

TWENTY-FIFTH CONGRESS.

HOUSE OF REPRESENTATIVES.

FRIDAY, JUNE 1.—In Continuation.

INDIAN HOSTILITY APPROPRIATION BILL.

The House, having gone back into Committee of the Whole, resumed the consideration of this bill, and the amendment of Mr. Bell, which was pending when the interruption already described took place.

Mr. BELL resumed the course of his speech in reply to his colleague, (Mr. TURNER,) and in vindication of his past political conduct and character. He dwelt with much particularity and emphasis upon the attempts which he alleged had been made, for some years, by political opponents at home, to destroy him politically; and, having completed his remarks, was followed by Messrs. Halsted and Underwood, in opposition to the bill as reported, and in favor of the proposed amendment.

After they had finished their remarks, the House grew impatient, and loud cries of "Question!" were reiterated from all parts of the Hall.

The question was then taken on the following amendment of Mr. Bell, and it was adopted by yeas 74, nays 77. To the end of the bill as follows:

Resolved, That, if the President shall ascertain that all disaffected and further opposition on the part of any portion of the Cherokee Indians to the treaty of eighteen hundred and thirty-five can be allayed or avoided, by allowing an additional compensation for the lands ceded to the United States by the said treaty, said that the Government may thereby be saved the expense of keeping on foot the large military force in the Cherokee country now contemplated, he is hereby authorized to apply two millions of the sum appropriated by this act to the said treaty.

As soon as the vote on this amendment was announced by the CLERK, Mr. CAMBRELENG rose, and said he must insist upon another course there.

The CHAIR said such a course would be irregular.

Mr. CAMBRELENG hoped that some gentleman who had voted for it, as he had no doubt many had done, under a misapprehension, would move to reconsider the vote.

Mr. EVERETT expressed the hope that the chairman of the Committee on Indian Affairs would bring forward the amendment introduced by order of that committee.

Mr. ANDERSON moved to reconsider the vote by which the amendment above mentioned was adopted.

Mr. DROMGOOLE said it was not in order to move a reconsideration in Committee of the Whole.

The CHAIRMAN decided that it was in order to do so.

Mr. RICE GARLAND appealed from that decision, referring to the Parliamentary Manual in connection with the point of order made by Mr. Dromgoole.

Here Mr. BELL offered the following amendment, introduced by direction of the Committee on Indian Affairs:

Add to the end of the bill as follows: "Sec. 4. And he is further enacted, That the further sum of one million forty-seven thousand and sixty-seven dollars be appropriated, in full, for all the objects specified in the third article of the supplementary articles of the treaty of eighteen hundred and thirty-five, between the United States and the Cherokee Indians, and for the further object of aiding in the subsistence of said Indians for one year after their removal west; Provided, That no part of the sum so appropriated shall be deducted from the five millions stipulated to be paid to said tribe of Indians by said treaty: And provided further, That the said Indians shall receive no benefit from the said appropriation, unless they shall complete their emigration within such time as the President shall deem reasonable, and without coercion on the part of the Government."

Sec. 5. And he is further enacted, That, for satisfying all claims for arrearages of annuities, for supplying blankets and other articles of clothing for the Cherokees who are not able to supply themselves, and which may be necessary for their comfortable removal, and for medicines and medical assistance, and for such other purposes as the President shall deem proper to facilitate the removal of the Cherokees, one hundred thousand dollars.

Mr. R. GARLAND withdrew his appeal upon the point of order.

Mr. ANDERSON withdrew his motion to reconsider.

Mr. WISE said that it was his intention, before the bill passed through the Committee of the Whole, to reply to the gentleman who had preceded him on the Cherokee part of the bill. But, as the desire of several friends, who were desirous that the question should be taken in committee, he had foregone his intention. He had had something to offer, moreover, in relation to the amendment proposed by Mr. WISE, and he had intended to do so, but, by way of bearing himself out in this discussion—that the war in Florida was conducted in its inception, more wicked in the manner of conducting it, and most of all, disastrous in its results; that it was disgraceful to the country—a brutal and inhuman war, costing the Government millions of its treasure, and the country some of its best blood. Such had been his intention, and he had intended to do so, but, as the question! from all parts of the Hall, he would not then detain the committee.

