Wednesday morning last for Washington city. The former gentleman stated, at the stage office that he was the bearer of a treaty for the president's approbation, and that hostilities had ceased.

*From the Savannah Georgian, March 30.*

The steam packet Etiwan, captain Sassard, arrived last evening from Picolata, via Jacksonville and St. Mary's, having left the former place on Thursday afternoon last. The E. remained half a day at Jacksonville, and was detained two days at St. John's bar, having left the latter on Monday morning last.

The intelligence brought by the E. is, in our view, important, for we thereby learn not only the destruction of more of our brave soldiers, who have yielded the comforts of home for the honor of sustaining their country's flag, but we perceive in it that hostile disposition on the part of our savage enemy to regard no dictates but the promptings of their revengeful bosoms. A gentleman who left Fort Drane on Thursday last, states that gen. Scott was to cross the Wythlacochee on Saturday last. From a letter written by an officer at that post, we learn that our gallant army expect a desperate contest before the war is terminated. We publish all the information we can collect. We regret that we are not able to relieve the anxieties of our Carolina brethren, who have friends in the army, by publishing the names of those slain at Volusia.

No paper, we learn, had been published at Jacksonville last week when the E. left.

*Extract of a letter dated Picolata, March 24, 1836.*

"Yesterday morning, while gen. Eustis (at Volusia) was transferring his command to the west side of the St. John's capt. Ashley's company, which had crossed over, was fired upon by about fifty Indians; three men killed instantly, and six more wounded; the fire was immediately returned, and the troops sent in pursuit, but they were off. Only one Indian negro was killed."

*Extract of another letter dated Picolata, March 25, 1836.*

"They are fighting away at Volusia; last accounts, four of the South Carolina volunteers were killed and several wounded; the Indians crept up, and shot the four sentinels down the first fire; wounded several others. We expect the boat down to-night, and will hear more news."

*Extract of another letter.*

"Since gen. Gaines left Wythlacochee nothing new has transpired in the army. On the 23d or 24th the Indians attacked a part of gen. Eustis' army, after crossing the river St. John's at Volusia, and killed two and wounded six, four of which are supposed to be mortally. It was said that gen. Scott would take up his line of march on the 25th."

Gen. Maccomb, with his aid-de-camp, capt. Cooper, left Savannah on the 29th ult. for Florida, in the steam packet *Dolphin*.

Despatches from major general Scott's head quarters in Florida, Fort Drane, dated 20th of March, have been received at Washington. They communicate no new event of importance. General Scott was still waiting with his command, in order to give general Eustis and colonel Lindsay time to gain their allotted positions, and that other necessary arrangements might be made. These various objects, it was supposed, would be gained by the 26th or 27th March, when the plan of the campaign would be carried into active operation. The great body of the hostile Indians were believed to be encamped in the swamp of the Wythlacochee, about 25 miles from Fort Drane.

TEXAS.

The Texas convention has declared the state independent of Mexico.

A letter to the editor of the *New York Courier* says—

In despite of all the troubles created by the late war, the country is prospering and will continue to do so, while we have such a hardy fearless race to populate and protect it. Lands are rising in value; and in a few years will not be far behind those in Mississippi and Louisiana in price—they are so productive and the climate is so fine. There has been but few attempts made to cultivate sugar cane yet—wherever it has been attempted it has succeeded well. Cotton is the staple of the

country; the crop was very fine last year, and preparations are making for a large one of the present year. There has been some dissension and discord between the governor and council of Texas. The governor has shamefully committed himself. His intemperate message to the council will serve much to lessen confidence abroad, and have a very unfortunate effect it is feared.

*From the New Orleans "True American."*

*Natchitoches, 15th March, 1836.*

*Editor of the True American.*

SIR: I send the copy of a letter received this morning by express from Texas. In haste, &c.

*Committee room, Washington, Texas, March 6th, 1836.*

DEAR WIFE: I am well and we are getting along very well. We have three or four committees who are preparing a constitution, and we will soon have it ready. I shall be at home in ten or fifteen days, we have alarming news continually from the west; Frank Johnson's division is all killed, but five, it is supposed. We saw two shot begging for quarters. Dr. Grant with a company of men is supposed to be all slain.

Travis' last express states San Antonio was strongly besieged; it is much feared that Travis and company are all massacred, as despatches have been due from that place three days and none have arrived here yet. The frontiers are breaking up, Gonzales must be sacked, and its inhabitants murdered and defiled unless they get immediate aid. The last accounts, the Mexicans were to a considerable number between Gonzales and San Antonio. Fanning is at La Bada with about 500 men, and is in daily expectation of a visit from Santa Anna. Texas has been declared free and independent, but unless we have a general turn out every man lay his helping hand too, we are lost. Santa Anna and his vassals are now on our borders, and the declaration of our freedom, unless it is sealed with blood, is of no force. I say again that nothing will save Texas but a general turn out. You all know my views with regard to our condition, I have given you facts, judge for yourselves. I wish a copy of this letter sent immediately to capt. Baily Anderson and col. S. A. Lublett, and publicly read in San Augustine. Travis closes his last expresses with these words—Help! O my country. MARTIN PALMER.

*To the committee of vigilance and safety, San Augustine, Texas.*

A gentleman from Nacogdoches, in Texas, informs us, that, whilst there, he dined in public with col. Crockett, who had just arrived from Tennessee. The old bear-hunter, on being toasted, made a speech to the Texans, replete with his usual dry humor. He began nearly in this style: "I am told, gentlemen, that when a stranger, like myself, arrives among you, the first inquiry is—what brought you here? To satisfy your curiosity at once as to myself, I will tell you all about it. I was, for some years, a member of congress. In my last canvass, I told the people of my district, that, if they saw fit to reelect me, I would serve them as faithfully as I had done; but, if not, they might go to h—, and I would go to Texas. I was beaten, gentlemen, and here I am." The roar of applause was like a thunder-burst.

*[Louisville Journal.]*

*Washington, Texas, March 5.*

#### ARMY ORDERS.

War is raging on the frontiers. Bejar is besieged by two thousand of the enemy, under the command of gen. Sizma. Reinforcements are on their march to unite with the besieging army. By the last report, our force in Bejar, was only 150 strong. The citizens of Texas must rally to the aid of our army, or it will perish. Let the citizens of the east march to the combat. The enemy must be driven from our soil—or desolation will accompany their march upon us. INDEPENDENCE IS DECLARED—I must be maintained. Immediate action, united with valor alone, can achieve the great work. The services of all are forthwith required in the field.

SAM. HOUSTON, *commander-in-chief of the army.*

Gen. Stephen F. Austin, Wm. H. Wharton, esq. and doctor B. F. Archer, have arrived at Barnum's City hotel, Baltimore, last week, from TEXAS. These gentlemen have been appointed commissioners by the provisional government to procure assistance to aid them in their struggle against the acts of the government of Santa Anna.

#### DECLARATION OF INDEPENDENCE.

The unanimous declaration of independence, made by the delegates of the people of Texas, as in general convention, made at the town of Washington, on the 2d day of March, 1836.

When a government has ceased to protect the lives, liberty and property, of the people from whom its legitimate powers are derived, and for the advancement of whose happiness it was instituted, and so far from being a guarantee for the enjoyment of those inestimable and inalienable rights, becomes an instrument in the hands of evil rulers for their oppression, when the federal republican constitution of their country, which they have sworn to support, no longer has a substantial existence, and the whole nature of their government has been forcibly changed, without their consent, from a restricted federative republic, composed of sovereign states, to a consolidated central military despotism, in which every interest is disregarded, but that of the army and the priesthood—both the eternal enemies

of civil liberty, the ever ready minions of power, and the usual instruments of tyrants. When, long after the spirit of the constitution has departed, moderation is at length so far lost, by those in power, that even the semblance of freedom is removed, and the forms themselves, of the constitution, discontinued, and so far from their petitions and remonstrances being regarded, the agents who bear them, are thrown into dungeons—and mercenary armies sent forth, to force a new government upon them at the point of the bayonet: When, in consequence of such acts of malfeasance and abdication, on the part of the government, anarchy prevails, and civil society is dissolved into its original elements. In such a crisis the first law of nature, the right of self-preservation, the inherent and inalienable right of the people to appeal to first principles, and take their political affairs into their own hands, in extreme cases, enjoins it as a right towards themselves, and a sacred obligation to their posterity, to abolish such governments, and create another in its stead calculated to rescue them from impending dangers, and to secure their future welfare and happiness.

Nations, as well as individuals, are amenable for their acts to the public opinion of mankind. A statement of a part of our grievances is therefore submitted to an impartial world, in justification of the hazardous, but unavoidable step, now taken, in severing our political connection with the Mexican people, and assuming an independent attitude among the nations of the earth.

The Mexican government, by its colonization laws, invited and induced the Anglo-American population of Texas to colonize its wilderness, under the pledged faith of a written constitution, that they should continue to enjoy that constitutional liberty and republican government to which they had been habituated in the land of their birth, the United States of America. In this expectation they have been cruelly disappointed—as the Mexican nation has acquiesced in the late changes made in the government, by general Antonio Lopez de Santa Anna—who, having overturned the constitution of this country, now offers us the cruel alternative, either to abandon our homes, acquired by so many privations, or submit to the most intolerable of all tyranny, the combined despotism of the sword and the priesthood.

It has sacrificed our welfare to the state of Coahuila, by which our interests have been continually depressed through a jealous and partial course of legislation, carried on at a far distant seat of government, by a hostile majority in an unknown tongue; and this too, notwithstanding we have petitioned in the humblest terms for the establishment of a separate state government, and have in accordance with the provisions of the national constitution presented to the general congress a republican constitution, which was, without just cause, contemptuously rejected.

It incarcerated in a dungeon for a long time one of our citizens, for no other cause but a zealous endeavor to procure the acceptance of our constitution and the establishment of a state government.

It has failed and refused to secure on a firm basis, the right of trial by jury, that palladium of civil liberty, and only safe guarantee for the life, liberty and property of the citizen.

It has failed to establish any public system of education, although possessed of means almost boundless, (the public domain) and although it is an axiom political science, that unless a people are educated and enlightened, it is idle to expect the continuance of civil liberty or the capacity for self government.

It has suffered the military commandant stationed amongst us to exercise arbitrary acts of oppression and tyranny, thus trampling upon the most sacred rights of the citizen, and rendering the military superior to the civil power.

It has dissolved by force of arms the state congress of Coahuila and Texas, and obliged our representatives to fly for their lives from the seat of government; and thus depriving us of the fundamental political right of representation.

It has demanded the surrender of a number of our citizens, and ordered military detachments to secure and carry them into the interior for trial; in contempt of the civil authority and in defiance of the laws and the constitution.

It has made piratical attacks upon our commerce, by commissioning foreign desperadoes and authorising them to seize our vessels, and convey the property of our citizens to far distant ports for confiscation.

It denies us the right of worshipping the Almighty according to the dictates of our consciences—by the support of a national religion, calculated to promote the temporal interests of its human functionaries, rather than the glory of the true and living God.

It has demanded us to deliver up our arms, which are essential to our defence, the rightful property of freemen, and formidable only to tyrannical governments.

It has invaded our country both by sea and land, with intent to lay waste our territory, and drive us from our homes—and has now a large mercenary army advancing to carry on against us a war of extermination.

It has, through its emissaries, incited the merciless savage with the tomahawk and scalping knife, to massacre the inhabitants of our defenceless frontiers.

It has been, during the whole time of our connexion with it, the contemptible sport and victim of successive military revolutions; and has continually exhibited every characteristic of a weak, corrupt and tyrannical government.

These and other grievances were patiently borne by the people of Texas, until they reached that point at which forbearance ceases to be a virtue. We then took up arms in defence of the national constitution. We appealed to our Mexican brethren for assistance. Our appeal has been made in vain; though months have elapsed, no sympathetic response has yet been heard from the interior. We are therefore forced to the melancholy conclusion, that the Mexican people have acquiesced in the destruction of their liberty, and the substitution therefore of a military government; that they are unfit to be free, and incapable of self-government.

The necessity of self-preservation therefore decrees our eternal political separation. We therefore, the delegates with plenary powers of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and declare that our political connexion with the Mexican nation, has forever ended, and that the people of Texas do now constitute a free, sovereign and independent republic, and are fully invested with all the rights and attributes which properly belong to independent nations.

Signers of the declaration of Texian independence.

RICHARD ELLIS, *president.*

Municipality of Austin—C. B. Thomas Barnett. Brazoria—Edwin Waller, James Collinsworth, J. S. Byrum, Asa Brigham. Bexar—Francisco Rous, Antonio Navarro, J. B. Badgett. Colorado—W. C. Lacy, William Manifee. Gonzales—J. Fisher, M. Caldwell. Goliad—William Motley. Harrisburg—Lorenzo de Zavala. Jasper—S. H. Everett, George W. Smith. Jackson—Elijah Stepp. Jefferson—Claiborn West, William B. Scates, M. Menard, A. B. Hardin. Mina—J. W. Benton, E. J. Gaslay, R. M. Coleman. Matagorda—B. Hardiman. Milam—L. C. Robertson, George C. Childress. Nacogdoches—Robert Potter, Thomas J. Rusk. Pecan Point—Robert Hamilton, Collin M. King, Albert H. Latimore. Refugio—James Pover, Samuel Houston, David Thomas, Edward Conrad. San Augustine—E. O. Degand, Martin Parmer, S. M. Blount. Sabine—James Gaines, William Clarke, jr. Shelby—Sydney O. Pennington, William C. Crawford. San Patricio—John Turner, B. B. Goodrich, Jesse Grimes, J. G. Swisher, G. W. Barnett.

#### LOWER CANADA.

It will be seen from the following speech of the governor of Canada to the legislature, that the conciliatory course adopted by the present British ministers, have failed in settling the difficulties between the majority in the lower house and the government:

*Gentlemen of the legislative council, and gentlemen of the house of assembly,*

The advanced season of the year and the want of a sufficient number of members in both houses for the despatch of public business, render it expedient that I should prorogue this parliament.

*Gentlemen of the house of assembly,*

It is to me a matter of sincere regret, that the offers of peace and conciliation, of which I was the bearer, to this country, have not led to the result which I had hoped for. The consequences of their rejection and of the demands which have been made to his majesty, I will not venture to predict.

In the speech with which I opened the session, I announced, that should you consent to discharge the arrears due to the public officers, and provide for their maintenance, pending the inquiries which his majesty had commanded to be made in the province, no part of the surplus revenues of the crown should be touched during those inquiries, without your consent. As no provision has been made for the purposes contemplated in that proposal, I shall be under the necessity of applying the revenues at the disposal of the crown, as far as they will extend, to the payment of the public servants and toward the current expenses of the civil government.

What further measure must be adopted for the removal of the difficulties to which the affairs of the province are reduced, the authorities in England must now determine.

*Gentlemen of the legislative council, and gentlemen of the house of assembly,*

Of the fifty-nine bills that have passed both houses during this session, I have given the royal assent to all, save one—namely, the bill for establishing a rail road between the river St. Lawrence and the province line. As this bill affects the king's prerogative in the disposal of the waste lands of the crown, the 42d clause of the constitutional act makes it necessary that I should reserve it for the signification of his majesty's pleasure; and it is probable, that the omission of the formalities required by that clause will be altogether fatal to the measure.

I shall continue to do all in my power for the advancement of the public good and the furtherance of that paternal policy which has been enjoined upon me by our most gracious sovereign; and you, gentlemen, will, I doubt not, each in his individual capacity, labor to preserve the peace and to promote the real interests of the community.

