sessions, at an expense to the people of the nation of some millions of dollars. As an evidence of the opinion of this infamous and illegal squandering of the public money, I send you an extract taken from a speech made by Senator Benton in 1839, before one of the partners of the Globe purchased the right of Matthew St. Clair Clarke to the massive work called "The Documentary History of the United States." Since this purchase, Mr Benton has not been heard in opposition to a principle that he here denounces as "abominable," "infamous," and "frightful." Rives and Force have received hundreds of thousands already for this miserable, almost useless, work; but, like Oliver, they are still asking for more. The books are now actually forced upon members, although no appropriation has been made for their purchase. But read the remarks of Senator Benton:—

In the Senate on Saturday, March 2d, 1839, the bill, making appropriations for the civil and diplomatic expenses of the government for the year 1839, was taken up, and the question being on the amendment, proposed by the Committee on Finance, to strike out the appropriation for the "Documentary History," to be supplied to members, (the same now asked for by "Rives and Force.")

Mr. Thomas H. Benton, spoke at much length against the appropriation, and also against the distribution of the books, and read from reports of committees to justify what he said. He considered this whole business of printing books for members of Congress—a practice which had grown up, within a few years past, to be one of the most abominable abuses which now beset the government, and he considered this particular job as the most abominable of the whole. Taken in every way, the manner in which it was got through, without the knowledge of the most attentive members—he meant others still more attentive than himself—the enormity of the sum involved—the vast bulk and little worth of the work—and the distribution of it to the members that voted for it—and it was truly an abominable abuse. But the whole practice was wrong in itself, and was becoming an enormous abuse—enormous for the amount of money—enormous for the principle—enormous for the frightful progress which it made—enormous for the consequences it might lead to. A multitude of works have been printed and distributed. They multiply every session. We vote the money to the jobber—the jobber gives the books to us—and many of us sell the books instanter to Mr. Templeman or some other purchaser. Twenty thousand—forty thousand—sixty thousand dollars, is a common vote, and done with a rapidity which defies all description, and in a way to escape the notice of the most attentive members. But this is a case, not of twenty, or forty, or sixty thousand dollars, but of one or two millions. It is absolutely a case of millions and may be as many as the jobbers choose to make it. It is without limits or boundaries. It is also without limit as to time. It may last for centuries or generations, and the families of Mr Clark and Force may be pensioned on the Federal government for ages. It has taken six years to make one volume, and twenty volumes, even if limited to that would require, at the same rate, one hundred and twenty years to complete the work. So slow is the forthcoming work that we have been told on this floor—told by Mr King, of Georgia, who began the good work of opposing this business—that he was well informed that a member had sold his interest in the whole Documentary History, for which the country will pay a million or so, for ten dollars in hand. After alluding to the want of moral or Constitutional power in Congress to vote money for themselves, he finished by declaring that this book printing and book distributing business had become an enormous abuse—that the attention of the country ought to be roused up to it—and if the whole bill for the support of the government was lost, it would rouse the country, and in the end, save millions. For his own part he had been resisting this business for six years without any effect, for it was growing and increasing annually. But he should go on opposing it, opposing all these jobs, great and small. He had to encounter friends and foes, and to draw on himself censure and opposition. He was sorry for it, but he could not help it. The abuse must be stopped and he had taken a fixed and inexorable resolution to try and stop it. He had put on his iron nerves and should yield to neither friends or foes.

Following this speech, the question for the supply of this very documentary history for that year was defeated by a vote of 29 to 3, and the appropriation stricken from the bill.

Washington, Feb. 4.

The report of the Committee of Foreign Relations on the Texas question, was not made on Monday, as expected, on account of the indisposition of Mr. Archer. The report will be made as soon as Mr. A. shall be well enough to come to the Senate. In the mean time, by the way of interlude, quite an exciting discussion was had on a memorial from Detroit to annex the Canadas.—Memorials of this character may now be expected daily in Congress—also for the annexation of New Brunswick, and, in due time, all the States in the Western continent will be arrayed before Congress, by memorialists, for our Legislators to make their choice, and all their jewels, and their mines, and the tropical fruits, and the castles of the Alhambra, may be ours, by resolution, before the ides of March.