The cries of question! were here renewed, more loudly than before.

Mr. CUSHING took the floor.

Question: Question! on all parts of the House. Mr. CUSHING proceeded to point out a clerical error in the second section of the bill.

The CHAIR gave notice that it should be corrected. The question was then taken on the amendment offered by the direction of the Committee on Indian Affairs, which was adopted without a division.

Mr. CAMBRELENG then moved that the committee rise and report the bill with the amendments; which motion prevailed, and the Speaker having resumed the chair.

Mr. CAMBRELENG hoped that the amendment offered by Mr. Bell, as for himself, and adopted in committee, would not be accepted. He moved that it be adopted by itself. The others, he hoped would be considered. The objection to the amendment to which he took exception, to reduce the appropriation for that part of the Army stationed in the Cherokee country, to keep the peace there, \$2,000,000, upon the assumed ground that the Florida war was not over. It was now the first of June, and he would ask gentlemen what portion of that is now asked for the appropriations for the Army in Florida, for the first half of this year, could be cut off? Nor could he cut it off, that there was any safety or propriety in cutting off any portion of the Cherokee branch of the appropriation. There was, as he learned by letters received by gentlemen upon that floor, already great danger of collisions between the Indians of the Cherokee country and the whites, and he could not believe that the proposition of Mr. Bell had been voted upon, and he would not vote for it.

Mr. HARPER, from the same committee, reported, without amendment, Senate bill No. 108, for the relief of the legal representatives of Henry Fisher, deceased.

Mr. HARLAN, from the Committee on Private Land Claims, reported a joint resolution for the relief of the widow and other heirs in law of Alexander Hamilton, deceased.

A communication was received from the Secretary of War, transmitting a report of the Commissioner of Indian Affairs, in conformity to the resolution of the United States, in relation to the valuation of improvements, and the amounts paid thereon under the Cherokee treaty of 1835.

Mr. GREENELL submitted the following resolution, and the rules being suspended, the same was agreed to by the House:

Resolved, That all private bills providing for pensions or payments to the widows of officers and soldiers be added to the special order of assignment for their consideration.

SPECIAL ORDER OF THE DAY—REVOLUTIONARY CLAIMS AND NAVY PENSIONS.

The House, in pursuance of the special order of the 29th ult., resolved itself into a Committee of the Whole House, (Mr. Elmore in the chair,) on the bills reported from the Committee on Revolutionary Claims, and on the other bills included in said order; and having considered them, severally reported to the House the following bills, which were ordered to be engrossed and read a third time on Monday next:

A bill for the relief of the heirs of Apollis Cooper.

A bill for the relief of the heirs of T. P. Harrison.

A bill for the relief of the representatives of Francis Taylor.

A bill for the relief of Moses Van Campen.

A bill for the relief of Levi Chadwick.

A bill for the relief of the heirs of C. T. Knowlton.

A bill for the relief of the representatives of Lathrop Allen.

A bill for the relief of the representatives of John De Treuille.

A bill for the relief of the heirs of Crocker Sampson.

A bill for the relief of the representatives of Captain James Purvis.

A bill for the relief of the representatives of Tarlton Woodson.

A bill for the relief of the representatives of Dr. Chas. Taylor.

expended for their removal; if conciliated, then the same, comparatively small, now proposed by this amendment, would be expended honorably and nobly. He would leave the choice between these courses to all who had the hearts of men, and he could not believe they could hesitate which to choose.