#### LEGISLATURE OF MARYLAND.

Mr. Woolton, from the joint committee appointed to inquire into the expenditures of the state, in works of internal improvement, made the following REPORT:

The joint committee of the two houses, instructed to inquire into the manner in which the loan of the last session to the

Chesapeake and Ohio canal company has been expended, and the causes which led to the erroneous estimates furnished the legislature for the completion of the canal to Cumberland; also, generally, into the manner in which the public moneys appropriated for the construction of works of internal improvement in this state have been expended, submit the following report, in part:

That your committee are unable at this time to make a full report, it having been impossible for them so to do, without dedicating the whole of their time to the investigation of the subject referred to them, to the neglect of other duties which they have to perform, and which they did not feel themselves warranted in overlooking.

It appears, from the testimony before the committee, that the application to the legislature for the loan to the Chesapeake and Ohio canal company was based on the report of the committee appointed on the part of the internal improvement convention assembled in Baltimore, in December, 1834; that this report was founded on the survey made by Mr. Cruger, the engineer of the canal company, of 26½ miles of the canal immediately above the 108 miles which had then been nearly completed; that this survey had been made preceding the meeting of the convention, and the canal company, adopting this report as the basis of the estimate for the completion of this great work, were themselves mistaken. That your committee have no reason to believe the canal company were in possession of any facts at the time of making the application for the loan, which did not warrant them in adopting the report of the committee of the internal improvement convention.

From the known character and probity of the parties, the committee are satisfied that the error was one of judgment, not of design; that the canal company had no intention to mislead or deceive the legislature.

With regard to the first part of the inquiry submitted to them, the actual application of the loan, your committee are not prepared to make a detailed report. They have ascertained, however, that the debt of the company at the time the loan was applied for amounted, according to the deposition of their clerk, J. P. Ingle, to \$559,771 05, the greater part of which it was necessary for them to discharge, before they could comply with the conditions of the law under which the loan was made. Of the loan, one million remains to be paid, and, by the arrangement entered into between the treasurer and the canal company, the same has to be paid in quarterly payments. By this arrangement, according to the terms upon which the loan was negotiable, neither the state nor the canal company have to pay interest, but as the several portions are necessarily called for from the lenders, and advanced to carry on the work.

Your committee have caused the evidence taken before them to be reduced to writing, and the same is hereby submitted. They would particularly invite the attention of the legislature to the testimony of Mr. Fisk, as clearly accounting for the discrepancies which have been observed in the various estimates, as showing the entire reliance to be placed upon the present estimates, which are final on working estimates, and as demonstrating, in the clearest light, the excellency of the plans now adopted for this great work.

For the reasons already assigned, your committee have not been able to inform themselves as to the application which has been made of the moneys advanced by the state, to aid in the construction of other works of internal improvement, nor even to institute an inquiry into the subject. They propose, however, doing so during the recess, and to make a report at large, in relation to it, as well as upon the matters now only partially reported upon, at the commencement of the next session of the legislature.

The committee conclude, by earnestly recommending that an end be put to all doubt of the completion of the great works in which the state has engaged, and that no unnecessary delay may occur in giving to the people of the state the full use of such improvements, and the immediate benefit of the investments already made.

At this advanced stage of the session your committee deem it injudicious and superfluous to enter into arguments which, designed to promote, might, in effect, delay the necessary action of the legislature, but are unwilling to close without remarking upon one happy circumstance attending the internal improvements of this country, contradicting them from all others of the habitable globe.

In undertaking and prosecuting this canal and other similar works, calculations of profit are based upon existing things.—The quality of the Alleghany coal, for example, is known; its abundance is ascertained to be adequate to the demand of a thousand years, if it may not indeed be fairly considered inexhaustible. The quantity to be transported on the canal is estimated by the population and operations of the existing population of a few cities and a limited region; and even thus calculated, we have ample assurances of vast profit on the cost of the work. But nothing in this country is better proven, or more certain, than that our population doubles in about twenty years, the trade and business increasing probably in a ratio still greater.

In twenty years our present number of twelve millions will be twenty-five; in less than half a century we shall number in this republic not less than fifty millions of souls. In our day and generation, the great channels of trade are found to be abundantly productive; but, based upon inexhaustible supplies, and sustained by demands, geometrically augmenting, what cal-

culations will not fall short of the benefits and revenues we shall provide for generations yet to come, by a provident investment of the means of the state, sufficient for the completion of the incomparable works which it is the laudable pride of Maryland already to have undertaken, and will be her greater pride to have completed.  
W. T. WOOLTON, chairman.

**MARYLAND—INTERNAL IMPROVEMENT.**

It was designed that the legislature of Maryland should have adjourned, *sine die*, on Saturday last. But on Friday, the people of Baltimore were much excited by hearing that the great improvement bill had failed on Thursday\*—and they immediately assembled at the exchange and appointed a large and most respectable committee to proceed to Annapolis forthwith, to intercede with the legislature that they might not adjourn in the existing state of things. A better feeling began to prevail in the legislature, and the following proceedings took place on Saturday, as we learn from the "American" of Monday: INTERNAL IMPROVEMENTS—EXTRA SESSION OF THE LEGISLATURE.

It will be seen by the following letter from our correspondent at Annapolis that the visit of the committee of our citizens, although unavailing in reference to any immediate salutary action of the legislature on the subject of internal improvements at its present session, has happily been instrumental in bringing about an agreement on the part of that body for the holding of an extra session on the 4th Monday of May next, for the purpose of devoting its attention to such bill or project as may then be reported by the special committee charged with that duty. We are happy to add that the belief is very general that the extra session will result in the harmonious adoption of the measures which all admit to be indispensable to the onward march of the state to her high and happy destinies.

*From an occasional correspondent of the American.*

"Annapolis, April 2d, 1836.

The committee of the citizens of Baltimore, appointed at the town meeting on Friday, reached here on Friday night about ten o'clock. This morning, in the house of delegates, Mr. McLean presented a memorial from this committee, asking in respectful and very earnest terms, that the house would reconsider its vote on the great internal improvement bill, and pass it. A motion was made to refer the memorial to a select committee of five, to which the house assented, and it was accordingly committed to Messrs. McLean, Merrick, Burchenal, Ely and Long. After an interval of two or three hours, the committee reported a bill, providing a subscription of two millions to the Baltimore and Ohio rail road; a loan of two millions to the Chesapeake and Ohio canal; one million to the Eastern Shore rail road, either by loan or subscription, as that company may elect within a year, and some other provisions.

After the reading of the bill, Mr. Pratt offered to the house, as a substitute for the bill, a resolution proposing that an extra session of the legislature of Maryland should be held on the fourth Monday of May next, for the purpose of taking into consideration such project on the subject of the internal improvements of the state as should then be reported by the joint committee on internal improvements. The substitute was accepted by the house, but when the question on its adoption was put, it was determined in the negative. A question of order then arose, whether in consequence of the rejection of the substitute, the bill reported by the special committee was before the house or not. It was debated for some time, when the house took a recess. On the opening of the evening session, Mr. Merrick moved a reconsideration of the vote on the substitute, when it was agreed to, and it was subsequently passed by the house, by a vote of 33 to 14. It is to the following effect:

*By the house of delegates, April 2, 1836.*

*Gentlemen of the senate*—We propose with the concurrence of your honorable body, that when the legislature adjourns it stand adjourned until the fourth Monday in May next, for the purpose on that day of taking into consideration the important subject of internal improvement, and we propose, with the concurrence of your honorable body, the appointment of a joint committee of five with instructions fully to investigate the subject and to report by bill or otherwise. We have named Messrs. Merrick, Pratt and Spence to join such gentlemen as may be appointed by your honorable body to perform this duty.

To which the senate, on motion of Mr. Mayer, made the following answer:

\*The yeas and nays for referring the bill to the next legislature (rejecting it), were as follows—in the house of delegates:

*For the reference*—Messrs. Carroll, (of St. Mary's), Primrose, Millar, Iglehart, Hood, Kent, Wailes, Duke, Carpenter, Brown, Hambleton, Dudley, Bruff, Mullikin, McCullough, Nowland, Henderson, Pratt, Worthington, Bryan, Brewer, Duckett, Palmer, Larrimore, Spence, Whitelock, Hearn, Gillies, Boyd, Sutton, Gough, Nelson, Carter, Newcomer, Gittings—35.

*Against the reference*—Messrs. Ganti, Heard, Dunkinson, Lassell, Kirby, Mercer, Merrick, Dulany, Ely, Carroll, (of Balt. co.) Winder, Long, Teacle, Jones, Dennis, Ford, Hemsley, Kirby, (of Q. A.), Willis, Annan, Duval, Shriver, Turner, Burchenal, Harcastle, Richardson, McLean, Warton, Brookhart, Beam, McMahon, Matthews, Berry, Frantz—34.

*By the senate, April 2, 1836.*

*Gentlemen of the house of delegates*—We have received your message, proposing that when the legislature adjourns it shall stand adjourned to the fourth Monday of May next, to take into consideration the subject of internal improvement, and proposing the appointment of a committee on that subject, and concur therein. We have appointed on the part of this body, to join the committee mentioned in your message on the part of your honorable body, Messrs. Mayer and Claude.

The "American" adds—

We learn that both branches of the legislature were in session until near midnight on Saturday, and finding it impossible to despatch the business before them at that sitting, adjourned over until nine o'clock, on Monday, for the purpose of closing the session. The Susquehanna canal bill, which passed the house on Friday with one or two unimportant amendments, and was returned to the senate for concurrence in them, did not finally pass the latter body until Saturday night. It was opposed with great earnestness by Mr. Groome, and supported in a most able and happy manner by Mr. Mayer. Messrs. Morris, Chapman and Emery also participated in the discussion. The vote on the passage of the bill was yeas 7, nays 2.

The legislature adjourned on Monday last, at half past 2 P. M. to meet again on the fourth Monday in May. No business was transacted, except the signing of the engrossed bills, by the governor. Three hundred and twenty-three laws were enacted.

Among the bills passed are several incorporating new banks. The bill to incorporate the Atlantic rail road company, which had passed the house of delegates of Maryland, was rejected by the senate on Saturday. The object of the bill was to authorise the construction of a rail road from the Virginia (eastern shore) line through Worcester county to the Delaware line.

It is expected, and with the greatest confidence, that a bill to raise a large sum of money for internal improvements, will pass at the May session of the legislature. Indeed, the members seem so pledged by their votes to hold an extra meeting. The bill lately before them, is thought to have failed through misunderstandings and jealousies—and, by grasping at too many objects at once; and we are not sorry that it failed—seeing that it was ridden to its death by way of amendments, at the moment, as it were, of closing the session.

The Baltimore and Ohio rail road being completed, a glorious result will follow for our city, as taken in connection with other public works, in the west. *The natural sea-part of the west is Baltimore.* It is nearer to lake Erie\* by two hundred miles, and has a more easy and convenient passage over the Alleghanies, than any other route. We have no doubt, that 1,200 persons will daily pass over it, (east or west), in less than six years from this date, if finished in three years. It will link the feelings and good wishes of the whole of the west with our city, and even now vast quantities of travellers and merchandise pass by this route.† *A Wheeling paper of the 29th ult. says*—"Our city still continues filled with strangers. Among others, we have observed several of our acquaintance from Cleveland and other towns on the lake shore, bound to New York for goods. In answer to our inquiries of what brought them this way, the reply was, "*we find it the best route to the city.*" Who would have believed that merchants of Cleveland would find Wheeling and Baltimore their best route to New York? yet, so it is at the present time."

And so will it be at Pittsburgh—of all, and every thing, that touches upon the Ohio, or the various improvements, (canals or rail roads), leading to the "beautiful river." The United States too, by the passage of Mr. Grundy's bill, will take up this matter; and the making of the road receive an irresistible impetus. Indeed, it is indispensibly necessary that this great line of communication should be made, for the good of the whole union—for mutual convenience, national defence and the general welfare. Every hour saved in travelling and transportation, (unless a person travels for his health) is a national gain.

*From New York to Albany is.....	150 miles, time 12 hours.
" " Buffalo.....	384 " " 84 "
" " Maumee bay.....	320 " " 28 "

Miles.....	854	123
Distance from Baltimore.....	650	43½

In favor of Baltimore, saving in distance 204 79½

†An extra steamboat is fully employed at Baltimore, in bringing on goods from the north, for the west.

## THE PUBLIC MONEYS AND THE DEPOSITE BANKS.

Mr. Cambreleng has reported a bill in the house of representatives, in relation to the public money, the object of which is to afford additional security to the government deposits, to require a more strict accountability from the banks in which these deposits are made, &c. It is entitled "*A bill regulating the deposits of the money of the United States in certain local banks.*"

The first section of the bill makes it the duty of the secretary of the treasury to select and employ as depositories of the public money, such state banks at or near the places where the revenue is collected, as he may deem safe, and as shall agree to perform the duties required of them, under the prescribed conditions. In each of the principal places of collection, at least two such banks shall be employed.

The second section provides that if at any place of collection there is no bank, or none which the secretary of the treasury deems safe, or which being safe will not agree to perform the duties, under the prescribed conditions, he may direct the money there collected, to be deposited in a bank or banks elsewhere.

The third section makes it necessary that, before any bank can be selected as a depository for the public money, that a full statement of its affairs shall be submitted to the secretary of the treasury.

The fourth section prescribes the following conditions, which are imperative on a bank before it can become a depository for the public money—1. It shall furnish to the secretary of the treasury, as often as he may require, not exceeding once a week, particular statements of its condition and business. 2. It shall keep in its vaults an amount of specie equal to one-fourth the amount of the capital stock paid in. 3. It shall pay, when required, the checks, drafts, &c. of the treasurer of the United States on government deposits in specie. 4. It shall give, when required, the necessary facilities for transferring the public funds from place to place, within the United States, and for distributing the same in payment of the public creditors, without charging commissions, or claiming allowance on account of difference of exchange.

Section fifth forbids the employment of any bank as a deposite bank, which shall not redeem its bills, on demand, in specie—or, after the 3d of March next, which shall issue or use any notes of a less denomination than \$5— or, after the 3d of March, 1838, which shall issue or use any notes of less denomination than \$10. Nor shall the notes of any bank be received in payment for government dues, which, after the dates specified respectively, shall continue to issue notes below the denominations mentioned.

Section sixth requires collateral security to be furnished by deposite banks, when, in the judgment of the secretary of the treasury, it is necessary for the safety of the public funds.

Section 7th authorises the secretary of the treasury to enter into contracts with the selected banks in the name and in behalf of the United States.

Section 8th stipulates that no selected banks shall be discontinued as a place of deposite of the public moneys, so long as it shall continue to perform the duties required by this act, and so long as the deposites made in it shall, in the judgment of the secretary of the treasury, continue to be safe. But in failure of either of these alternatives, he shall have power, if congress is not in session, to withdraw the public moneys from any such bank; and in case of so doing, it shall be his duty to report the reasons for such withdrawal, to congress, at the commencement of the ensuing session.

Section 9th directs that until the arrangements contemplated by this act are carried into effect, the banks now employed as depositories of the public money shall continue to be so employed, and on the same terms as at present.

Section 10th makes it the duty of the secretary of the treasury to lay before congress at the commencement of each session, a statement of the numbers and names of the banks employed as depositories of the public money—their condition—and the amount of public money deposited in each. [N. Y. Adv.

## "EXPUNGING" RESOLUTION.

In senate Thursday, March 31.