The President has summoned the Senate to convene at 10 o'clock on the 4th of March next, to await the pleasure of the President elect—and committees have been appointed to count the votes on Wednesday week; and the present inmates of the White House are preparing to hand over the desolate, unfurnished chambers to the care of the Commissioners of Public Buildings.

So all these events denote the near approach of the President elect.

In regard to the vote of the Senate on the present Texas House bill, it is sufficient to say it cannot and will not pass. Two of the Democratic Senators opposed to the bill, it is whispered, desire offices. One of them wants the Navy Department, and the venerable Senator from Ohio, is not very particular. The mist is not cleared away sufficient for office seekers to know Mr. Polk's Cabinet. Cave Johnson looks very knowing, but says it is not settled, and "circumstanced as he is," he can say nothing. He has become democratic usher in general for all distinguished Tennesseans and lofty aspirants. He walks into the Senate Chamber every morning, with a squad of new arrivals at his heels.

The discussion on the Post office bill is being brought to a close. The most important amendment made in committee, thus far in the bill, is the striking out the entire franking privilege. The rates of five cents and ten cents are retained, after a variety of ineffectual efforts to reduce them. The bill will not pass without the franking privilege shall be restored.

This is the night for the President's drawing room, where strangers can kill a dull evening.

Mr. Webster is here, Mr. Ogden Hoffman, Mr. Curtis, General Lamar, Colonel Walker, brother-in-law of Mr. Polk, Ashbel Smith, the big commissioner, and a variety of others. The Capitol rooms are filled every day with new comers. Among the new curiosities in the library, is the work on the Exploring Expedition, by Wilkes. It is pronounced to be a perfect failure in its history and composition, but the engravings appear to have most of the merit, excepting the music. I presume the critics will enlighten the public, after a while, on the great *brochure* of icebergs.

P. S. Since the above was written, Mr. Archer appeared in the Senate before the adjournment, and made his report against the annexation of Texas, which has been ordered to be printed.

Washington, Feb 5.

As I intimated to you, before, what would likely be the case, Mr. Benton this morning offered his substitute for his original bill, which had been laid on the table by the report of the committee on Foreign Affairs. The main features of this new proposition, which is going to unite the sections of the Senate, are, to admit Texas proper, as a State, after the terms should be agreed on, by commissioners, to be appointed from the two political parties, who shall proceed, with delegated powers to negotiate on the subject, and an appropriation of one hundred thousand dollars to be made, to defray the expenses of the mission. A motion was made to refer the bill to the committee on Foreign Affairs, which after a spirited debate, was lost, and the bill is now before the Senate to be taken up at any moment. I suppose your reporters will send you the debate.

I listened, with great pleasure, to a speech of Mr. Buchanan in the Senate to-day, on the Post office bill, in reply to Mr Allen. It was one of those occasions wherein this gentlemanly Senator is wont to be very witty and pleasant, and he is very happy in throwing spangles in the air.

Mr. Wickliffe has tendered his resignation to the President, it is understood, to take effect on the 4th of March. This perhaps was done in accordance with an intimation from the President, a short time since, that *he* thought it would be the way to do the genteel thing towards Mr. Polk. I am not apprised whether the remaining gentlemen have done the same.

Mr. Calhoun is getting convalescent. Mr. Bibb would be appointed to the bench if the Senate would dispose finally of the two nominations now before it of Walworth and King. He would be confirmed.

There is a severe winter snow storm raging, and very, very cold. I.

TWENTY-EIGHTH CONGRESS.

SECOND SESSION.

In Senate.

Washington, Wednesday, Feb. 5, 1845.

After an affecting prayer by Rev. Mr. Daily, and the rehearsal of the Journal of yesterday,

The Chair laid before the Senate a message from the Executive covering a report of the operations of the U. S. Mint and branches, for the year 1844. Ordered to be printed.

Mr. Bayard presented a petition from influential citizens of New York, asking, the abolishment of the Professorships of Mathematics in the U. S. Navy, and the fund of this branch of the service be applied to the subsistence of a Naval School—Referred to the Naval Committee.

Mr. Ashley moved that the Military Committee inquire into the expediency of increasing the pay of Military Store-keepers in certain cases, which motion was agreed to.

Mr. Huntington reported a bill relating to the duties of Collectors of the Customs—Read and referred.

Mr. Evans, from Committee, reported back the House Annual Bills for the support of the Post Office Department—for the payment of Revolutionary and other pensions, &c.