From the first, all his sympathies had been with the Cherokees. He had never viewed this New Echota transaction as a treaty. Had the Senate in the Senate of the United States when it came before them for ratification, he would not have voted for it as a treaty; it might as a law, upon the ground that Congress has a right to extinguish the Indian title to lands within those States, he might have gone for it. And he would moreover say, that, never from the day that Columbus discovered America till this time, had there ever been so sad a wastefulness of a treaty made with any of the aborigines as this very treaty. Put up at auction, the few simple of all the Cherokee lands could not yield so much, by a great deal, as this arrangement contemplates, even and above the consideration that a fine territory also awaits them west of the Mississippi. But all these considerations did not make this arrangement any more palatable to him than a high eulogy on the character of John Ross, the Cherokee chief, and upon the people of that tribe generally, to whose rapid advance in learning and civilization he paid a handsome tribute. Differing as he did, and as he ever should, in most points, so long as that officer kept his present political associates, he still honored the Secretary of War for having written his recent communication to the Cherokee delegation.

Mr. T. concluded, by avowing his readiness to vote the additional sum proposed in the amendment under consideration, not only to quiet the Cherokees, but his own conscience; and by declaring that he looked with no little apprehension upon the effects of the policy suggested by the amendment, every element of fury and revenge. He would rather that these people should go there with kindness in their hearts toward the whites, as friends, not as deadly foes.

Messrs. UNDERWOOD, HOWARD REED, CAMBRELENG, POPE, McKAY, and PENNY-BACKER followed in a desultory debate upon the effect of adopting the amendment of Mr. Bell and that of the Committee on Indian Affairs together. Their remarks were mostly inaudible to the reporter, such had become the confusion and disorder in the Hall.

Mr. WISE said he had foregone to say what he had desired, in Committee of the Whole, with the understanding that there was to be no more debate upon the bill in the House. Every body seemed to know all about it, and to be perfectly prepared to vote. During the debate in committee, gentlemen had gone whithersoever they saw fit, and had left their seats vacant day after day. Just at nightfall they had now assembled to vote on the bill and the amendments proposed, and no two of them could now agree, as to the merits of the amendments of the character of the bill. And so, said Mr. WISE, we must begin this whole debate over again. For himself, he had matter enough upon his hands, in relation to the two chapters of the bill, the Seminole and Cherokee chapters, to occupy him in a speech of several hours, yet —

[Here ensued cries of "Go on! Go on!" "Question! Question!" "Adjourn! Adjourn!" &c.]

Mr. WILLIAMS, of North Carolina, (Mr. Wise yielding the floor for the purpose,) moved an adjournment.

Mr. SHEPLER demanded the yeas and nays, which were not ordered.

Mr. PETRIKIN asked for tellers, which was ordered. And the House, at a quarter before eight o'clock, by a vote of yeas 88, nays 81, adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, JUNE 2.

On motion of Mr. CAMBRELENG, the Indian hostility bill, with all the amendments proposed thereto, was ordered to be printed.

The SPEAKER laid before the House a message from the President of the United States, transmitting the following report from the Secretary of State:

DEPARTMENT OF STATE.

Washington, May 31, 1838.

To the President of the United States:

The Secretary of State, to whom was referred the resolution of the House of Representatives of the 28th inst., in relation to the President to communicate to that House, if not incompatible with the public interests, any correspondence not heretofore communicated, between this Government and that of the Republic of Texas, and also with the Government of any other country, relating to the annexation of the said Republic of Texas to the United States; and to inform the House whether the application for the admission of that State into the Union, has been withdrawn, has the honor to report to the President, that all the correspondence between the Government of the United States, respecting the annexation of that Republic to the United States, has been already communicated to the House of Representatives, and the proposition of annexation, made by the said Government, having been disposed of in that correspondence, has not been since deemed within the control of the United States.

No correspondence upon the subject of such annexation has taken place between this Government and that of any other country.

All which is respectfully submitted.

JOHN FORSYTH.

On motion of Mr. DROMGOOLE, referred to the Committee on Foreign Affairs.

THE NEW TREASURY BUILDING.

Mr. LINCOLN again made an appeal to the humanity of the House in favor of the workmen who have been employed on the new Treasury building, and moved a resolution setting apart a portion of Monday next for the consideration of the bill for removing the walls of that building and the erection of a new Post Office.