Mr. Morris, of Ohio, having presented the preamble and resolutions which were passed by the legislature of that state, instructing their senators to vote in favor of the expunging resolution of Mr. Benton; and having, on presenting the resolutions, read a written speech, in which he reflected on the conduct of his colleague, (Mr. Ewing), in keeping back a copy of these resolutions, which had been transmitted to him; and having declared that the people of Ohio had determined, now and forever hereafter, that the course indicated by these resolutions would be that which they would pursue—

Mr. Ewing, of Ohio, addressed the senate to the following effect:

Mr. President: I must ask the indulgence of the senate while I say a few words in reference to the written paper just read by my honorable colleague. That paper seems, from its import, to have been drawn up and designed to exhibit a brief schedule of my past misdeeds in the senate, accompanied with suitable reprehension therefor; likewise to furnish me with all the further instructions that are necessary as to the manner in which I shall deport myself, and the votes that I shall give while here; and, by way of giving the necessary and proper

sanction to the whole, something is indicated about the penalty that I incur if I fail to obey the legislature, or if I disregard my honorable colleague's admonitions. All this is, doubtless, very well meant; it is certainly drawn up with much care, and ought therefore to be treated with very great respect.

My honorable colleague was disappointed that I did not present the resolutions of our legislature, instructing me to vote for defacing and mutilating the journals of the senate. I can explain to him why I did not: first, let it be observed, that those instructions were directed to ourselves, not to the senate; it was a paper not regular to be presented—a paper, indeed, which could be received only as a matter of courtesy. I therefore was not bound to present that paper by that principle which requires me to present petitions and memorials, so addressed; it was a mere matter of choice whether I should or should not present it; and as, in my judgment, it reflected no honor upon a state whose reputation I have at heart, I did not obtrude it here upon the notice of this body. If these reasons had not been sufficient to prevent my offering that paper, there were others that would have had some weight. I did not like its contents, and could feel no pride or pleasure in being the organ through which it was communicated here. I knew the case to be different with my honorable colleague, and I would not therefore take upon myself an unpleasant task in order to deprive him of a very pleasant one. It would have been abstracting too much from the general sum of human happiness to have done so.

I did indeed wonder that my honorable colleague delayed its presentation so long. I supposed that he was waiting for some occasion on which he could bring them in with proper effect, when all circumstances would conspire to give it due eclat and that the most favorable occasion hoped for had not arrived. Such was my impression, when once or twice I gave it a passing thought. I did not then know, or suppose, that my colleague expected or wished that they should be presented by my hand, or that he was preparing or compiling a written philippic to read against me in the senate on its presentation. I cannot, I confess, charge him with haste or precipitation. He has had time enough to give the last polish to his much labored production. As for the memorials which I had the honor to present yesterday, they were received by me with the morning's mail. I glanced them over, and found that they requested us to do things that must have their origin before committees of one or the other house. As I did not disapprove of the object of any of them, I, in good faith, took the most speedy mode of bringing them before the senate. These, Mr. President, are the reasons why I presented the one set of papers, and not the other.

But, if I agree to the doctrine that the legislature, or rather a party in the legislature of my state, have a right to instruct me, and to require obedience, it does not follow as a necessary consequence that my colleague has the same right; and I believe that the legislature have not transferred their power of me to him, at least I have received from them no directions to obey him. I must, therefore, and with very great respect, decline obedience to the mandates of my honorable colleague, and he will also excuse me if I decline being intimidated by his threats.

My colleague has referred to instructions heretofore given me by the legislature of Ohio, which I refused to obey, and he quotes these instructions as the verdict upon the APPEAL which I then took to the people from the legislature.

He is right in saying that I took such appeal, but he is wrong in averring that this is the verdict upon it. I did, sir, when instructed by a PARTY in the legislature of 1833-'34, to surrender my judgment to the will of the executive, and become the mere instrument of power, instead of the manly representative of a free people. I did refuse to disgrace myself and my state by obedience to such mandate, and I did APPEAL distinctly and directly to the PEOPLE, to pronounce upon the propriety of my course. The result was not an affirmation of the instructions, nor the mandate repeated—go and be a slave—but a legislature was returned who, by a large majority, rescinded in 1834-'35 the instructions of a former year, which I had disregarded.

Now, sir, I supposed, and my friends supposed, that there was an end of this matter. Judgment had been pronounced upon the subject by the sovereign power, and few, if any, within the scope of my acquaintance, or so far as I have heard, raised the question again at the elections in 1835. It was not the question upon which that election turned. How then can my colleague say in a prepared paper like this which he has read, where there ought to be accuracy, how can he say that these instructions of 1835-'36 are the judgment of the people on the appeal so taken two years before?

As to the instructions which are now presented and laid upon your table, I shall obey or not, according to my own best judgment, and I shall, if other duties do not too much press upon my time, give the reasons which will induce the course I may pursue. If any one inquired of me now, who had a right to an answer as to what that course will be, I would not hesitate to give it; but you may rest assured, sir, of this: it will be open, manly and independent. I will do no weak or criminal or dishonorable act. I will not, in obedience to any dictation, violate my oath as a senator, or join in degrading the body to which I belong. In short, sir, I shall act in this matter, not as the passive tool of a party, but as becomes the representative of an honest, manly and independent people.

Mr. Morris made some observations in reply; to which Mr. Ewing rejoined—when the resolutions were ordered to lie on the table.

VOTES IN THE HOUSE OF REPRESENTATIVES,  
ON THE NORTH CAROLINA CONTESTED ELECTION.  
From the National Intelligencer.

TUESDAY, MARCH 29.

The following being the resolution reported by a majority of the committee on elections:

"Resolved, That James Graham is not entitled to a seat in this house, and that David Newland is entitled to a seat in this house?"

Mr. Rencher, of North Carolina, having moved to amend this resolution by inserting in lieu thereof the following:

1. Resolved, That the depositions which have been communicated to the house by the speaker, and laid on the table since the report of the committee on elections was made, whenever taken upon due notice, will be received by the house, as testimony in this case.

2. Resolved, That the five votes taken from the commons box at the Franklin precinct, in Buncombe county, and counted for the petitioner, ought not to be allowed.

3. Resolved, That the three votes which were stricken from the petitioner's poll by the judges at Asheville, in Buncombe county, because it appeared by the return of the judges from the Henderson precinct that three of the votes given for the petitioner were given by voters living in Yancey county, and which have now been added to his poll by the committee, ought not be allowed.

4. Resolved, That two votes (to wit, Robert Lankford and George Barkly) stricken from the poll of the sitting member by the committee, on the ground that they voted out of their proper county, ought to be restored, because there is no proof that they lived out of the county in which they voted.

5. Resolved, That two votes (to wit, Moses Pace and Andrew Morrison) which were proven by parole testimony to have been given for James Graham out of the county in which they reside, and on that account have been stricken from his poll by the committee, ought to be restored, because it does not appear, from the poll books themselves, that either of these men voted at the election.

6. Resolved, That Wm. H. Milton ought to be stricken from the poll of the petitioner, because it appears he had not paid a public tax.

7. Resolved, That the five votes found on page 6 of the report, which have been counted for the petitioner, but which were not given in at the polls, ought not to be allowed.

8. Resolved, That there is no evidence that these men were qualified to vote, not having lived in the county where they offered to vote 12 months immediately preceding the day of election, as required by the constitution of North Carolina, or that they tendered their votes as required by the law of that state.

9. Resolved, therefore, That — — is entitled to a seat upon this floor as a representative from the 12th congressional district of North Carolina.

After much discussion, the previous question (which cuts off all propositions for amendment of the original report) was demanded by Mr. Cushman,\* and decided as follows:

YEAS—Messrs. Anthony, Ash, Barton, Bean, Bockee, Boon, Bouldin, Bovee, Boyd, Brown, Buchanan, Burns, Bynum, Cambreleng, Carr, Casey, Chaney, Chapin, Cleveland, Coffee, Coles, Connor, Craig, Cramer, Cushman, Davis, Doubleday, Dromgoole, Efner, Fairfield, Farlin, French, Wm. K. Fuller, Galbraith, Gillet, Grantland, Haley, Joseph Hall, Hamer, Hannegan, S. S. Harrison, A. G. Harrison, Hawes, Haynes, Henderson, Holsey, Hopkins, Howard, Hubley, Huntington, Huntsman, Ingham, Jabez Jackson, Jarvis, Joseph Johnson, R. M. Johnson, Cave Johnson, J. W. Jones, Benjamin Jones, Kilgore, Kinnard, Klingensmith, Lane, Lansing, G. Lee, J. Lee, T. Lee, Leonard, Logan, Loyall, Lucas, Lyon, J. Mann, Manning, Martin, John Y. Mason, William Mason, M. Mason, McKeon, McKim, McLene, Montgomery, Morgan, Muhlenberg, Owens, Page, Parker, Parks, Patterson, F. Pierce, Duttee J. Pearce, Phelps, John Reynolds, J. Reynolds, Ripley, Roane, Schenck, Seymour, Shinn, Sickles, Smith, Speight, Thomas, J. Thomson, Towns, Turrill, Vanderpoel, Wagener, Ward, Wardwell, Webster, Weeks—112.

\*When Mr. Cushman called the previous question, Mr. Peyton moved to recommit the report, which motion the chair declared to be out of order. Mr. Peyton appealed, and was proceeding to discuss the appeal, when

Mr. Rencher asked him to give way, to enable him to make a suggestion. He wished, he said, to make a proposition to the house, under the hope that it would be acceptable to the majority, and thereby enable us to avoid the difficulty and confusion in which we were likely to be involved. The friends of the sitting member did not wish to discuss this subject any further, and all they now desired was a distinct vote of the house upon each of the propositions now before us. He trusted, therefore, that the call for the previous question would be withdrawn, and that we would proceed at once, without debate, to vote upon each of the resolutions embraced in the amendment before the house.

But the call was not withdrawn, and Mr. Peyton resumed his remarks upon the question of order.

NAYS—Messrs. Adams, Chilton Allan, H. Allen, Ashley, Bailey, Beale, Bell, Bond, Borden, Briggs, Bunch, John Calhoun, W. B. Calhoun, Campbell, Carter, George Chambers, J. Chambers, Chapman, Childs, Nathaniel H. Claiborne, Clark, Corwin, Crane, Cushing, Darlington, Deberry, Denny, Evans, Everett, Forester, Philo C. Fuller, R. Garland, Granger, Graves, Grayson, Grennell, Griffin, Hiland Hall, Hard, Hardin, Harlan, Hawkins, Hazeltine, Hoar, Howell, Ingersoll, James, H. Johnson, Lawler, Lawrence, Lay, L. Lea, Lewis, Lincoln, Love, S. Mason, Mairy, McCarty, McComas, McKay, McKennan, Mercer, Milligan, Morris, Patton, Pettigrew, Peyton, Reed, Rencher, Robertson, Rogers, Russell, A. H. Shepperd, Slade, Spangler, Standefer, Steele, Storer, Taliaferro, W. Thompson, Underwood, Vinton, White, Whittlesey, L. Williams, Sherrod Williams, Wise—87.

So the previous question was decided in the affirmative.

After some further proceedings, Mr. Milligan moved to lay the whole proceedings on the table.

Mr. Rencher requested him to withdraw that motion. He wished, he said, to make an earnest appeal to the friends with whom he had acted on this occasion. We have (said Mr. R.) from the beginning been anxious to obtain the sense of the house upon each of the amendments which I have proposed, and in which is involved the true merits of this controversy.—The majority do not choose to grant us this reasonable request, but are determined to avoid such a vote. When we have appealed from what we believed to be the erroneous decision of the chair touching our rights upon this floor, the chair and the house have just decided that we shall not be allowed the poor privilege of discussing such an appeal. To this unjust and oppressive procedure of the majority we have offered all honorable resistance. Duty does not require of us that we should go any further. All, therefore, I now ask of the majority is to give us a full vote by a call of the house.

The question on the resolution reported by the committees was then so divided as to take it separately upon each branch of the resolution; and first, upon the following part of it:

"Resolved, That James Graham is not entitled to a seat in this house?"

Upon which the vote was as follows:

YEAS—Messrs. Anthony, Ash, Barton, Bean, Bockee, Boon, Bouldin, Bovee, Boyd, Brown, Buchanan, Burns, Bynum, Cambreleng, Carr, Casey, Chaney, Chapman, Chapin, Cleveland, Coffee, Coles, Connor, Craig, Cramer, Cushman, Davis, Doubleday, Dromgoole, Efner, Fairfield, Farlin, French, William K. Fuller, Galbraith, J. Garland, Gillet, Grantland, Graves, Haley, Joseph Hall, Hamer, Hannegan, Samuel S. Harrison, Albert G. Harrison, Hawes, Hawkins, Haynes, Henderson, Holsey, Hopkins, Howard, Hubley, Huntington, Ingham, Jabez Jackson, Jarvis, Joseph Johnson, R. M. Johnson, C. Johnson, John W. Jones, Benjamin Jones, Kennon, Kilgore, Kinnard, Klingensmith, Lane, Lansing, Gideon Lee, J. Lee, Thomas Lee, Leonard, Logan, Loyall, Mann, Manning, Martin, J. Y. Mason, W. Mason, M. Mason, McKay, McKeon, McKim, McLene, Montgomery, Morgan, Muhlenberg, Owens, Page, Parker, Parks, Patterson, F. Pierce, D. J. Pearce, Phelps, John Reynolds, Jos. Reynolds, Ripley, Roane, Schenck, Seymour, Shinn, Sickles, Smith, Speight, Thomas, John Thomson, Towns, Turrill, Vanderpoel, Wagner, Ward, Wardwell, Webster, Weeks—114.

NAYS—Messrs. Adams, C. Allen, H. Allen, Ashley, Bailey, Beale, Bell, Bond, Borden, Briggs, Bunch, J. Calhoun, W. B. Calhoun, Campbell, Carter, G. Chambers, J. Chambers, Childs, N. H. Claiborne, Clark, Corwin, Crane, Cushing, Darlington, Deberry, Denny, Evans, Everett, Forester, Philo C. Fuller, Rice Garland, Granger, Grayson, Grennell, Griffin, Hiland Hall, Hard, Hardin, Harlan, Hazeltine, Hoar, Howell, Huntsman, Ingersoll, James, Henry Johnson, Lawler, Lawrence, Lay, Luke Lea, Lewis, Lincoln, Love, Lucas, Lyon, Sampson Mason, Mairy, McComas, McKennan, Mercer, Milligan, Morris, Patton, Pettigrew, Peyton, Pinckney, Reed, Rencher, Robertson, Rogers, Russell, A. H. Shepperd, Slade, Spangler, Standefer, Steele, Storer, Taliaferro, W. Thompson, Underwood, Vinton, White, Whittlesey, Lewis Williams, Sherrod Williams, Wise—87.

So it was determined that James Graham, is not entitled to the seat he occupies.

The question was then taken upon the remainder of the report of the committee, viz: "That David Newland is entitled to a seat in this house," and decided as follows:

YEAS—Messrs. Anthony, Ash, Barton, Bean, Bockee, Boon, Bovee, Boyd, Brown, Buchanan, Burns, Bynum, Cambreleng, Carr, Casey, Chaney, Chapin, Cleveland, Coffee, Coles, Craig, Cramer, Cushman, Davis, Doubleday, Dromgoole, Efner, Fairfield, Farlin, French, William K. Fuller, Galbraith, James Garland, Gillet, Grantland, Haley, Jos. Hall, Hamer, A. G. Harrison, Hawes, Hawkins, Haynes, Holsey, Howard, Hubley, Huntington, Ingham, Jabez Jackson, Joseph Johnson, Richard M. Johnson, Cave Johnson, Benjamin Jones, Kennon, Kilgore, Kinnard, Klingensmith, Lane, Lansing, G. Lee, Joshua Lee, Thomas Lee, Leonard, Logan, Job Mann, Martin, John Y. Mason, Wm. Mason, M. Mason, McKeon, McKim, McLene, Montgomery, Muhlenberg, Owens, Page, Parker, Parks, Patterson, Franklin Pierce, Duttee J. Pearce, Phelps, John Reynolds, Jos. Reynolds, Ripley, Roane, Seymour, Shinn, Sickles, Smith, Speight, Thomas, John Thomson, Towns, Turrill, Vanderpoel, Wagener, Ward, Wardwell, Weeks—99.