Mr. Tappan reported a bill granting certain lots in the town of Upper Sandusky, Ohio, to the new county of Wyandot—Read and referred.

MR. BENTON'S NEW TEXAS BILL.

On leave, Mr. Benton withdrew from the table his original bill, reported at the opening of the session, for the Annexation of Texas, and said that he had a new bill to propose to the Senate as a substitute.

By general consent, he proceeded to read the bill, and to offer some general observations to the Senate in exposition of its principles.

[Copy.]

A Bill to Provide for the Annexation of Texas to the United States.

Be it enacted, &c., That a State to be formed out of the present Republic of Texas, with suitable extent and boundaries, and with two Representatives in Congress, until the next apportionment of representation, shall be admitted into the Union by virtue of this act, on an equal footing with the existing States, as soon as the terms and conditions of such admission, and the cession of the remaining Texan territory to the United States, shall be agreed upon by the Governments of Texas and the United States.

Sec. 2. And be it further enacted, That the sum of one hundred thousand dollars be and the same is hereby appropriated to defray the expenses of missions and negotiations to agree upon the terms of said admission and cession, either by treaty to be submitted to the Senate, or by articles to be submitted to the two Houses of Congress, as the President may direct.

[As we understand this section, it proposes a treaty first, and the submission of such treaty for ratification to the Senate; or articles agreed upon between mutual commissioners, to be appointed by the two houses of Congress. The bill will as certainly extinguish the last hope of annexation, if the bill be adopted, as any plan that could be devised.]

Mr. Benton said the bill was substantially the same as the bill withdrawn, divested of its specific provisional conditions. He had been induced to divest the subject of all terms and all conditions, in order that the measure might, without trammel of any kind, be committed to the discretion of the new President elected by the people—and elected with direct reference to the settlement of this great question. This was due to the satisfactory settlement of annexation—and to the peace and honor of the country. The proposition of the House did not settle the question—it was a mere proposal for the acceptance or rejection of the government of Texas. The form of the present bill was, therefore, in every aspect preferable to the inflexible form of the joint resolution of the House—and safer and more speedy in the consummation of the measure of annexation. Joint Commissioners on the part of the two governments of the United States and Texas, sitting face to face, would come to conclusions much sooner, and more directly than two legislative bodies of two governments remotely apart, acting upon the same subject. Mr. B. exhibited the difficulties likely to result from the adoption of the House resolution for the annexation of Texas—in the settlement of her debts, in the administration of her land system, in the admission of other new States, in the extinguishment of Indian titles, &c; difficulties growing out of the impossibility of a government blending its independence into another government, having entire and uncontrolled jurisdiction of these national questions. The very attempt at such a settlement of these difficulties would be intolerable—productive only of distraction and confusion. The joint resolution of the House was also silent on the subject of the alien population of Texas. What provisions and arrangements were not necessary in the peaceable settlement of the rights and citizenship of the aliens of Texas. But the paramount consideration with Col Benton was the submitting of this question, untrammelled and without specific conditions, to the direction of the incoming administration, chosen by the people with direct reference to this question of the admission of Texas.

The bill, by general request, was read twice in detail; when Mr. Benton suggested that, as the Committee on Foreign Relations had reported upon the subject, the bill informally be laid upon the table.

Mr. Berrien proposed the ordinary course of referring the bill to the appropriate committee. From the posture of the question before the Senate—from the new features of the bill proposed—from the several considerations of the magnitude and importance of the question, he was induced to offer this motion of reference to the Committee on Foreign Relations. The absence of the chairman (Mr. Archer) from reasons which he gave yesterday, (indisposition) had made it incumbent upon Mr. B. to submit this motion.

Mr. Benton desired the bill to be laid upon the table.

Mr. Berrien, from the reasons assigned, persisted in the reference to the Committee on Foreign Relations.

Mr. Morehead concurred with the honorable Senator from Georgia. In its general provisions the bill now introduced was far more acceptable than any plan of annexation as yet submitted to Congress. And, as it was original in its character, it was proper that it should be referred to the committee to which the various other propositions on the same subject had been referred.

Mr. Allen said, he rose not for the purpose of expressing any opinion in favor of, or in opposition to any of the propositions for the annexation of Texas to the United States.

[Several messages from the President were here reported.]