His proposition was made to the resolution, but Mr. LINCOLN having modified it so as to set apart Friday next, from 10 o'clock till 1, for the consideration of that bill, the previous question was called by Mr. CRAIG, seconded and carried, and the resolution, as modified, was then agreed to by a very large majority. So Friday next at 10 o'clock is assigned for the consideration of the bill.

The following gentlemen obtained leave to report bills from their respective committees:

Mr. BIRDSALL, from the Committee on Revolutionary Claims, reported a bill to extend the benefits of the resolve of Congress of 24th August, 1780, to persons entitled to the same on account of the services and death of Lieut. Edward Wade, Virginia Continental line.

Mr. PARMENTER, from the same committee, reported a bill to authorize the payment of the seven years' half pay due on account of the Revolutionary services of David Gould, deceased.

Mr. HARPER, from the same committee, reported, without amendment, Senate bill No. 108, for the relief of the legal representatives of Henry Fisher, deceased.

Mr. HARLAN, from the Committee on Private Land Claims, reported a joint resolution for the relief of the widow and other heirs in law of Alexander Hamilton, deceased.

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Mr. GREENELL submitted the following resolution, and the rules being suspended, the same was agreed to by the House:

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A bill for the relief of the heirs of Crocker Sampson.

A bill for the relief of the representatives of Captain James Purvis.

A bill for the relief of the representatives of Tarlton Woodson.

A bill for the relief of the representatives of Dr. Chas. Taylor.

A bill for the relief of Thomas D. Parsons.

A bill for the relief of the heirs of James Conway.

A bill for the relief of the heirs of Wadeleigh Noyes.

A bill for the relief of Rebecca Burch, widow of B. Burch.

A bill for the relief of Dr. David Gauld.

A bill for the relief of the heirs of Major P. Holphenston.

A bill for the relief of Elizabeth Hunt, heir of Capt. Wm. Hendricks.

A bill for the relief of the representatives of Capt. J. Winston.

A bill for the relief of John Clark.

A bill for the relief of Leont. J. McDowell.

A bill for the relief of the representatives of S. O. Pettus.

A bill for the relief of the representatives of Presley Thornton.

A bill for the relief of the heirs of Garland Burnley.

A bill for the relief of the heirs of James Burton.

A bill for the relief of the heirs of Wm. Vause.

A bill for the relief of the heirs of Tarpley White.

A bill for the relief of the heirs of Wm. Gregory.

A bill for the relief of the representatives of Nathan Lamme.

A bill for the relief of Joseph Prescott.

A bill for the relief of Simon Sumner.

A bill for the relief of Capt. Samuel Warren.

A bill for the relief of John March.

A bill for the relief of Emmon Hamilton.

A bill for the relief of the representatives of Col. Wm. Fountain.

A bill for the relief of Major Wm. Langbourne.

A bill for the relief of the representatives of Richard Shriver.

A bill for the relief of Robert Ramsey.

A bill for the relief of Elizabeth Champney.

A bill for the relief of the heirs of Henry Morfitt.

A bill for the relief of Henry Hoffman.

A bill for the relief of Nicholas Verplast.

A bill for the relief of the representatives of Thomas Taylor.

A bill for the relief of the heirs and legal representatives of Nick, alias Richard Hilary.

A bill for the relief of the representatives of Thomas Wishart.

A bill for the relief of Roger Stuyver.

A bill for the relief of John Spittaham.

A bill for the relief of the representatives of James Broadus.

A bill for the relief of the widow and children of Jonathan Dye.

A bill for the relief of the heirs of Daniel Duval.

A bill for the relief of Gratis Ray.

A bill for the relief of William Cogwell.

A bill for the relief of the heirs of L. Wm. Russwurm, deceased.

A bill for the relief of the heirs of James Hackley.

A bill for the relief of the representatives of Patrick McGibbons.

A bill for the relief of the heirs of Wm. Lewis, deceased.

A bill for the relief of the representatives of Henry Fisher, deceased.

A bill for the relief of the heirs at law of Lt. Edward Wade, deceased.

A bill for the relief of Ann S. Helleman.