NAYS—Messrs. Adams, Chilton Allan, Heman Allen, Ashley, Bailey, Beale, Bell, Bond, Borden, Bouldin, Briggs, Bunch,

John Calhoun, William B. Calhoun, Campbell, Carter, George Chambers, John Chambers, Chapman, Childs, N. H. Claiborne, Clark, Connor, Corwin, Crane, Cushing, Darlington, Deberry, Denny, Evans, Everett, Forester, Philo C. Fuller, R. Garland, Granger, Graves, Grayson, Grennell, Griffin, Hilland Hall, Hanningan, Hard, Hardin, Harlan, Samuel S. Harrison, Hazeltine, Henderson, Hoar, Hopkins, Howell, Huntsman, Ingersoll, Jones, Jarvis, J. W. Jones, Lawler, Lawrence, Lay, L. Lea, Lewis, Lincoln, Love, Loyall, Lucas, Lyon, Manning, Sampson Mason, Maury, McCarty, McComas, McKay, McKennan, Mercer, Milligan, Morris, Patton, Pettigrew, Peyton, Reed, Rencher, Robertson, Rogers, Russell, Schenck, Aug. H. Shepherd, Slade, Spangler, Standefer, Steele, Storer, Taliaferro, Waddy Thompson, Underwood, Vinton, Webster, White, Whittlesey, Lewis Williams, Sherrod Williams, Wise—100.\*

So it was determined that David Newland is not entitled to a seat in this house.

On motion of Mr. Patton, of Virginia, it was then

*Resolved*, That the election held in North Carolina last August, for a representative of the twelfth congressional district of that state, in the house of representatives of the U. States, be set aside, and the seat of such representative is hereby declared vacant; and that the speaker of this house inform the governor of North Carolina of the fact.

The house then adjourned.

#### IN THE HOUSE OF REPRESENTATIVES.

Mr. *Allan*, of Kentucky, on presenting certain resolutions of the legislature of his state favorable to the passage of the land bill before the senate, said—

He supposed that, by the common consent of every body, the resolutions brought before the house a subject upon which it must act, and which must be disposed of before the adjournment of congress. He was proceeding on Monday last to consider one of the modes by which it had been proposed to get rid of the surplus revenue. That proposition was, to increase the expenses of the government, in military and naval preparations, in a degree and upon a scale never before devised by any American statesman. He agreed, as he formerly remarked, in the maxim, "in the midst of peace prepare for war?"—it came from a source and in such a form, as to claim assent from every one; but how, he asked, should we prepare for war? He had adverted to the understanding of the maxim in Europe, which he did not approve; but again said he was willing to accord with the maxim in the American sense and according to the American understanding; and he contended that the country has means not only to provide defences, according to the American understanding, but also to carry out the purposes of the legislature of Kentucky.

Mr. *Allan* then went into statements to show what the American idea of preparing defences in time of peace had been from the earliest period of the government. He read from different messages to show the opinion entertained by the late presidents, and stated that he was willing to go on at the same rate of increasing the expenditure as had heretofore been the practice. It appeared to have been the opinion of statesmen that the naval force was sufficient for all necessary purposes in time of peace; that no more large ships were needed, and that but few more small ones were wanted for the efficient protection of commerce. The opinion had also been entertained that the army and military defences should not be increased. The question then was, whether the house should now enlarge these defences and increase the expenditures, without any other necessity than to get rid of the public funds.

He then alluded to the geographical position of the country, with a sea-coast on the Atlantic of 6,000 miles, and a northern boundary of 3,000, making in all 9,000, which, if fortified at every point, would require an army of many thousand men. It would require a standing army of many thousand men to preserve the fortifications in order in time of peace, and at least forty thousand to man them in time of war. He contended that the country could not rely upon such works, but must rely upon the hearts of the people. The way to make the country powerful was to prepare the people, by a good system, to be ready for defence, and, by a just, equal, cheap and good government, to attach their feelings and wishes to the defence of the nation and the support of its institutions. Oppressive taxation and unequal distribution of public funds, were the means of producing discontent and weakness.

If it were necessary, however, to apply the whole surplus means of the country to defence, he thought there was another and a better mode. The strength of the country, he contended, was not upon the border, but in the centre, and throughout the interior, from whence, in case of attack upon the seaboard, the people would rush to the defence of the country; and he argued, at some length, the expediency of appropriating the surplus revenue to the increase of facilities and means, by which troops and munitions could be more quickly transported from one point to another. He thought this mode of preparing for war of the utmost importance, and urged, especially, the construction of rail roads and the improvement of the great

\*[?]—We are requested to state that Mr. *Johnson*, of Louisiana, who had voted on the preceding question, was absent, from an unavoidable cause, when *this* vote was taken. Had he been present, he would have voted in the negative.

[?]—Had all the members of the house been present, the result of this vote would not have been changed.

highways. This would increase the means of carrying on war, by increasing individual wealth during a peace; by promoting social intercourse; bringing extremities of the country into near proximity; and would produce none of the evils and dangers attendant upon a standing army.

He remarked upon the partiality and injustice of expending all the money upon the seaboard for ships and fortifications, and thought that some regard should be had to equality of disbursement. He conceded that, to build a fort in Kentucky, where it was not needed, merely to equalize expenditure, would be ridiculous; but he thought it proper that the public money should be returned in expenditures somewhat in proportion to the taxation. He thought it not strange, when the constitution was adopted by the original thirteen states, and when this system of defence was adopted, as the states were all Atlantic states, that they should have turned their attention to the navy and to fortifications; to the defence of the seaboard and the erection of breakwaters; but now the country had come to a point where it was necessary to look westward, and embrace considerations for the benefit of the whole.

Having remarked upon the first plan, to leave the money to accumulate in the hands of the government, and upon the second, which was to increase the military and naval expenditures, he proceeded to present some considerations in favor of distributing the surplus revenue, derived from the public lands, to the several states, according to the recommendation of the legislature of Kentucky. The country, he contended, had now come to a point in its history when it was important that a new rule of action should be adopted; and that something must be done, at the present session, to decide whether the money should be returned to the people, or whether it should be suffered to go on increasing, to enlarge the influence, strengthen the power, and increase the patronage of the government.

He said, Kentucky had never opposed appropriations for the support of the navy, and would not do so now. He knew its usefulness, and looked upon it with pride; but he expressed his belief that, if the magnificent plan of returning the public money, amounting now to thirty millions, should be adopted, and great works of public improvement in the states should, in consequence, be created, local difficulties and sectional jealousies would diminish, the country would be better prepared to exert its strength in the emergency of war, and individual wealth and public harmony would be the result. Above all, he considered that now was the time when action upon the subject could no longer be delayed. The country had arrived at a point of time when the question must be settled.

Mr. *Hawes* said, the legislature of Kentucky had instructed their senators and requested the representatives to vote for the bill for the distribution of the revenue arising from the sales of public lands among the several states; or, in other words, to vote for Mr. *Clay's* land bill. This was not the first time the legislature of Kentucky had instructed the senators and requested the representatives to vote in a certain manner. In this case it was known that one portion of the representatives intended to vote for the bill; and that another portion intended to vote in a directly opposite manner. He remembered when the legislature of Kentucky, by an almost unanimous vote, directed the representatives to vote for the present chief magistrate. They disobeyed, and elected another man to the chief magistracy. What was the cry then of the gentleman (Mr. *Allan*) from Kentucky? You have no right to request us to vote in a particular manner. We consider it our duty to disobey. We look to our constituents only for instructions, and do not heed the directions of a majority of the legislature. The gentleman (Mr. *Allan*) then disobeyed, but he had now come over suddenly to thank the legislature for requesting him to do that which he intended to do.

He remembered, also, when the legislature was willing to part with its liberty, and, forgetful of the rights and interests of the people, requested the representatives to bow in humble resignation to the United States bank, and to say that that monstrous institution should be the prime lord of Kentucky and of America. Upon that occasion he felt it his duty to follow the example of the gentleman (Mr. *Allan*) and of his leader in the senate, (Mr. *Clay*). He felt it his duty to disobey, and to say that he was not responsible to the legislature for his acts or his doings upon that floor. He would again say it. When he saw the legislature mindful of their own interests and rights, and of the interests and rights of the state, he should feel pleasure in acting as they requested; but when they were acting with party views alone, neglecting their duties, and acting in a way they had no right to do, he felt a pleasure in declaring, in his place, that he should disagree with the majority.

The legislators of Kentucky appeared to have taken it into their heads to elect general Harrison president of the United States, instead of attending to the duties they were sent there to perform. He knew that their senators intended to vote for this bill—one of them, they knew, was its author; why, then, should they take up their time to instruct them to vote for it?

They knew that every opposition man would vote for Mr. *Clay's* land bill, as surely as they knew the sun would rise; and they knew that the friends of the administration would not vote for this monstrous, diabolical proposition. They knew that they were too honest, too independent, too mindful of the interests of the state, to vote for it. The resolutions were got up entirely for political purposes; and he intended, before he got through, to give them a touch of politics, in relation to the person whom they had undertaken to elect.



DINNER SPEECHES.

Dinner speeches and toasts are affairs by no means uncommon at the present day. The following have some novelty, from the circumstances that the guests and performers were deaf and dumb. We copy the account from a late French paper.

On the 6th December, at the Calf's Head tavern, Chatlet square, the deaf and dumb, of various professions and different countries, residing at present in Paris, celebrated for the second time, the anniversary of the birth of their beloved father, the abbe l'Epee. M. Berthier presided at the banquet, where we remarked several gentlemen of distinguished merit. This gentleman is a deaf and dumb professor at the royal institute at Paris. He gave a discourse, by signs, which excited at every sentence, a salvo of applause. M. Berthier concluded by proposing, in the following terms, a subscription for a bust of the abbe l'Epee, which was received with the most ardent acclamations:

"All the deaf and dumb shall take part in it according to their ability; the obolus of the orphan will no more be rejected than the gold of the affluent. Our speaking friends will also join us. This bust will become the standard of our fraternal association. We will place it for the whole year in a sacred oratory, and when the anniversary comes of the birth of our chief, we will raise it anew amid the transports of joy."

Discourses were afterwards pronounced by Messrs. Lenoir, deaf and dumb professor at the royal institution, Fonster, a tutor in the same school, and Gouin, a painter, and they produced the most profound impression on the guests.

Young Ryan, an Englishman of eighteen years old, then arose amid the general curiosity. "It is here," said he, among other things, "that we see how much our universal language is superior to all the partial languages of speaking men, which are confined in a greater or less degree. Honor to the abbe l'Epee! He belongs to the whole world, by the creations of his genius, and the immensity of his benefits. Union between the French and English deaf and dumb!"

The president thought he could not more properly terminate this banquet than by proposing a toast, the effect of which it is impossible to describe!

"The press, it may well be said of it, that it has performed miracles. It has given accents to the people, so long dumb.—It has done more—it has forced the great, so long deaf to that powerful voice, finally to lend an attentive ear to it. The press—as much, and more than our fellow citizens we place ourselves under its egis. It is to the press we will appeal if fools attempt to debase us, and to deny us an equal intelligence which gives us equal rights in the human family. Grateful deaf and dumb, the press!"

THE SLAVE TRADE.

It is computed that there are now, and have been for some years, notwithstanding several treaties and laws against the slave trade, at least one hundred thousand slaves annually imported from Africa into Brazil, Cuba and other West India islands. The London Quarterly Review urges upon all Christian states, as the only means for suppressing the slave trade in Africa, to decree, what England, our own country and Brazil have already decreed, that the slave trader shall be regarded as a pirate. English, American and Brazilian vessels or captains are rarely found engaged in the traffic. The extent, however, to which it is carried on, is thereby not at all diminished. Thus though participation in the trade is prohibited to the citizens of Brazil, the importation of the slaves themselves is not, and of the hundred thousand annually brought from Africa, about seventy thousand are carried into Brazil. The writer in the London Quarterly states that in the fifteen months ending January, 1835, there sailed from the one port of Havana, one hundred and seventy slave vessels, not averaging less than four hundred slaves for each cargo.

It has long been known that one of the most grievous consequences of the slave trade is the continual wars it encourages among the tribes in Africa—the object of which wars is the capture of prisoners by one native sovereign from another, to be sold to the white dealers on the coast. Richard Lander, one of the most recent and most authentic travellers in Africa, who resided some time at one of the native slave markets, relates that when the market is overstocked, the sickly and the old are selected, put into canoes, rowed into the middle of the river, and then thrown in with a weight around their necks to drown. The commissioners at Sierra Leone state, that while the natives are excited by slave dealers to furnish them with a human cargo, on which the profit is enormous, no inducement will tempt them to turn their attention to the procuring of such articles as the British trader can lawfully purchase.

Mr. Maclery, the British commissioner at Havana, gives a computation of the profit upon a cargo of 484 slaves brought from Africa to Cuba. He estimates their cost and expense of transportation at 52,000 dollars, and values them at 145,000, showing a profit of 180 per cent. [American.]

MR. BIDDLE'S VALEDICTORY.

Mr. Biddle addressed the following letter to his late associates in the directory of the bank United States, in reply to resolutions of compliment passed by them on his resigning the presi-

dency of the old bank United States, to accept the presidency of that chartered by Pennsylvania:

Philadelphia, March 4, 1836.

Mathew L. Bevan, esq, president of the bank of the U. States.

DEAR SIR: I have had the honor of receiving your letter of the 3d instant, with the resolutions of the board of directors, adopted on that day.

I cannot adequately express the feelings which the proceedings have awakened. Such a testimonial from such men, I shall always deem the proudest triumph of my life. To separate from a body of gentlemen, long connected in any enterprise, is naturally painful, but my regret is deepened by the remembrance of the uniform harmony, and the mutual confidence which have distinguished our association, no less than the importance of its object. It was our lot to administer a high public trust, whose very errors would have affected the country; whose mismanagement might have deeply injured it, and whose ordinary difficulties were multiplied by the attempts to prostrate it. Our great effort accordingly was not in erely to preserve the institution, but so to defend as not to wound the country, and to protect both from a common enemy. That it was not overthrown—that it went calmly and safely through all these dangers, conferring signal benefits upon the nation—and is now closing its career without inconvenience to the community, and with great advantages to the stockholders, is wholly due to the judgment and firmness of the directors. My own personal contribution was only an honest devotion to its service, which would have been unavailing had I not been surrounded by friends always ready to forgive my own deficiencies, and colleagues always able to supply them. I pray you to convey to them my grateful sense of this approbation, by those who were the nearest witnesses of my conduct, and the cordiality with which their good wishes are reciprocated. Allow me to add my thanks for the kind manner in which you have communicated them, and the assurance of the respect and regard of yours,

N. BIDDLE.

FROM BRITISH PARLIAMENTARY DOCUMENTS.

The total value of imports in the kingdom, in the years 1833 and 1834, calculated at the official rates or valuation, were, in the former year, £45,952,551, and in the latter, £49,362,811, being an increase of £3,410,260.