Mr. Allen thought we had no time to spare in unnecessary formalities. There were but 26 days of the session remaining; and, during this remnant of time, the Oregon bill from the House, and the various appropriation bills for the support of the Government, had to be acted upon by the Senate. The committee on Foreign Relations had reported square up on the whole business—from the beginning to the end of the chapter—upon all the bills, resolutions, memorials and petitions, referred to it, and the committee had reported a recommendation that the Senate wash its hands of the whole subject. When, therefore, the report of the committee was taken up, the proposition of the Senator from Missouri could be admitted as an entirely new substitute. There was no necessity, at this late day, for a reference of the bill to any committee at all. The question of the reference would only operate to give the bill the go-by, and to evade a direct action upon it from delay.

Mr Merrick was of the opinion that there was no disposition on the part of the committee to give the bill the go-by; nor upon any member or members of the Senate to avoid a direct and responsible action upon the subject. Mr. Merrick appealed for the reference of the bill. He wanted all the light upon the subject that the able and enlightened committee on Foreign Relations had it in their power to impart.

Mr. Berrien of the committee, said that there was no object in the motion he had made of giving the question the go-by, nor would that be the result of the reference; for he doubted not that a report would be returned in season for the action of the Senate.

Mr. Walker expounded the constitutionality of the State plan of annexation, as contra-distinguished from all others, and his opposition to the reference of the bill.

Mr. Barrow defined his position. If a very large majority of the people of Louisiana should in the future, prove to be advocates of annexation, though entirely opposed to it himself, from the ruin which he thought it would bring upon the sugar and cotton planters of his State, he should hesitate to resist their wishes, if they could be met in a constitutional form. As to his action upon the subject now, he was not at all disposed to give the question the go-by. He desired to meet it directly and openly, and without reserve. He was for the reference of the bill.

Mr. Morehead promised an early report from the committee, in case the reference was made.

Mr. Rives expressed himself from several considerations, as the advocate of the proposition of the Senator from Missouri. Impressed as he was that an ill-advised annexation would inflict irremediable evils upon the country, he regarded as the great fundamental consideration, the constitutionality of the action of the government in this matter. This new proposition introduced itself to the Senate in a most commanding aspect, and it would especially call for deliberate reflection and attention. It was from this view that he should favor the reference proposed. There was certainly no disposition on the part of the committee to suppress the bill by a delay in their report. As for himself, he was ready for the responsibility of meeting this question, directly—he invoked this responsibility.

Mr. Bagby was opposed to the reference to the Committee on Foreign Relations, because that committee were opposed, with the exception of one man (Mr. Buchanan) to the annexation of Texas.

Mr. Colquitt explained that from the parliamentary laws, the bill might be laid upon the table, without a reference.

The yeas and nays were ordered on the question to refer to Mr. Archer's committee on Foreign Relations, and the following is the result:—

Yeas—Messrs. Barrow, Bayard, Berrien, Clayton, Crittenden, Dayton, Evans, Foster, Francis, Huntington, Johnson, Merrick, Miller, Morehead, Pearce, Phelps, Porter, Rives, Simmons, Upham, White, Woodbridge—21—(All whigs.)

Nays—Messrs. Allen, Ashley, Achison, Atherton, Bagby, Benton, Breese, Buchanan, Colquitt, Dickinson, Dix, Fairfield, Hannegan, Heywood, Huger, Jarnagin, Lewis, Niles, Sevier, Sturgeon, Tappan, Walker, Woodbury—23—(All democrats.)

[So the motion to refer to the Committee on Foreign Relations was rejected.]

And, on motion of Mr. Benton, the bill was laid on the table and ordered to be printed.

REDUCTION OF POSTAGES, &c.

The bill was resumed—the question being upon an amendment restoring the franking privilege to members of Congress, which is abolished in the bill as it otherwise stands before the Senate.

Mr. Buchanan replied in *extenso* to the argument of Mr. Allen of yesterday, in favor of retaining the franking privilege to members of Congress. Mr. Buchanan was as clearly and decidedly in favor of abolishing this privilege; and upon the simple proposition that the franking privilege to members of Congress cannot be retained without a relinquishment of all expectation of cheap postages to the people at large. In defence of the extinction of the franking privilege, Mr. Buchanan referred again to that great lady across the sea, Queen Victoria, and also to the members of the British parliament, all of whom are divested of the franking privilege, as an example of self-sacrificing patriotism, worthy of imitation by the American Congress. Mr. B. said, that in order to test the sense of the Senate upon Mr. Simmon's amendment, he should move to divide it, so as to have the vote separately upon restoring the franking privilege, first, upon documents; secondly, upon letters.