A bill for the relief of Mary A. Patrick.

Also, a bill to authorize issuing land warrants in certain cases.

[At three o'clock, a division of the committee disclosed the fact that no quorum was present.

A motion was made by Mr. DUNCAN to adjourn, but negatived; and a call of the House was ordered.

The list of members was called through.

Mr. MERCER moved to suspend further proceedings under the call; but the House refused.

Mr. PETRIKIN moved that the House adjourn, and the names of the members of the committee to be entered on the journal; but this motion was pronounced out of order.

Mr. ADAMS suggested it would be better to place upon the record a list of members absent.

The absentees were then called, and excuses received.

A quorum appearing, the House went again into committee, and having gone through with the reading of the bills committed to them, rose, and reported a part of the bills, and asked and obtained leave to sit again on the remainder.]

All other bills of the character of the above were either not reported from the committee, or, being partly considered, were postponed.

THE MADISONIAN.

WASHINGTON CITY.

TUESDAY, JUNE 5, 1838.

OFFICE 8 STREET, BETWEEN NINTH AND TENTH.

IN THOSE THINGS WHICH ARE ESSENTIAL, LET THERE BE UNITY—IN NON-ESSENTIALS, LIBERTY, AND IN ALL THINGS CHARITY.—Augustin.

"IN THE REGULATIONS WHICH CONGRESS MAY PRESCRIBE, RESPECTING THE CUSTODY OF THE PUBLIC MONIES, IT IS DESIRABLE THAT AS LITTLE DISCRETION AS MAY BE DEEMED CONSISTENT WITH THEIR SAFE KEEPING, SHOULD BE GIVEN TO EXECUTIVE AGENTS.—Gen. Jackson's Message, Dec. 1835.

SEE FIRST PAGE.

We cannot too earnestly call the attention of young ladies, if we are blest with any such readers, to the continued communications of our fair correspondent "R. W." who has engaged with laudable zeal in the work of reforming female education.

THE SPECIE ORDER RESCINDED—A NEW ONE PROMULGATED.

On the 31st day of May, the specie order, issued by the Treasury Department on the 11th day of July, 1836, was repealed by act of Congress, and, on the succeeding day, (the 1st of June) a new specie order was issued by the same department.

The delusive sound of all well, all's well; Peace, peace, is echoed and re-echoed throughout the country now, by the subservient followers of power. But to our mind, all's not well! nor can there be any peace, so long as insidious war continues to be waged.

The Treasury circular of the 1st inst., addressed to all Collectors and Receivers of public money, is the most extraordinary document we ever read, considering the subject which it called forth. What will the people think? Nay, what will they say, when we tell them that it is a specie circular to all intents and purposes, as much so, as the one just repealed? Such is the fact! The latter accomplished its office in a direct manner; the former accomplishes the same thing, in an indirect manner.

The Secretary, in this circular, assumes the high office of CENSOR; by pointing out what he deems "essential" to "MAINTAIN A HEALTHY STATE OF PUBLIC MORALS." From this high station, he descends far below the dignity of a Statesman and financier, to the catch-phrase slang of the expediency of giving "undue encouragement to a currency, which, by its fluctuations in quantity and value, often renders the wages of labor uncertain, gives instability to the value of property, and thus ENABLES THE ARTFUL TO ACCUMULATE WEALTH AT THE EXPENSE OF THE UNWARY." After a variety of other wanderings and meanderings, the Secretary comes at length to the object for which he issued the circular.

That is contained in the following extracts from it.

1st. It says, "You will, in conformity to the obvious intent of the resolution of 1816, take such bank notes only as are 'payable, and paid on demand in the legal currency of the United States.'"

2d. "You will receive none of a less denomination than twenty dollars."

3d. "You will not accept bank notes of any denomination, unless the same be 'payable on demand in gold and silver coin, at the place where issued,' and 'equivalent to specie at the place where' received."

4th. "You will not take the notes of any bank which, since the 4th of July, 1836, has issued 'any note or bill of a less denomination than five dollars.'"