The total value of exports of the produce and manufactures of the United Kingdom, in the years 1833 and 1834, at the official rate or valuation, was, in the former year, £69,689,339, and in the latter £73,831,550! According to the real or declared value, the exports of the same amounted in 1833 to £39,667,347, and in 1834, to £41,641,191.

MANUFACTURES EXPORTED.

	1833.	1834.
Cotton yarn	£4,744,029	£5,205,501
Do. manufactures	13,782,377	15,306,922
Woolen do	6,540,636	5,965,657
Linen do	2,239,030	2,605,337
Silk do	737,494	636,419
Hardware and cutlery	1,406,302	1,485,414
Earthenware	496,963	493,039
Glass	445,845	495,180
Sugar, refined	563,092	915,694

In the course of the year ending the 5th of January, 1835, 6,840,544 gallons of wine were admitted for home consumption, and the total amount of duty received was £1,705,638, at the rate of 5s. 6d. per gallon for all sorts, excepting Cape wine, which pays a duty of 2s. 9d. Of the above quantity there were of French wines 269,630 gallons, and of Cape 594,081 gallons.

The total amount of foreign spirits admitted for home consumption was 1,421,411 gallons, and the duty received £1,588,133, at the rate £1 2s. 6d. per gallon.

Of colonial spirits there were retained for home consumption 3,454,707 gallons, producing a duty of £1,405,390.

The quantity of tea imported into the United Kingdom in the season 1834-5, the first year of open trade, was 41,041,834 lbs. The preceding year the amount was 29,592,310 lbs. The importation of raw silk from China had increased in a still greater proportion.

The quantity of tobacco imported in the year ending July, 1835, was 38,500,000 lbs. of unmanufactured tobacco, and 1,000,000 lbs. of snuff and cigars, of which 38,440,000 lbs. came from the United States. The quantity retained for home consumption was 21,483,000 lbs. and the gross amount of duty received £3,241,985.

In 1834, the total importation of sugar was 4,734,414 cwt. and the duty received about £5,000,000.

The number of factories in the United Kingdom, for the manufacture of cotton, flax, silk and woollen goods, was 3,236; and of these, 3,160 were at work. The total number of persons employed was 355,373.

The number of steam vessels registered in Great Britain, in July, 1835, was 397, and tonnage 38,849; the number not registered was 84; and those building, 46.

FRAUDS IN PACKING COTTON.

In our paper of 4th inst. we published a circular from the Liverpool chamber of commerce, respecting the fraudulent packing of cotton. A friend has called our attention to the fol-

lowing act, passed by the legislature of this state in 1822, in relation to this subject, and informs us that since its passage, the evil has been remedied, as far as this state is concerned. It is to be hoped that a similar law will be passed in other cotton growing states; and a strict enforcement will put a stop to the disgraceful practice. [Charleston paper.]

An act to inflict corporal punishment on such persons as may hereafter be convicted of fraudulently packing cotton, and for other purposes therein mentioned.

Sec. 1. *Be it enacted by the honorable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same,* That from and immediately after the first day of March next, if any person or persons whomsoever, shall be convicted in any court of sessions of this state, of knowingly and wilfully packing or putting into any bag, bale or bales of cotton, any stone, wood, trash cotton, cotton seed, or any matter or thing whatsoever, or causing the same to be done, to the purpose or intent of cheating or defrauding any person or persons whomsoever, in the sale of such cotton, or shall exhibit or offer for sale any bag, bale or bales of cotton, so fraudulently packed, the said person or persons, at the time of the said exhibit or offer for sale, knowing the same to be so fraudulently packed, shall, on conviction thereof, as aforesaid, for the first offence, be sentenced to pay a fine of not more than one thousand dollars, nor less than ten dollars, and to be imprisoned for a term of not more than six months, and not less than one month.

Sec. 2. *And be it further enacted by the authority aforesaid,* That if any person or persons whomsoever, shall a second time be convicted in any court of sessions as aforesaid, of fraudulently packing any bag, bale or bales of cotton, or exhibiting or offering the same for sale, as before specified and described in this act, he, she or they shall, for such second offence, and every other thereafter, be sentenced to receive not more than twenty lashes, nor less than five lashes on the bare back, and be further liable to all the liabilities which, by common law or otherwise, may now be imposed on such as have suffered corporal punishment.

In the senate house, the twenty-first day of December, in the year of our Lord one thousand eight hundred and twenty-two, and in the forty-seventh year of the independence of the United States of America.

JACOB BOND PON, *president of the senate.*  
PATRICK NOBLE, *speaker of the house of rep.*

#### INCREASE OF THE ARMY.

The following is a copy of the bill reported in the senate for increasing the army:

A bill to increase the present military establishment of the United States.

*Be it enacted, &c.* That, in addition to the present military establishment of the United States, there shall be one regiment of artillery and two regiments of infantry: *Provided,* It shall be competent for the president at any time to direct that one of the regiments of infantry shall do duty as riflemen, and the other as light infantry, and the necessary measures for carrying this act into effect shall be taken under the direction of the president.

Sec. 2. *And be it further enacted,* That the laws regulating the present military establishment shall extend to the additional force herein authorized to be raised so far as the same are applicable and not inconsistent with the provisions of this act.

Sec. 3. *And be it further enacted,* That each regiment of artillery and infantry in the service of the United States shall hereafter consist of eight companies; and each company of artillery shall consist of one captain, two first lieutenants, and one second lieutenant, one sergeant major, one quarter master sergeant, three sergeants, six corporals, three artificers, two musicians and eighty-four privates; and that each company of infantry shall consist of one captain, one first lieutenant and one second lieutenant, one sergeant major, one quarter master sergeant, three sergeants, six corporals, two musicians and eighty-seven privates. And, in addition to the present regimental staff, there shall be two sub-adjutants to each regiment, who shall be warrant officers, to be appointed under the direction of the president, with the rank, pay and emoluments of cadets.—And there shall also be two chief musicians to each regiment of artillery.

#### INDEMNITY LAW.

The following is an authentic copy of the law indemnifying the sufferers by the riots of August last. It was referred in the city council to a joint committee consisting of Messrs. Barnes, Harker and Ball, of the first branch, and Messrs. Carroll, Frazier and Ready, of the second branch.

An act to provide indemnity to the sufferers by certain riots in the city of Baltimore.

*Whereas* it has been represented, and proven by testimony satisfactory to the general assembly, that on Saturday, Sunday, and Monday, the eighth, ninth, and tenth days of August, in the year eighteen hundred and thirty-five, a tumultuous mob assembled in the city of Baltimore, and lawlessly and riotously assailed, defaced and destroyed, a large amount of property belonging to several citizens of this state, and whereas it also ap-

pears fully proven that for several days previous, there were reasons well founded and well known to apprehend such violent proceedings,—also, that when the said mob did assemble, it was not formidable in number or arms; and that the authorities, civil and military, and the people of the said city had ample power, at any time to have quelled and dispersed the rioters, but failed to exercise that power, and suffered the houses and other property of peaceable citizens to be deliberately pulled down, burned or otherwise destroyed from day to day by the said rioters. Now therefore,

Sec. 1. *Be it enacted by the general assembly of Maryland,* That Alexander Fridge, Ashton Alexander, and Charles Howard, be and they are hereby appointed commissioners, and upon refusal to act or death of either of said commissioners, the governor and council shall appoint some person or persons to fill such vacancy or vacancies, with authority to examine and ascertain, by view and by such proof under oath as they shall deem competent and sufficient, the value of the property, injured or destroyed by the said mob, belonging to any person or persons who shall allege in writing by proof under oath, to the said commissioners, that his property was injured or destroyed by the mob aforesaid, and it shall be the duty of the said commissioners, or a majority of them, to make, under oath, to the treasurer of the Western Shore, a return of the estimate of value and damages by them made, specifying the names of the parties injured and the amount of loss or injury sustained by them respectively.

Sec. 2. *And be it enacted,* That, upon receiving such return, it shall be the duty of the treasurer of the Western Shore, to issue to each of said parties, certificates of stock of this state, bearing interest at the rate of five per centum per annum, payable half yearly, assignable and redeemable at the pleasure of the state, for the amount of loss or injury, so ascertained and certified to have been sustained by such party.

Sec. 3. *And be it enacted,* That the sum of twenty thousand dollars yearly, heretofore by the twenty-first section of the act of assembly of eighteen hundred and twenty-seven, chapter one hundred and eleven, appropriated for the purpose of deepening and improving the harbor of the city of Baltimore, be, and the same is withdrawn, and hereby pledged and appropriated to the redemption of the stock aforesaid, principal and interest, to be, by the said treasurer distributively applied to that purpose as the same shall accrue.

Sec. 4. *And be it enacted,* That the mayor and city council of Baltimore shall be and they are hereby authorized to provide for the redemption or payment of the said stock, by assessment and levy, upon the assessable property in the said city, or by a loan, upon the credit of the city, and upon the redemption thereof by the said city, within two years from and after the passage of this act, thereafter as heretofore, the said sum of twenty thousand dollars annually, shall be paid out of the proceeds of duties arising from sales at public auction for the purpose of deepening and improving the harbor of the city of Baltimore, subject always to the control and disposition of the legislature.

We hereby certify that the foregoing is a true copy of the original law, which passed both branches of the legislature of Maryland, at December session, 1835.

Given under our hands at the city of Annapolis, this 26th day of March 1836.

GEORGE G. BREWER, *clerk house del. Md.*  
JOSEPH H. NICHOLSON, *clerk senate, Md.*

#### THE "RIOT" IN THE HOUSE OF REPRESENTATIVES.

The following is another view of this subject. It is from the *Globe* of Thursday; but receiving only the semi-weekly paper, it did not reach us until the greater part of our Saturday's impression was worked off. It is *one-sided*—as the other accounts were.

##### BUSINESS OF THE HOUSE.

##### Contested election—Newland vs. Graham.

The facts are briefly these: Newland contested the election of Graham; both parties proceeded to take various depositions, anterior to the meeting of congress. Each party concluded the same, and the whole was submitted to the proper committee. Neither party desired or expressed a wish to take further testimony. Both were confident of success, and the case was submitted to the standing committee on elections. About the middle of January the committee, after a laborious and minute examination, ascertained that Mr. Newland had received a very small majority of the legal votes. So soon as Graham discovered this, and when the committee were preparing his report, he asked for time to hunt up and take further testimony, to enable him to retain his seat. The committee very properly overruled the application, and determined, under the circumstances, to give no further time to either party to take testimony; as, were this permitted, it would be to keep questions open which ought to be prepared for adjudication at the beginning of a session to the end, and might out the true member from his seat for the whole term. Shortly after Mr. Graham's application, Mr. Newland received a letter from his agent, informing him that he had discovered important evidence in his favor, and asking whether he should go on to take the depositions alluded to. Newland wrote to his agent that the committee had decided that it would receive no more testimony, and that it was useless to take any more. Graham, however notwithstanding the decision of the committee, and without

applying to the house for that purpose, gave notice to Newland on the 30th January, about two weeks after the scrutiny was closed by committee, that he would continue to take further testimony, which he did *ex parte*, and one of the points presented was the admissibility of the testimony thus taken.

The report of the committee was made on the 24th of February, in favor of the petitioner, and the chairman moved to make it the order for the 2d of March. This gave abundant time for the members of the house to look into the testimony and the report. Mr. William Biddle Shepard, of N. Carolina, in order to postpone the discussion and prevent final action till near the close of the session, moved to make it the order for the 23d of March. Mr. Hard, (an anti-mason of New York), moved to recommit the report, to give time, until the 1st of April. These failed.

The report then occupied the morning hour for many days. The discussion, however, was cut off by the arrival of one o'clock, the hour appointed for taking up the special order, (the ordinary appropriation to the naval service); and although many motions were made to suspend the rule to decide on the rights of the member contesting the seat, they were negatived by the minority in the house, two-thirds being required to effect this object. The majority at last proposed to change the hour of meeting, so as to obtain an additional morning hour to pass upon the issue between the litigant parties; and it was understood that the previous question would be called to close it, unless the minority would agree to fix a special period for its determination. On the 19th of March, after various motions by Mr. Rencher, of North Carolina, (a nullifier), to postpone to the third Thursday in April, and to give the parties "leave until that time to take further testimony," thus beginning anew a five month's contest at the close of the session—it was agreed to fix three days for the final discussion, beginning with the 24th of March. Thursday, Friday and Saturday last were thus set apart for the final disposition of the subject, which had been made to clog upon the business of the house from its first introduction.

On Thursday the case was taken up, and the first thing the sitting member, (Mr. Graham) did, was to make a motion to permit him to introduce *more testimony*. Mr. Hard, of New York, followed this up, with a motion to recommit, and to give further time to take testimony, the house having some days before refused further time. Mr. Hard, after a long debate, withdrew his motion.

On Friday, the house debated Mr. Graham's motion to introduce new testimony until it adjourned.

On Saturday, Mr. Graham withdrew his proposition, and Mr. Rencher made a motion to strike out the general conclusion of the committee on the whole testimony, and to insert new propositions, opening up for discussion and for separate issue every circumstance appertaining to each contested vote. This was debated until about half past three o'clock, P. M. when Mr. Graves of Kentucky obtained the floor. He occupied it between seven and eight hours, giving way every half hour, and frequently at shorter intervals, for motions made by the opposition to adjourn and to suspend the rules. Upon each of these motions the yeas and nays were called and taken: the process occupies nearly half an hour. They were taken 12 or 15 times. It was soon apparent that the object was to consume the time, and prevent the majority from taking the question. The majority of the house determined not to be baffled in this way, and refused to adjourn. Upon each refusal to adjourn upon yeas and nays, Mr. Graves being entitled to the floor, would resume and continue his speech, travelling over the same ground again and again, and making it manifest to all, that he was speaking against time. At length his strength gave way, he became exhausted, and by a manœuvre, (determined on no doubt previously by those who had determined to prevent a decision) it was so managed as to prevent any competition for the floor. When he came to a stop, it was done, as we are informed, not in the usual way, by taking his seat, and leaving the floor to the member who should rise first, so as to give to all an equal chance to obtain the floor; but in the following manner: at the close of a sentence he made a pause, stood erect in his place, picked up a paper, which all supposed contained his notes, which he had frequently used in the course of his speech; seemed to be looking at the paper, as a speaker would naturally do, with a view to proceed upon some other point whilst standing in this position, having given no indication that he was done, Mr. Calhoun, of Kentucky, who sat by his side, rose and addressed the speaker, to whom Mr. Graves yielded, as was supposed, (until Mr. Calhoun commenced speaking), with a view to enable him to make another motion to adjourn by yeas and nays, as he had done several times before. By this trick Mr. Calhoun obtained the floor, and proceeded to discuss the subject of the election. With a fresh pair of lungs, the arrangement no doubt was, that he was to speak against time, until he became exhausted, when some other of the junto, who had resolved to thwart the majority, and prevent them from acting, was to obtain the floor. And, accordingly, Peyton, Wise, and others of the opposition, had left their own seats, and were collected around him. Mr. Calhoun commenced speaking about eleven o'clock, and shortly afterwards gave way for another motion to adjourn. The yeas and nays of course had to be taken to consume time. The majority continued firm, and determined not to be thus thwarted by the minority, and refused to adjourn. Mr. Calhoun spoke until twelve o'clock, when Mr. Lawler, who boards with Wise and Peyton,

raised a question about sitting after twelve o'clock, and wished to make a question of order of it, so as to compel the house to adjourn; and if it did not adjourn, at all events to consume time in discussing that question. Mr. Lawler addressed his question to the speaker, who told him that he, as speaker, had no power to adjourn the house, until a majority voted to adjourn. Plain as this was, in order to consume time, he took an appeal from the speaker's decision, and of course Wise, Peyton, and the rest, made speeches upon it. Again a motion was made to adjourn, and by yeas and nays refused. To put an end to the question on the appeal, the previous question was moved; and most of the opposition refusing to vote, for the express purpose of reducing the house below a quorum, (only nineteen of the opposition out of eighty present voting), another motion was made to adjourn, when Mr. Adams, and many members of the opposition, refused on yeas and nays to vote. Motions were then made to excuse them from voting; not to require them to vote; and finally by Mr. Wise, who had himself refused to vote, but moved to compel Mr. Adams to vote. Mr. Adams refused to vote, and refused to be excused from voting.