Mr. Simmons defended his amendment for restoring in full the privilege of members, of sending letters free, as also documents.

Mr. Upham opposed the amendment. It was particularly selfish to retain the franking privilege themselves, while they stripped it from the 15,000 deputy Postmasters, the President, Vice President, and heads of Departments.

Mr. Allen rose to reply to Mr. Buchanan. He maintained his original position, that the extinguishment of the franking privilege would result in a disadvantage to the people, in cutting off intercommunications with them and their representatives in the important relations subsisting between them connected with government affairs. He denied that $490,000 had been lost to the government in any one year from franked mailable matter, as stated by the Senator from Pennsylvania.

Mr. Buchanan asked if the Senator doubted this fact.

Mr. Allen (decisively).—Yes, sir, I deny it.

Mr. Merrick corroborated the statement by referring to a report of the Postmaster General, and also by the report of the Post Office Committee of the House.

Mr. Allen still contested the point—that this sum was not lost on franked letters and packages, because, if postage had been charged, perhaps not one-tenth of the quantity would have been sent through the mails. The eloquent and learned Senator also contended that it was not by any means imperative in the reduction of postage, to abolish the franking privilege. We could have the ten cents and five cents postages, notwithstanding this democratic reservation. The Senator did not pass by Queen Victoria without giving her a hint as to the wretchedness of the people of Ireland.

Mr. Buchanan said he wanted to get through this business. He was really sorry for the familiarities taken with Queen Victoria. Right and left—up and down—in every form and shape, she had been presented to the Senate. I could tell an anecdote—

Mr Bagby—Do tell it to us. (Laughter.)

Mr. Buchanan—No, sir, I believe I shan't tell it. I have been connected with Queen Victoria.—(Roars of laughter in the Senate.)

Mr. Allen—I was nor aware of the relations existing between Her Majesty and the honorable Senator. (Laughter.)

Mr. Buchanan—I have been connected, sir, with Queen Victoria—(laughter)—in this debate, as if I had committed the greatest political misdemeanor. Mr. B. continued his argument till near five o'clock, when the Senate adjourned.

House of Representatives.

Washington, Wednesday, Feb. 5.

The House, immediately after the reading of the journal, and its correction, on motion of

Mr Jameson, of Missouri, suspended the rules, and resolved itself into committee on the

Land Bill,

Linn Boyd, of Kentucky, in the chair.

Mr. Hamlin, of Maine, had the floor, and proceeded to argue in favor of the graduation of the prices of the public lands, opposing and combatting the distribution of their proceeds. He was in favor of graduating the prices to the lowest point proposed, and would be ready to vote for any proposition which would secure the early and prompt settlement of the public lands, and at the same time secure their purchase to such persons only as settled upon such lands.

Mr. Houston, of Ala. supported the provisions of the bill, and commented with considerable severity upon the nature and degree of the opposition which was manifested to the bill. He was repeatedly interrupted by Mr. Vinton, of Ohio, to whose remarks, as reported, he paid particular attention; and Mr. V. repeatedly contradicted the accuracy of the report, in order to free himself from an awkward situation.

Mr. McDowell, of Pa, next obtained the floor after a dispute with

Mr. Rathbun, of N. Y., who claimed that he was entitled to it, and

Mr. Bidlack, of Pa, observed that as there was a difficulty about which had the right, he thought it had better be compromised and he would take it himself.

Mr. Rathbun, however, gave way, and

Mr. McDowell proceeded to address the House in favor of the bill in an able speech.

Mr. Rathbun, of N. Y., next addressed the House in opposition to the bill, because he said that it proposed to destroy a system which had worked well, and to that he would not consent.