The emphatic instructions are followed by an expression of opinion of the Secretary, as to the best and most proper manner of executing them, (avoiding, as usual, taking "responsibility" of giving definite instructions.)

He says,

"These requirements can, in the opinion of the Department, be enforced, with greater certainty, and unnecessary risk and loss more surely avoided, by confining the receipt to the notes of banks situated within your own State, and the adjoining States."

This opinion of the Secretary will be looked to by all prudent and discreet officers, to whom it is addressed, as much in the light of instructions to them, and be so regarded, as any other part of the circular. If any one should not so regard it, and by so doing, loss should ensue, we do not hesitate to say, that a court and jury could not be found in the United States, which could not, by their verdict and judgment, hold any such officer, or his surety, liable for any loss or losses so occurring, and condemn them to make the same good to the United States.

Then this new circular, operates precisely in the same manner the one just repealed by Congress did, in all the States, excepting those in which there are land offices established, and a single State adjoining, which in many cases, will be one of those same States. Thus, Receivers of public land sales in the State of Missouri, may receive the notes of the State Bank of Missouri, and of the State Bank of Illinois; and so vice versa.

It works a total prohibition to the receipt of the notes of the banks in all those States, in which there are not land offices, or do not adjoin such States, to the extent of one for each.

How is it to operate on the banks whose notes are not permitted to be received under it? How operate on the people of those States? We will show. The farmer or laborer, who from the sales of his produce, or from his monthly wages, has accumulated a sum sufficient to enable him to enter a quarter section of land, and has carefully laid it away as he acquired it, in five or ten dollar notes, must first go to the banks and exchange them for notes of twenty dollars and upwards, which he then goes and pays into the hands of the Receiver for the land he enters.

What is the Receiver to do with those bank notes? (The circular furnishes evidence that it is intended he shall be the Sub-treasurer or depository of the moneys received by him until drawn for.) Can it be in-

tended, or even expected, that these notes are to be held by the Receiver until the warrants of the Treasury Department draw on him shall be presented, and that he shall tender them in payment? Surely not. For, this would be adopting and carrying into practice the last part of Mr. Clay's resolution, as it was originally offered by him, of which the report of Mr. Wright thus spoke:

"This part of the resolution has, at least, the merit of being new, and is not, like both the other portions, a repetition of any previous action of the Senate during its present session. So far as the observation of the committee has extended, it can claim greater novelty, as they have not found any previous proposition made to Congress to compel the disbursement of bank notes in payment of the public dues. On the contrary, they have found numerous propositions, and several laws, to restrain, limit, and even prohibit, disbursements in such a medium."

Then the intention of the Government is to call on the banks that issued the notes thus received to pay them in specie. It will be carrying into practice the plan suggested by the President in his message at the extra session, wherein he said; "It is true that bank notes actually convertible into specie may be received in payment of the revenue without being liable to all these objections, and that such a course may, to some extent, promote individual convenience—an object always to be considered when it does not conflict with the principles of our Government or the general welfare of the country. If such notes only were received, and always under circumstances allowing them EARLY PRESENTATION FOR PAYMENT; AND IF AT SHORT AND FIXED PERIODS THEY WERE CONVERTED INTO SPECIE, TO BE KEPT BY THE OFFICERS OF THE TREASURY."

Can any one fail to perceive, that the new circular has been framed especially to carry out these views of the President? Any bank, which issues notes knowing that it will be called on in a "short period" thereafter to redeem the same in specie, will promote its own convenience by paying out the specie at first, in place of bank notes. Therefore, we think we have conclusively proven, that the new circular is to perform precisely the same office the old one did, (which was so odious, and so universally condemned,) only in another form. Let us tell those who voted to repeal the specie circular the other day that, although the Secretary of the Treasury may paint an inch thick to hide it, to the above complexion they must come, unless they avoid it by again raising their voices. We ask the people to look at this part of the circular, and weigh well its import. Says the Secretary, "However desirable it may be, it is not believed this department can find a sufficient warrant in the proceedings of