In this way, the whole sitting of seventeen hours was consumed. The object of the opposition was manifest. If they could prevent a decision on Saturday, they knew the special orders on the appropriation bills, by a previous order of the house, would take precedence of all other business, and that it would be impossible, without two-thirds, to take up the subject; and that this might possibly prevent a decision before the close of the session; and thus keep the member in his seat (who the committee had decided was not entitled to it) until the end of the session; and if the same game were kept up at the next short session, give a full term to a man who is now, by the vote of the house, as well as the committee, proved to have held without right.

During the attempt which was thus evidently made by the minority to frustrate by finesse or force, the order taken by the house for the decision of the question in the three days, the senator from South Carolina (John C. Calhoun) was seen in vehement conversation with one of the principal actors in that scene of violence which ensued, and which had the effect of postponing the final action of the house. Mr. Calhoun was overheard by several gentlemen to denounce in the strongest terms, while in the house, the course of the majority of the house; and there is little doubt but that his instigation had great effect on the overheated partisans with whom he conversed, in producing the tumult which followed. The object of the minority, however, in staving off the decision until after 12 o'clock on Saturday, which was to force an adjournment without fixing a day, and thus put it in the power of one-third to defeat its resumption by the special order which had been suspended for the three days only, was not accomplished. The house resisted all attempts to adjourn, until the same propositions which had been made by some of the majority, (Mr. Mason, &c.) when Mr. Graves was speaking on Saturday to kill time, was adopted. This was to provide that the debate should continue on Monday by special order. This was refused by the opposition, in the hope that the house would be compelled to adjourn over by the intervention of Sunday, and without fixing a day, and so give the minority of one-third a control over the question of the North Carolina election. But the firmness of the majority prevented this, and after a renewal on the part of the coalesced opposition of all its finesse, to prevent a decision, and keep up the harassing difficulty to obstruct public business, the house closed the question on Tuesday, by declaring the seat vacant, and rendering a new election by the people necessary. For the yeas and nays, and the detail of the various manœuvres of the opposition to embarrass and frustrate the business of the house, we refer to our reporters' columns.

We close our notice of these transactions for the present with a few observations upon the motives and designs of the enemies of order in the house of representatives.

1. Mr. Graves (of Kentucky,) who, on his first appearance in the house, has signalized himself as one willing to thwart its proceedings by the very extraordinary course we have endeavored to explain; in a letter addressed to the *Globe*, to correct the report in which he is represented as acting, without qualification, with a view to the election of a president in the house, makes the following admission over his own signature:

"I have desired, since my attention was first directed to this subject, to be enabled from the testimony in this case, if I could conscientiously, to give my vote in favor of him whose opinions approach nearest mine on the subject of the next presidential election, inasmuch as that election may come into the house, and the vote of North Carolina may depend on who shall fill the contested seat."

It appears that Mr. Graves did bring himself "conscientiously" not only to support Mr. Graham, as approaching nearest to his views on the presidential question, but also to enter into schemes to postpone the action of the house on the case, and to keep him there against the sense of the majority.

2. It seems that the senator from South Carolina (Mr. Calhoun) entered warmly into the feelings of Mr. Graves and those who co-operated with him, and was not unwilling to appear himself in the house, to add his immediate influence and impassioned promptings in all of the agitation and inflammatory feelings got up by his partisans in the house, and to degrade the house by outrage and confusion, if he could not dissolve it, as he would the union, in bloodshed.

The following letter from Col. *Howard*, one of the representatives from Baltimore in congress, was published in the Chronicle of Monday last has reference to an article copied into our last—see page 77. It is addressed to the editors of that paper.

Washington, March 31st, 1836.

GENTLEMEN:—Your paper of this morning contains an editorial article, commenting in terms of great severity upon the language which your correspondent informed you was used by Mr. Bynum, in the debate which occurred on Saturday night, in the house of representatives. He is said to have threatened to call in a military force, and you justly object, not only to the use of such language on his part, but also to its patient endurance by the house. Although I do not feel it to be always a duty, or claim it as a right to interpose, where your correspondents discuss public measures or criticise the proceedings of congress, yet this case seems to involve such serious matter, that I request the use of your columns, to correct an error, no doubt unintentional, on the part of the person from whom you have derived your information.

I was sitting close by Mr. Bynum, when he made his remarks, and heard distinctly every word that he uttered. No such idea as that of calling in a military force, or in any manner approximating towards it, was expressed by him. What he did say was this: that the minority of the house had interposed delay in the decision of the question, by repeated calls for the yeas and nays, which were attended with no effect except procrastination, and that if the same principle were followed out in the nation, and the minority refuse to acquiesce in the decision of the majority, it must inevitably deluge the country with blood, because no other resort would be left than an appeal to force, civil, in the first instance, and finally, military.

I can easily imagine that, in the confusion and noise which prevailed in the hall, your correspondent might have misunderstood the purport of these remarks; and have no doubt that he and yourselves will gladly remove a censure, which must wound the character of our government and the cause of free institutions throughout the world.

I am, respectfully, your obedient serv't,  
BENJAMIN C. HOWARD.

SENATE OF THE UNITED STATES.

FRIDAY, MARCH 25.

The following resolution, offered yesterday by Mr. *Calhoun*, being taken up for consideration—

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing proper measures for the safe keeping of the journal of the two houses and other public records, and of protecting them, by proper legal enactments, from being mutilated, obliterated, erased, defaced, expunged, disfigured, altered, or otherwise destroyed or injured—

Mr. *Calhoun* rose, and said that there is no evil without some accompanying good. The truth of the remark is illustrated by the measure which has occasioned the introduction of this resolution. As unconstitutional and as odious as is the attempt to expunge a portion of the journals of the proceedings of this body, it has had the good effect of rousing attention, for the first time, to the unprotected condition of the journals of the two houses, and the other public records. I have caused diligent search to be made, and the result is, that, with the exception of the 18th section of the act of 1790, to punish certain crimes against the United States, which provides for punishing in certain cases the falsifying for fraudulent purposes the records of the courts, there is no law whatever to protect the public records. As strange as it is, it is no less true, that they may be mutilated, obliterated, falsified, expunged, or destroyed by those in whose possession they are, or any person who may have access to them, without subjecting the person perpetrating the crime to the slightest punishment. Our secretary, who is in charge of our journals, if so disposed, might destroy them before our eyes, without exposing himself to any legal penalty. All who hear me, whatever may be their opinions on particular points, must agree that such a state of things ought not to continue. Setting aside the obligation imposed by the constitution on us in reference to our journals, the great importance of the public records would of itself make it our duty to preserve and protect them with the utmost care. They contain the only authentic account of the proceedings of the legislative and judicial departments of the government, and from them must be drawn mainly the materials for the true political history of the country, to say nothing of the important interests, both public and private, involved in their being preserved free from all alterations or changes, or suspicion of being altered or changed.

But, as sacred as is the duty of adopting the requisite measures for their protection, regarded in the light presented, it becomes far more so, when to that is added the obligation imposed by the constitution on this and the other house to keep a journal of their proceedings. Yes, we are under the obligation of an oath to keep our journals—a word of the most comprehensive meaning, and, at the same time, free from all ambiguity, as applied in this instance. It implies that our proceedings shall be fully and accurately recorded, and, when so recorded, that the journal containing them shall be carefully protected and preserved. Without recording it, would be impossible to preserve, while the injunction to record would be vain and absurd, without the obligation to preserve. The very object of recording is to preserve, for the use of the present and all future generations, a true and faithful account of the acts of this bo-

dy. Such is the extent of the obligation imposed on the senate by the constitution, in providing that it shall keep a journal of its proceedings; and in taking the oath to support the constitution, we have all solemnly sworn faithfully to perform this duty, with the others imposed by that instrument. To discharge this obligation, we are bound not only to abstain from destroying, altering, or in any respect injuring the journals ourselves, but to adopt all proper measures to guard them against destruction, alteration, or injury by others.

The impression that they are our journals, and that we may do with them as we please, is the result of a gross misconception. They, indeed, contain an account of our proceedings, but they belong not to us. They are the property of the public.—They belong to the people of these confederate states; and we have no more right to injure, alter, or destroy them, than the stranger that walks the streets; nor more than we have to alter or destroy the journal of the other house, or the records of the courts of justice. We are, it is true, the representatives and the agents of those to whom our journals rightfully belong; and, as such, are their keepers, placed under the sacred obligation of an oath to perform our duty in that capacity, but which, so far from giving us any right to destroy or injure them, would but add to the enormity of the crime; just as it would be more criminal in a guardian to defraud or destroy his ward than any other person.

In making these remarks, I am aware that no law can restrain us from doing what we may think proper in our official characters as senators; and that, while acting in that character, we are not amenable to any court. It follows, of course, that whatever act may be passed by congress to protect the journals of the two houses, cannot prevent either house from passing resolutions, with a view to mutilate, obliterate, expunge, alter, disfigure, or otherwise destroy or injure their journals, or subject the members to punishment for passing such resolutions; but still a law, making it penal to destroy or injure them, will not be without great and salutary effect in protecting the journals, even against the two houses. We may order the expunging or destroying of the journal either in whole or in part, but we cannot perform the act. That must be the work of an agent. Some one must be ordered to do it; either the secretary, or some one else. Though the order may not make us, amenable to the laws, it cannot exempt the secretary, or whoever may be ordered to perform the odious and unconstitutional act, from responsibility. In a court of justice, on an indictment for the violation of law, it would be so much waste paper when opposed to an act of congress, and an express provision of the constitution. Our secretary, as well as all our other officers, from you (addressing the vice president) to the lowest clerk, are all under oath to support the constitution. Each, when he comes to act, must judge for himself, and act on his own individual responsibility. If the members of this body shall misconstrue or disregard the injunctions of the constitution to keep the journal, that would not justify the secretary, should he be ordered to expunge or destroy the journal. What he ought to do in such an event is a case of conscience; that he must decide for himself; and I do trust that, if the members of this body should be so regardless of the solemn obligation imposed by their oath, as to give such an order, neither our present nor any future secretary would be found wanting in the requisite firmness and virtue to resist an order so clearly unconstitutional. But such may not always be the case, and, in such event, the beneficial effects of proper penal enactments to protect the journals from being expunged or destroyed would be experienced. He who might not be restrained by the sanctity of an oath, may be by the terror of punishment; and a senate, impelled, by party spirit and party discipline, to order the performance of an act in subversion of the constitution, might find itself arrested by the refusal of its selected agent, under the terrors of the laws, to perpetrate the criminal act. Thus, a law to preserve and protect the journals of the two houses, and other public records, by inflicting condign punishment on all who may destroy or injure them, may be found in practice to be an efficient protection against the danger to which they may be exposed in high and violent party times from the houses themselves.

It is too late to suppose that party violence and discipline could not possibly drive the houses to an act so palpably in violation of the constitution, and the high duty they are under to preserve the public record as the precious and sacred depository of the acts of the legislative and judicial departments of the government. After what has already passed here, as well as in several of the state legislatures, the danger can no longer be considered imaginary. As monstrous as it may seem, it can no longer be doubted that those who by the constitution are made the keepers of the journals, their protectors and guardians, may so far, forget their duty as to be the first to aim at their destruction. Admonished by what has occurred, and looking forward to what may hereafter follow from the present attempt, every one behis party what it may, who is desirous to see some restraint imposed on the violence and madness of party, ought to aid to throw around the journals and other public records every guard that may contribute to protect them against the destruction to which the rage of party war may hereafter expose them.

I have great confidence in the committee on the judiciary, and have no doubt, should the resolution be adopted, they will give the subject a thorough investigation; and should their opinion concur with mine, they will, I doubt not, be able to devise the proper measures to effect the important object intended to be accomplished.

Mr. Niles said that, as the resolution was merely one of inquiry, he felt reluctant to object to its passage, although he could not perceive the force of the reasons the honorable senator (Mr. Calhoun), had urged in its support. Neither had he any objection to the gentleman's discussing, on this question, the resolution before the senate offered by the senator from Missouri; he could, if so disposed, go into that inquiry, and examine the power of the senate over its journal, and its right to correct or alter the same. But he was not disposed to follow the gentleman in this course, or to reply to his arguments on that subject. At the proper time he proposed to offer his sentiments on that resolution. He did not perceive either the force or consistency of the gentleman's reasons for the adoption of his resolution. At one moment he informs us that there are no legal provisions whatever for the security of the public records and the journals of congress; that there is no obligation to preserve them; and that they may be destroyed by any one, by the secretary of the senate himself, with impunity. Then again we are told that the provisions of the constitution are so clear and strong that they cannot be mistaken or perverted, and that they impose on the senate the most sacred obligation, not only to keep a journal, or cause their proceedings to be recorded by the secretary from day to day, but likewise to take care of and preserve the journal. If the gentleman is right in his construction of the constitution, (and I am not now disposed to deny that he is), it appears to me that there is an obligation of the highest nature, so far at least as the senate is concerned. The journal of the senate is a public record of the highest authority, and is so regarded in courts and elsewhere—a record which we are enjoined to make and preserve by the constitution, according to the gentleman's construction of the provision relating to this question. How, then, can it be said that there is no security for these records? Is there no authority in the constitution? If it imposes so sacred an obligation on the body, can it be said there is not protection or security for the preservation of our journal? But perhaps the gentleman means that there is no legal sanction—that there can be no punishment for mutilating, defacing or destroying the journal. If the journal of the senate is a public record, and made such by the constitution, is it not a crime to destroy it, upon general principles, upon the principles of the common law? To violate the constitution must be an offence. He felt reluctant to oppose a resolution of inquiry only, but could not perceive, from the gentleman's own view of the subject, that there was that necessity for legislation which he professed to feel, and which he so earnestly pressed on the senate.

Mr. Shepley said, ordinarily, I should not be disposed to make any objection to a resolution of inquiry; and if I regarded this as coming properly within that class of resolutions, I would most readily consent that it should go to the committee. From the language of the resolution, as well as from the remarks of the senator who introduced it, we may understand the object of it. The object thus understood, is, by indirection, to withdraw from the regular action of the senate the resolution of the senator from Missouri, proposing to expunge a resolution now upon the journal of the senate. The resolution of the senator from Missouri is now regularly before the senate for consideration, and all the senators have full opportunity to express their opinions upon it. It is right and proper that such opportunity should be given, and that a decision in the usual course should be had upon it. It is not of a character to require that it should be sent to a committee to report upon it. The senate is already in possession of all that relates to its proper action upon it. If, however, it was to be sent to a committee, it ought to be done by a direct motion to commit it, instead of attempting, by the introduction of another resolution, using the very term expunge, to strike a side-blow at that resolution.