One o'clock—the hour appointed for the termination of the debate having arrived, and several amendments having been put and lost without a division, the amendment proposed by Mr. Cary, of Maine, as a substitute was brought to the vote and tellers were demanded, the result being—yeas 92, nays 25. So the amendment was adopted, as follows:—

Amendment offered in Committee of the Whole on the state of the Union, by Mr. Shepherd Cary, to the bill (H R 2) to "reduce and graduate the price of the public lands in favor of actual settlers and cultivators."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the lands of the United States which shall have been subject to entry ten years, and under 20 years, prior to the time an application may be made to enter the same under the provisions of this act, and still remaining unsold, may be entered for settlement and cultivation at the price of one dollar per acre, for any quantity not exceeding one hundred and sixty acres; and all of the lands of the United States which shall have been subject to entry twenty years, and under thirty years, prior to the time an application may be made to enter the same under the provisions of this act, and still remaining unsold, may be entered for settlement and cultivation at the price of seventy five cents per acre, for any quantity not exceeding one hundred and sixty acres; and all of the lands of the United States which shall have been subject to entry for thirty years and upwards prior to the time an application may be made to enter the same under the provisions of this act, and still remaining unsold, may be entered for settlement and cultivation at the price of fifty cents per acre, for any quantity not exceeding one hundred and sixty acres: Provided, that none of the provisions of this act shall apply to any of the lands of the United States within any of the Territories.

Sec 2. And be it further enacted, That the person making entry, or application for entry, under the provisions of this act, and at either of the prices designated therein, shall first make an affidavit before the register or receiver of the proper land office where the entry is proposed to be made, that the said applicant enters and proposes to enter the same for his own use and benefit, for settlement and cultivation by and for him or herself; and that the said applicant has made no entry under the provisions of this act, or no entry in pursuance thereof, which, together with the additional entry then proposed to be made, will make the whole quantity so entered and proposed to be entered exceed one hundred and sixty acres; and all entries at either of the prices designated by this act, contrary to the true intent and meaning thereof, are hereby declared to be null and void: Provided, That this act shall not apply to the alternate sections of land reserved, or which may be reserved by the United States, within any of the States.

Sec 3. And be it further enacted, That patents shall not issue for land entered under the provisions of this act, until the expiration of five years after said entry; and at the time application may be made for a patent, the purchaser under this act, before he shall be entitled to the same, shall first prove, by disinterested witnesses, to the satisfaction of the Commissioner of the General Land Office, that said purchaser has resided upon and cultivated said land, so entered, for five consecutive years preceding his application for a patent; and all assignments, in trust or otherwise, all sales, conveyances, and transfers, by any of said purchasers of any of said lands, before a patent shall have issued for the same, shall be absolutely null and void; and in the event of the death of any of said purchasers prior to the issuance of a patent in their behalf, all of the rights and privileges under the provisions of this act, to which he or she was entitled, shall accrue and belong to his or her heirs, to enable them to perfect the title to said land, and obtain a patent therefor.

On motion of Mr. Thompson, of Miss., the committee then rose and reported the bill as amended.

The previous question was then moved and ordered.

Mr. Vinton, of Ohio, now moved to lay the bill on the table. On this the yeas and nays were called for and ordered. Yeas 103, nays 95. So the bill was laid on the table.

Yeas—Abbott, Adams, Anderson, Ashe, Baily, Baker, Barringer, Barnard, Benton, Brengle, Brodhead, Buffington, Burke, Carpenter, Carroll, Catlin, Causin, Chappell, Chilton, Clinch, Clingman, Coles, Collamer, Cranston, Dana, Daniel, Darragh, Garrett Davis, Rich. D. Davis, Deberry, Dickey, Dillingham, Elmer, Farlee, Fish, Florence, Foot, Foster, French, Giddings, Goggin, Byram Green, Grinnell, Grider, Hale, Harper, Hubbell, Hudson, Hungerford, Washington Hunt, Joseph R. Ingersoll, Irvin, Jenks, Perley B. Johnson, John P. Kennedy, Preston King, Daniel P. King, Kirkpatrick, Lucas, McIlvain, Marsh, Edward J. Morris, Freeman H. Morse, Moseley, Newton, Moses Norris, jr., Paterson, Peyton, Phœnix, Pollock, Elisha R. Potter, Preston, Ramsey, Rathbun, Rayner, Reid, Reding, Rockwell, Rogers, Russell, Saunders, Schenck, Senter, Severance, Thomas H. Seymour, David L. Seymour, Albert Smith, Andrew Stewart, John Stewart, Stiles, Strong, Summers, Sykes, Tilden, Tyler, Vance, Vanmeter, Vinton, Wethered, White, Winthrop, Woodward, William Wright.