The senator from South Carolina seems disposed to dictate to the officers of this body whether they should or should not obey the orders of a majority of the body. The propriety of one member of the senate assuming to prescribe to an officer of the senate, before that officer is called upon to act, what ought to be his course when called upon by a majority of the body to do an act in obedience to it, must be left to the judgment of the senate. It seems to me, to say the least of it, to be a most extraordinary proceeding. I think this resolution should be laid upon the table; but as some other senators may desire to express their opinions upon it, I will not now make the motion.

Mr. Benton observed that, in looking over the directory, he found that the committee on the judiciary, like all the other important committees of that body, was composed of a majority of those members who were in the majority in the senate when the committees were chosen. He found that committee to be Mr. Clayton, chairman, Messrs. Buchanan, Leigh, Preston and Crittenden.

Now, every body knew, if this resolution should be sent to them, what the report of that committee would be. The report would, in fact, be the speech of one of these gentlemen on the floor, and the only difference there would be between them would consist in one being dignified with the name of a report, while the other would be simply called a speech. The only object of referring the resolution would be to get a report from the committee adverse to the expunging resolution he had introduced. He should look upon such a report in no other light than the speeches of members of the committee, made up in the

committee room. He did not know whether it was perfectly regular, according to parliamentary practice, to take one subject already under the consideration of the senate out of its hands, by sending another immediately relating to it to one of the committees. He was not disposed to make any formal motion upon the subject; but he would observe that expunging seemed to be one part of the business, and the right and justice of the condemnation another; and gentlemen were called upon to consider how far the sentence they had pronounced was consistent with truth and justice, and how far they could entrench themselves behind technicalities, to avoid going before the country on the merits of the case. They were aware (Mr. B. said) that the country had decided on the merits of the sentence they had pronounced, and decided against them. They had better, in his opinion, meet the subject on its merits, than rely on their speeches, worked up into the form of a report, in one of the committee rooms of the senate.

Mr. Clayton said that, as a member of the committee on the judiciary, to which this resolution proposed a reference, he was not anxious for the accumulation of labor, nor did he believe that a majority of its members felt any ambition to consider or report upon such a subject as that presented by the expunging resolutions. But, in answer to a remark of the senator from Missouri, (Mr. Benton), that every body knew, if the resolution of the gentleman from South Carolina (Mr. Calhoun) should be sent to them, what the report of that committee would be, he would say that, if the senator from Missouri could foretell the contents of that report, it was more than he (Mr. Clayton) could do. The question involved in this resolution is, what legal enactments (if any) are necessary to prevent the forgery, alteration or mutilation of the records of congress? The question upon which the individual members of the committee have heretofore expressed an opinion is a very different one, being merely whether these records shall or shall not be altered or expunged. We have said by our votes, during the last session; that they shall not be altered or expunged, and we have not yet found among us any one who has been guilty of the design to obliterate or expunge these records. The senator from Missouri has nevertheless informed us that we are now divided on this old question as four to one, and his observation was so made as to leave no room for any one to doubt that he referred to the senator from Pennsylvania (Mr. Buchanan) as the dissenting member of the committee. Sir, what authority has he for this? How does he know that the member from Pennsylvania has abandoned his whole ground on this question? We all remember that, when the expunging resolutions, as they are termed, were last year called up by me, in obedience to resolutions of the legislature of the state I have the honor in part to represent, and rejected by an overwhelming majority of the members of this body, comprehending men of all parties here, the senator from Pennsylvania expressed himself decidedly against them, and voted with us against them. How does the senator from Missouri, know, then, that this gentleman is now prepared to reverse his vote? Then, as to the real and only question before the senate, whether any and what legislation is necessary to protect the journals from frauds, forgeries or mutilation, I defy the senator from Missouri to point out an instance in which any one member of the committee has ever expressed any opinion on the subject, or to show the slightest foundation for his opinion that others know what the contents of our report will be. No, sir; this question is now presented for the first time, and, although we do not court the inquiry, for reasons which must be manifest to others, yet we shall not shun it if the senate really desires to secure the public records of the country against the open exercise of lawless power or secret frauds.

Mr. Walker said that there was at least one objection to the motion, as it now stood, of the senator from South Carolina, (Mr. Calhoun), which he thought it proper to state to the senate. That motion asked to be considered by a committee of the senate "the expediency of providing proper measures for the safe keeping of the journal of the two houses." Now are we not attempting by this motion to assume jurisdiction in relation to a matter over which we have no constitutional control? The constitution says "Each house shall keep a journal of its proceedings." What right then has the senate to direct the proper measures for the safe keeping of the journal of the other house? Each house is to keep a journal only of its own proceedings. What right then have we to direct the method in which the other house shall keep its journal? The constitution requires two journals to be kept, one by each house; journals that are distinct and separate; journals that the constitution requires to be kept distinct and separate, and by different journals; and yet we are asked to blend these journals into one by a new species of political fusion, and direct the mode in which the other house shall keep its own journal, in defiance of a clear constitutional provision, conferring upon each house separately the sole prerogative of keeping its own journal. This distinction cuts deeper into the question of the expunging resolutions now before this body, and conceded to be sought to be reached by this motion, than perhaps the gentleman from South Carolina supposes. This distinction (sought to be broken down by the adoption of this motion) demonstrates that each house has the exclusive control over its own journal, and can alone direct the manner of keeping the journal of its own proceedings. The manner of keeping each of these journals is to some extent designated by the constitution, and the very distinction which Mr. W. said he had alluded to demonstrated that to keep

a journal of our proceedings meant only to note down an account of our proceedings from day to day; for, had the constitutional provision related to the preservation of a journal of both houses after it was made, it would not have left this direction to the mere naked operation of a separate rule of each house after the journal of the two houses was made. The whole direction is to make a journal, and the manner in which that shall be done is directed by the constitution. Each house is to make its own journal of its own proceedings; it is then to publish that journal. The direction is to publish, not to preserve, unless, indeed, publishing the journal was considered the best mode of preserving the journal. Had the direction, indeed, been to congress to keep a journal of its proceedings by the operation of some law to be made in pursuance of a constitutional injunction, then, indeed, might there have been some ground to contend that to keep a journal meant to preserve a journal already made. But as the constitution now stands, every moment that the secretary is noting down our proceedings here, from day to day, he is fulfilling for us the constitutional injunction upon the subject of keeping a journal. If this clause in the constitution had any other meaning, and some law were required upon a subject that is confided to the exclusive separate authority of each house, it is most extraordinary that the discovery is just now made after the lapse of nearly half a century since the adoption of the constitution. No law is required, none can be made, to direct the manner in which we shall keep our own journal. But the resolution of the gentleman from South Carolina contemplates "legal enactments;" enactments which that gentleman has conceded are designed to operate upon this body, and to prescribe the mode in which it shall keep its own journal; legal enactments to interfere with a subject confided by the constitution to the exclusive separate control of each house. Mr. W. denied the constitutionality of any such enactment. This direction as regards keeping a journal was, in that section of the constitution, designating only the separate powers of each of the two houses, not their legislative powers in their joint capacity as the congress of the United States. As well might you attempt to legislate, as regards our sole power to judge of the qualifications of our own members, or the determination of our own rules of proceeding, as to regulate by law the manner in which we shall keep our own journal. Mr. W. said he should, therefore, oppose the adoption of this resolution.

Mr. Ewing, of Ohio, said he thought the doctrine advanced by the senator from Mississippi somewhat extraordinary. I cannot, (said Mr. E.) comprehend how a law to preserve our journals, which the constitution requires us to preserve, can be a violation of the constitution. It is very true congress has no power to pass a law directing how we shall keep the journal, nor what we shall enter upon it—for that matter is entrusted by the constitution to each house of congress for itself; but I really cannot comprehend wherein the resolution proposed by the senator from South Carolina militates against that constitutional provision.

Mr. Walker explained that the resolution of the gentleman from South Carolina went further, at least to the safe-keeping of the journals of the other house, with which we had nothing to do; and as regards any legal enactments in regard to our own journal, it was conceded by the gentleman from South Carolina, that his object in this resolution was to prevent by law any expunging of our own journal, by any order even of this body; that he sought to regulate by law the manner in which we should keep our own journal, and, therefore, the object thus embraced in this resolution was at least so far unconstitutional.

Mr. Ewing resumed. The senator from South Carolina has very well observed that our records are now unprotected against any act of violence that any one may choose to perpetrate upon them. If an individual not at all connected with the senate, or with the keeping of the records, should lay hands on them, and violently destroy or deface them, what could the senate do? Punish him for a contempt, if done in the face of the body in session; if done at any other time, we are wholly powerless. One gentleman has said the constitution is a sufficient protection of the records. How so? Where is the penal sanction for destroying what it requires should be kept? There is none. No indictment could be framed under it, for the common law has no effect in this union in cases of crime. So far, then, from such a law as is proposed violating the constitution, its effect would be to enable each house of congress more effectually to protect and preserve what the constitution requires them to keep. It would be placing a guard, by law, around those records which the constitution says shall be preserved.

As to the effect of such a law on the resolutions of the senator from Missouri, it depended wholly on the constitutional power of this senate to destroy or obliterate the records of the last. If they have the power under the constitution, the order of the senate would justify the secretary in making the erasure. If we have no such power, he would be criminal, notwithstanding such order.

Mr. E. said he was under the impression that the public records of all the states were protected by law. He was very certain that they were so protected in Ohio, and that to alter or deface them was a crime. He saw no reason why the same protection should not be extended to the records of the general government.

Mr. Shepley here moved to lay the resolution on the table, and this question was decided in the affirmative, as follows:

YEAS—Messrs. Benton, Cuthbert, Ewing, of Illinois, Hendricks, Hill, Hubbard, King, of Alab. King, of Georgia, Linn, Morris, Nicholas, Niles, Rives, Robinson, Shepley, Tallmadge, Walker, Wall, Wright—19.

NAYS—Messrs. Black, Calhoun, Clay, Crittenden, Davis, Ewing, of O. Kent, Knight, Mangum, Moore, Robbins, Southard, Swift, Tomlinson, White—15.

#### PENNSYLVANIA LEGISLATURE.

House of representatives.

REPORT OF THE COMMITTEE.

The committee charged to inquire into the circumstances of the attempt alleged to have been made by Henry W. Conrad, a member of the house of representatives, from the county of Schuylkill, corruptly to influence and bribe the vote of Jacob Krebs, a member of the senate, from the senatorial district, composed of the counties of Berks and Schuylkill, in reference to the bill entitled, "an act to repeal the state tax on real and personal property, and to continue and extend the improvements of the state by rail roads and canals, and to charter a state bank, to be called the bank of the United States"—Report

That they have carefully examined into all the facts connected with the transaction referred to in the resolution, and caused to be reduced to writing the testimony of all the witnesses examined, which is herewith transmitted for the consideration of the house. It appears from the testimony, that on the tenth day of February, ult. Jacob Krebs, a member of the senate, stated in writing to the senate as follows:—

"About the 30th of January last, or the 1st of February inst. Henry W. Conrad, esq. told me that I would be made independent, if I would vote for the bill chartering the bank of the United States; that I could for certain get twenty thousand dollars, and that if I agreed to do so, that Burd Patterson would make the arrangement with me for the same; and that I could get it in two weeks after the bill had passed into a law. I told him that the United States bank had not money enough to buy my vote."

He was subpoenaed as a witness before the committee, and repeated the same statements under oath. The representation originally made by him to the senate, and in earlier communications, to his constituents and others, were calculated, and without doubt intended to induce the belief that the bank of the United States, through its agents, had endeavored to procure a charter by dishonest and dishonorable means, consummated by an attempt, if not an actual purchase of one or more members of the legislature. The committee deem it of great importance to ascertain whether the bank were guilty of such attempt, and if not, whether the propagation of such belief arose from honest ignorance or wilful misrepresentation. If the bank of the United States and its agents were guilty of such corruption, it and they merit the unmingled indignation of the public. If they be innocent, and any member of the legislature rashly and ignorantly not only charged them with it, but thereby laid open to suspicion the conduct of many members of the legislature, it would be difficult for the most enlarged charity to look upon him without abhorrence. But if such slander were the result of deliberate and wilful design, its author deserves to have a mark fixed upon him, that hereafter he may be known whenever he walks forth among honest and confiding men.

The testimony proves that, while the bill referred to was pending before the legislature, Henry W. Conrad informed Mr. Krebs, "that fortune awaited him; that if he would vote for the bank bill, he could retire from public life independent; that he could receive 20,000 dollars for his vote in two weeks after the bill became a law; that Burd Patterson was ready to make the arrangements with him." Such was the testimony of Mr. Krebs, who swore that, at the time, he believed Mr. Conrad serious in the proposition; from what he has since heard him say on the subject, he believes him serious in the assertion, that he was authorised to make such proposition; but says that he did not consider Mr. Conrad as desiring him to accept the offer. Mr. Conrad has produced evidence to prove that he had no desire, and did not attempt to induce Mr. Krebs to accept the bribe, although he admits that he communicated to him such an offer; and has taken especial pains throughout the whole investigation to prove, and has fully satisfied the committee, that he repeatedly and earnestly asserted and attempted to make others believe that such a proposition had been made to him, and that efforts were making by the bank to bribe the senate.

No testimony has been produced to create the slightest suspicion that the bank ever authorised any person to make any such overture; or that it ever was made to Henry W. Conrad by Mr. Patterson or any other person. On the other hand, Mr. Patterson, whose character for truth is unimpeached, and who is proved and admitted to be a gentleman of proverbial honor and honesty, unequivocally denies ever having said any thing to Mr. Conrad which could be mistaken for such a proposition; and he as positively asserts that he never had any agency from or in connection with the bank of the United States. His testimony is corroborated by Mr. John Weaver, a witness called by Mr. Conrad, who was present at the conversation between Mr. Patterson and him.

The committee are therefore constrained to declare their belief, that the allegation made by Mr. Conrad, that he was authorised by Mr. Patterson, or any other person, to tender to Mr. Krebs any pecuniary reward or personal advantage as the consideration for his vote, is wholly destitute of truth, and the mere fabrication of Mr. Conrad. Nor can they believe that at the

time he first made the declaration to Mr. Krebs, he intended to be understood, or was understood by Mr. Krebs, or by those who heard him, as *seriously* attempting, or asserting that others would attempt corruptly to influence the vote of the senator.— It was said in a jocular and rallying manner, in a public tavern, in the presence of six or eight gentlemen; the whole conversation was in so loud a voice as to be distinctly audible in the adjoining bar-room, which was filled with company, and the door between the two rooms open. It is hardly credible that men of common prudence would seriously make a corrupt proposition under such circumstances; or that it could be so understood by discreet men. This opinion is corroborated by the neglect of Mr. Krebs, for ten days to communicate the facts to the senate; and then only doing it after a vague rumor of their existence had reached that body from the distant county which he represents, and upon a formal resolution calling upon him for information. Had he believed such attempt to be serious his duty required him promptly to bring the matter before the senate, and demand the punishment of the principal and the agent. And his honor and integrity could not fail to be deeply compromised by his failure to do so. Equally imperative also was it on Mr. Conrad to have informed the house of the foul attempt to make him the corrupt agent of so iniquitous a transaction, that the offender might be dealt with according to his merits.— To suppose that Mr. Conrad had received such a proposition, or that Mr. Krebs so believed, and yet concealed it from the legislature, would argue them so insensible to the insults of corruption, and be so high an impeachment of their characters, as to deter the committee, without convincing proof, from coming to those conclusions. They, therefore, unequivocally acquit Mr. Conrad of the charge of attempting to bribe Mr. Krebs, or of having become, or being desired to become an agent for that purpose. And they regret that such acquittal involves him under the evidence before them, in the conviction of practices no less iniquitous, and guilt no less censurable than bribery itself; and they withhold the same remark from Mr. Krebs, for no other reason than want of jurisdiction over him.