Nays.—Arrington, Atkinson, Belser, Bidlack, James Black, James A. Black, Blackwell, Bower, Bowlin, Boyd, Brinkerhoff, Aaron V. Brown, Wm. J. Brown, Caldwell, Jeremiah E. Cary, Shepherd Cary, Reuben Chapman, Augustus Chapman, Clinton, Cobb, Cross, Cullom, John W. Davis, Dawson, Dellet, Douglass, Duncan, Ellis, Ficklin, Fuller, Hannibal Hamlin, Hammett, Haralson, Hardin, Hays, Henley, Hoge, Hopkins, Houston, Hubard, Hughes, James B. Hunt, Jameson, Cave Johnson, Andrew Johnson, Jones, Andrew Kennedy, Labranche, Lumpkin, Lyon, McCauslen, McClelland, McClernand, McConnell, McDowell, McKay, Mathews, Joseph Morris, Isaac E. Morse, Owen, Parmenter, Payne, Pettit, Emery D. Potter, Pratt, Reife, Ritter, Roberts, St. John, Sample, Simpson, Slidell, Thomas Smith, Caleb B. Smith, Robert Smith, Steenrod, James W. Stone, Alfred P. Stone, Taylor, Thomason, Jacob Thompson, Tibbatts, Tucker, Weller, Wentworth, Wheaton, White, Williams, Joseph A. Wright, Yancey, Yost.

Mr. Hamlin, of Maine, moved that the House resolve itself into Committee of the Whole—Agreed to.

The first bill in order was, "Making appropriations for the expenses of the Indian Department."

Mr. Weller moved to lay it aside and proceed to the consideration of another bill—Lost.

Mr. Hardin said he thought they were going to consider the Post Office bill.—(Laughter.)

The committee then proceeded to consider the bill mentioned above, and some amendments were proposed by Gen. McKay, chairman of the Committee of Ways and Means. One of these was making an appropriation of upwards of $80 000 to make good interest on State Stocks which had not been paid, which was to be re-imbursed to the Treasury when the interest was received.

Mr. Adams opposed this appropriation, which he said was an assumption of the State Debts, and he had no idea of assuming the debts of some states and not of others. If they were going to assume State Debts let them assume all at once.

Mr Bayley, of Va., replied to Mr A. and showed that the general government had retained certain sums of money under contract to invest it in securities and apply the interest to certain purposes for the benefit of the Indians.—The general government had made an unfortunate selection of some of the securities in which they had invested, and were therefore the Indians to be the losers by the bad judgment of the U. S government?

Mr. Adams replied, endeavoring to sustain his position.

Mr. Weller, of Ohio, asked if it could be called an assumption of the State Debts, for the Government to pay interest on money which it had agreed to do, when the parties, to whom they had lent the money, refused or failed to pay them, and when they held the bonds of those parties for the amount which they had lent.

Mr. Bayley argued that it was the queerest sort of assumption that he had heard of. The United States made themselves responsible for a certain amount of money, which they had lent to other parties,—and because those other parties had neglected to fulfil their obligations to the United States,—therefore, the United States would be assuming the debts of *their* debtors, if they fulfilled their obligations to the Indians: He could not understand such assumption as that.

Mr J. R. Ingersoll asked if the fulfilment of the obligations of the United States, as was proposed, was for the relief of the delinquent States? Did it relieve them from their debts? Were they not in precisely the same situation, and under precisely the same obligations? Did the States owe to the Indians? Or, did they not owe to the United States? How, then, could this be called an assumption of the State debts? It was not so. The States were indebted to the United States. They remained so indebted. The United States were indebted to the Indians and met their indebtedness. What assumption was there in this?

Mr. Collamer, of Vermont, understood assumption to be the payment of the debt, and the extinguishment of the obligation to pay, resting on the person who owed the debt. Was this proposed to be done? It was not, and, therefore, there could not be any assumption of the debt.

Mr. McKay said that in cases where the treaties provided that the funds should be invested in State stocks, he should oppose the payment of the interest by the United States, but where the United States had invested the money themselves for their own convenience, it was certainly their duty to meet their obligations.

After some conversation on an amendment proposed by Mr. Cross, of Arkansas, to increase one of the appropriations by $717 to satisfy a claim of some agents, and which was rejected, the question was taken, and the amendments proposed by the Committee agreed to.