The committee believe that a deliberate plan was concocted beyond the limits of Pennsylvania, to control the deliberations of the legislature by the pressure of the people acting under an excitement created by incendiary falsehoods, sent forth upon responsible authority, charging the bank with bribery, and the senate with interested treachery. And it is much to be regretted that fit instruments for the execution of such a plot, were found among the representatives of the people, who were willing not only to tarnish the character of the legislature of this commonwealth but to sacrifice its interests to the unprincipled dictates of PARTY. In the prosecution of such design, as is believed, Mr. Krebs wrote to his friends in Schuylkill under date of the 20th of February, 1836, the inflammatory letter which accompanies the testimony; in which he stated "that he had been called upon often by men in favor of the bank, and that he could have had \$20,000 for his vote." He testifies that when he wrote this letter, he knew that a meeting was about to be held in Schuylkill county, in which he designed the letter to be read. Charles Frailey, to whom it was directed, testified that he received another letter from Mr. Krebs, by the same mail, requesting him to read the "letter" to the meeting, but not to allow it to be made a part of their proceedings. Thus evidently intending to produce a violent impression upon the public mind, and conceal the cause, that it might appear to be the spontaneous indignation of the people against the provisions of the bill, and to prevent, by concealment, the detection of the falsehood.— Mr. Conrad, about the same time, had occasion to visit Schuylkill county, when he repeatedly asserted that he and Mr. Krebs were offered bribes of 20,000 to support the bill. He even went so far as to point out on a printed list of senators which he hung up in a public house at Pinegrove, the names of eight senators who had voted for the bank bill, and who he said were "NOT BORN OR BRIBED." The contents of the letter thus written by Mr. Krebs, and the declarations of Mr. Conrad, come to be shown at Harrisburgh, and Mr. Krebs prevailed upon to make a similar statement for publication, which was extensively circulated in handbills throughout the state. Hitherto the name of the agent had not been given by Mr. Krebs, and it is extremely doubtful whether at the time he wrote his "letter," he had any particular person in view. Certain it is, that had he named Mr. Conrad as the agent, the plot would have failed of effect and been deemed ridiculous, as he belonged to the same political party with himself, and had been, and was a uniform and intemperate opponent of the bank. But when the charges which he had sent forth were discovered, and he was called upon to answer for them before the senate, he took advantage of the casual and unmeaning remarks of Mr. Conrad, to shelter himself from the consequences of detected calumny. And Mr. Conrad, finding himself charged with being the author as well as the propagator of the slander, attempted to divert public indignation from himself and fix it upon another, by boldly maintaining the reality of the corrupt proposition. These, as far as we are capable of judging, are the facts and the motives of the actors in these humiliating scenes; disgraceful alike to Mr. Conrad, whether we consider the proposition as having been actually made to him, and by him communicated to Mr. Krebs, but concealed from the house; or, whether we deem it a sheer invention industriously propagated for the purpose of bringing disgrace upon the bank and the senators, and of deceiving the people. Whether we adopt the former or latter supposition; whether we award the front rank in this inglorious race to him

or to Mr. Krebs, can be of but little importance; in either event, he will have acquired sufficient notoriety to secure to himself an immortality of infamy.

The committee feel great delicacy in attempting to recommend to the house the ulterior measures which it may be necessary to adopt. If we are correct in the opinion that Mr. Conrad has resorted to wilful misrepresentations to bring odium upon honorable men for the faithful discharge of their official duties, no punishment, in the power of the house to inflict, could be deemed disproportionate to the offence. Justice and self-respect would seem to require that the house should be purged of his presence. But his expulsion would create the necessity of a special election, which would be expensive and burthensome to his constituents. The committee are unwilling to recommend a measure which would involve the innocent with the guilty. They therefore submit to the house the following resolution:

*Resolved*, That on the eleventh day of March, Henry W. Conrad be placed at the bar of the house, and publicly reprimanded by the speaker.

#### REPORT OF MR. WOODWARD.

*Whereas*, Jacob Krebs, a member of the senate, has stated on the floor of the senate, that Henry W. Conrad, a member of this house, attempted corruptly to influence and bribe him to vote for a certain bill, then pending before the senate;

And whereas, if such be the fact, and such attempt were seriously made, the said Henry W. Conrad is unworthy longer to be a member of this house, and deserves to be forthwith expelled therefrom;

Therefore,

*Resolved*, That a committee be appointed to inquire into the allegation above cited, with power to send for persons and papers, and that due notice of this investigation be given to the said H. W. Conrad.

The undersigned, from the committee appointed agreeably to the above resolution, regrets that he is unable to agree with the report of the majority of the committee.

The undersigned believes that under the resolution, the committee had authority only to inquire, whether Henry W. Conrad had "attempted corruptly to influence and bribe" Jacob Krebs, a member of the senate. It is not in evidence before the committee, that Henry W. Conrad did so attempt to influence and bribe Jacob Krebs, and therefore he, the said Henry W. Conrad, is not guilty of the charge of bribery, or an attempt to influence the vote of Jacob Krebs, upon the bank bill. The undersigned believes that from the resolution, the committee had no right to inquire further into the conduct of Henry W. Conrad, than it was identified with the allegations set forth in the resolution; and although he has not had the opportunity of examining the evidence as taken by the clerk of the committee, he feels justified in saying from his recollection of the evidence, that at the time the attempt to bribe Mr. Krebs, (as alleged in the resolution), Mr. Conrad had no intention to influence the vote of Jacob Krebs, upon the question of the bill to which the resolution refers.

The duties of the committee being specific, as the resolution which created that committee shews, it could not be expected of the committee to inquire further of the conduct of Henry W. Conrad, than was plainly understood by the language of the resolution; and, in the opinion of the undersigned, the inquiry should there have stopped.

But after having the evidence of Mr. Krebs, and the evidence of Messrs. Irish, and Ulrich and other witnesses, that Mr. Conrad did not attempt to bribe or influence the vote of Col. Krebs, Mr. Conrad offered testimony to prove that he was serious in his charges, that the friends of the bank had bribed, or bought the votes of some senators, for the bill in which the United States bank is re-chartered.

In the opinion of the undersigned, H. W. Conrad ought to have let the house (of which he is a member) know that Burd Patterson had offered him, or through him, Jacob Krebs money if the bank bill passed. If Burd Patterson ever made an offer to Mr. Conrad or any other member of the house, when he made such offer he was in contempt of the house, and it was the imperative duty of the member to whom such an offer was made, to inform the house, and in the opinion of the undersigned, Mr. Conrad is highly censurable for not letting the house know that Burd Patterson had made the offer if the bank bill passed. The undersigned will refer the house to the testimony, from which all can form an opinion. But while he would rejoice and congratulate the house, as well as the friends or enemies of the bank, upon the fact, that the supposed or alleged bribery, originated with Henry W. Conrad or Burd Patterson, and with them it rests that neither the friends or enemies of the bank, are chargeable as a body, party or association, with an attempt at bribery, or to influence the vote of any one.

The undersigned, therefore offers the following resolution: *Resolved*, That for the unguarded expressions, out of the house, in relation to the bank bill—the impressions he intended to carry to the public, but which were unfounded, that the bank had attempted to bribe a member of the senate, Henry W. Conrad is censurable as a member of this house.

NATH. A. WOODWARD.

#### REPORT OF MR. DEWART.

The undersigned, one of the committee appointed to inquire into the allegation, that H. W. Conrad, a member of this house,

attempted corruptly to influence and bribe Jacob Krebs, a member of the senate, to vote for a certain bill then pending before the senate, dissents from the report of the majority of the committee, and submits the following reasons:

I have carefully attended to all the evidence adduced in support of the charge against Henry W. Conrad, and given it that reflection which the importance of the subject required. However much I may feel disposed to disapprove of his conduct, yet I cannot see any thing in the evidence which would warrant me in coming to the conclusion that he designed or attempted corruptly to influence or bribe Jacob Krebs, a member of the senate, to vote for a certain bill then pending before that body: on the contrary, I believe the evidence established just the reverse, the said Jacob Krebs, having denied, on oath, that such attempt was ever made by the said Henry W. Conrad. I therefore have come to the following conclusion, that the said Henry W. Conrad is not guilty as charged.—Therefore,

Resolved, That Henry W. Conrad be and is hereby discharged; and

Resolved, further, that the committee be discharged from the further consideration of the subject,

All of which is respectfully submitted,

LEWIS DEWART.

Harrisburgh, March 9th, 1836.

#### THE REPRIMAND.

The following is the reprimand pronounced by the speaker of the house of representatives of Pennsylvania, upon Henry W. Conrad, the hero of the celebrated bribery case. We can scarcely conceive of a situation more replete with all the elements of mortification than that of Mr. Conrad. He has resigned since.

“Henry W. Conrad—This is the day on which I have been directed by the representatives of the people of Pennsylvania, publicly to reprimand you for a violation of the duties which in their opinion, are due to them and our common constituents. I need not say that it is to me a source of deep regret, that any member of the legislature of Pennsylvania, should be placed in the relation to the house, and the country which you occupy, and that my official station compels me to execute the judgment of your fellow members. The judgment has been deliberately formed, after having fully heard your case, and the result is, that you have been found guilty of an attempt to mislead public sentiment at the expense of the character and reputation of the legislature of our commonwealth, and vilify and calumniate grossly, those with whom you were in the habit of daily communion. The object of the evidence offered by you to the committee, was to show that the conversation you had with the senator from Schuylkill, was purely local, and that you so considered it. Supposing it to be, it has seemed to this house, that your subsequent conduct, in representing that an attempt to bribe a member of the legislature, has been seriously made, and your repeated assertion in public places, that senators and representatives had been bribed was in utter dereliction of your duty as a man of honor, and an abandonment of that high integrity and purity of purpose which should distinguish a representative of a free and honest people.

“Had not the public mind been disabused, and the antidote of truth met and subdued the venom which a combination of designing men had endeavored to circulate, the most disastrous consequences must have ensued; confidence in the purity of popular representation would have been destroyed; great enterprises of public benefit arrested; the character of the commonwealth stigmatized, and the triumph of those at home and abroad, who would rejoice to see your native state degraded from her primary rank in the union, and subjugated to pernicious influences from abroad, would have been complete; and among the active agents in this disgraceful conspiracy you would have been found. It is a source of gratitude to every honest freeman in Pennsylvania, that such success was not achieved, but the pleasure which such a result occasions, is greatly qualified by the conviction which has been forced upon us, that you at least, are entitled to no exception from the emphatic condemnation to which a share in this wicked and disgraceful scheme justly subjects you. It is not necessary that more should now be said on this painful subject, and in mercy to your feelings, I readily abridge my part in the painful exhibition of this day. In conclusion, in obedience to the order of the House, in the name of the people of Pennsylvania whose representatives we are, and whom, through us, you and your confederates have traduced; I solemnly and emphatically reprimand you.”

From the Harrisburgh Reporter and State Journal.

On Friday last, Mr. Conrad, in the exercise of his privilege as a member, presented to the house the following protest against the unwarrantable punishment decreed to be inflicted upon him, on account of his opinions of the motives which induced certain senators who were elected as anti-bank democrats, to vote for the recharter of the United States bank:

The undersigned respectfully begs leave to place the following statement of facts in relation to himself, and his reasons against the proceedings of the house upon the subject, on the Journal of this house.

On the eleventh day of February last past, the house adopted the following resolution:

“Whereas, Jacob Krebs, a member of the senate, has stated to the senate, that Henry W. Conrad, a member of this house,

attempted corruptly to influence and bribe him to vote for a certain bill, then pending before the senate: And whereas, if such be the fact, and such attempt were seriously made the said Henry W. Conrad is unworthy longer to be a member of this house, and deserves to be forthwith expelled therefrom.—Therefore,

“Resolved, That a committee be appointed to inquire into the allegation above cited, with power to send for persons and papers, and that due notice of this investigation be given to the said Henry W. Conrad.”

Under this resolution, the committee proceeded to investigate the subject; and acquitted the undersigned most unequivocally of the charge contained in the above resolution. They proceeded, after having thus acquitted him of the alleged offence, to inquire into other matters not embraced in the above resolution, of which neither he nor the house had the least notice, and reported a variety of charges and insinuations against the undersigned, which he firmly believes to be untrue in point of fact, not warranted by the evidence in the case, and concerning which the house had not authorised them to make any inquiry. Founded on this report, the committee introduced the following resolution:

“Resolved, That on the 26th day of March, Henry W. Conrad be placed at the bar of the house and publicly reprimanded by the speaker.”

The house have adopted it by a minority vote, and the undersigned has been duly notified thereof.

Against this proceeding of the house, he now respectfully asks to enter his solemn protest:

Because, the committee had no authority to make such report, or introduce such a resolution:

Because, the charges are not specific, nor does any one of them amount to an offence or a contempt against the dignity of this house:

Because, the alleged offences, if any, are against the senate or some of the members of the senate, and not against this house or any matter before it:

Because, the alleged words spoken, were not in the presence of this house, nor relating to any thing before it, nor about it, are not in contempt or violation of its rules:

Because, the words charged to have been spoken, if true, as reported, were nothing more than an honest expression of the undersigned's opinion, and this right is guaranteed to him by the constitution of his country, and every principle of liberty:

Because, for an offence committed out of this house, not relating to it, or its members, expulsion is the only punishment which this house can inflict; and to reprimand, or attempt to reprimand, would be a palpable usurpation of power and violation of the constitution of Pennsylvania.

For these reasons the undersigned denies the power of the house to punish in the manner proposed, and begs leave to inform the house that he protests against being made the instrument for this house to violate the constitution, wrong his constituents, and to render insecure for all time to come the rights and privileges of the representatives of the people in this body.

He is unwilling that his case shall stand silently on the journal of this house, as a precedent, which may hereafter be used for the worst and most dangerous purposes, without proclaiming at the same time, his reliance on the constitution of his country as the safeguard of his rights. If that fails him, he submits with confidence to the tribunal of public opinion, the judging of this vitally important question.

HENRY W. CONRAD.

House of representatives, March 25th, 1836.

Mr. Stevens moved that this protest be entirely rejected, and was sustained by the house, by a party vote of 53 to 23.

Yesterday, (Monday), Mr. Conrad sent in his resignation in the following terms:

To *Ner Middleswarth, esq. speaker of the house of representatives:*

SIR: The house of representatives, of which I am a member from Schuylkill county, appointed a committee on the 11th of February last, to inquire into my conduct on a certain charge. On that charge the committee acquitted me, but reported a resolution to reprimand me for certain “practices” concerning which it was not directed by the house to make inquiry, and based that resolution on certain facts contained in the report. These facts in all material respects I believe to be unfounded, and the right of the house to pass such a resolution altogether questionable. The house nevertheless passed the resolution. I was forcibly arrested by your sergeant at arms, brought to the bar as a criminal, reprimanded by the speaker in terms of unusual severity, and I now feel that my constituents are humbled and degraded in my person to a degree which neither they nor I can tranquilly bear. I was also denied the right of placing on the journal of the house, my reasons against its proceedings. I am anxious that my constituents shall be represented by a member who can be heard in their behalf, and who is known to possess their confidence. I therefore respectfully resign my seat in the house of representatives, so that another election may be immediately held to fill it by the adjourned session, and my own character and conduct I cheerfully submit to the scrutiny of my constituents. Respectfully yours, &c.

HENRY W. CONRAD.

Harrisburgh, March 28, 1836.