The delegate from Iowa offered another amendment, and Mr. Schenk, of Ohio, said he had an amendment to offer, and on motion the Committee rose.

A communication from the Postmaster General, with the annual report, was received, and laid on the table.

Another, with information in answer to a resolution of the House, was ordered to be printed.

One from the State Department in answer to a call of the House for information respecting Texas debts, imports, exports, and revenue, was laid on the table, and ordered to be printed.

The House then adjourned.

In Senate.

Washington, Thursday, Feb. 6.

Prayers—Journal.

Mr. Johnson submitted a resolution for the printing of —— copies of the map of Texas, for the use of the Senate, which lies over.

Mr. Tappan reported a substitute for the resolution providing for the distributing of the printing of the books, &c., of the Exploring Expedition.

Mr. Dayton reported a bill providing for the purchase and distribution of the decisions of the Supreme Court of the United States among the several States and Territories.

The joint resolution authorising the appointment of not exceeding ten additional assistant Inspectors of the Customs at New Orleans, was read its third time and passed.

Mr. Choate presented a memorial from Massachusetts against the annexation of Texas.

The joint resolution for suspending (in the case of the naval depot at Memphis, Tenn.) so much of an act of 1841, as requires the assent of the Legislature of the State in all cases, to the site of any United States edifices that may be established with such State—was passed. [The object of the resolution is to allow the work to go on without waiting for the meeting of State Legislature in October next.]

A number of adverse reports on private cases were agreed to.

Mr. Merrick asked the Senate to resume the regular order of the day. And he hoped that there would be more acting and less talking to-day than there had been for several days past.

Mr. Dickinson moved to take up the bill providing for appeals in cases of bankruptcy.

Mr. Merrick remonstrated. He wanted the post office bill finished. Let us, said he, conclude this bill to-day, if possible, and then we can bring up the private calendar to-morrow, and the day following.

Mr. Dickinson acquiesced,

And the Senate resumed the bill and amendments on the subject of a

REDUCTION OF POSTAGES, &c.

The question pending was an amendment proposed by Mr. Buchanan to the amendment of Mr. Simmons, for restoring the full franking privilege to members of the two Houses of Congress; Mr. B.'s motion being a proposition to strike out so much of Mr. S's amendment as relates to the franking of letters—17 to 23.

So the Senate refused to strike out the privilege of franking letters from the amendment proposed by Mr. Simmons.

The question next recurred upon the whole amendment of Mr. Simmons, to restore to the bill the franking privilege in full upon letters, and upon speeches made in Congress; and the amendment was lost—18 to 22.

So the whole amendment was rejected, and the whole franking privilege surrendered in the rejection.

The Chair announced the question next to be upon the proposition agreed on in committee to strike out the 9th section, which proposes, in lieu of the franking privilege to members of Congress, to give them each five free (stamps) franks or envelopes per day, from the Post Office Department, each stamp having authority to carry a two ounce letter free of charge. Yeas 35, nays 2.

So the proposition to strike out the 9th section was agreed to.

The next question in issue, being upon agreeing to the amendment of the committee so to amend the 10th section as to allow the carriage of newspapers and magazines by private expresses, despatches, &c.

Mr. Merrick defined the obnoxious operation of the amendment. If it were adopted, private expresses would entirely absorb this species of mailable matter, and letters also to a greater or less extent; and consequently break down the department.

Mr. Allen, with a fearlessness of resistence peculiar to the younger Senator from Ohio, opposed the views by Mr. Merrick in his original bill, as to the power of the department or of Congress in controlling the mode and extent of the carriage of newspapers by private enterprise. The exercise of such a power as had been assumed in controlling the distribution of pointed matter, would be fettering the freedom of the public press. To any step whatever that looked to the control or prostration of the freedom of the press, he was entirely opposed. He should, therefore, stand by the rights of the press, and resist any encroachment by dictation as to the number of miles the printer shall be permitted to circulate his own newspapers. If there were any power in the Constitution for such restrictions, it ought to be stricken out.

Mr. Huntington, *in extenso*, defended the expediency, as well as the injustice of the plan proposed by M. Merrick, of limiting the privilege to private agencies in the circulation of newspapers to a distance of fifty miles from the place of publication. He defended, on the other hand, the entire applicability and expediency of the proposition he had submitted of allowing private lines to carry newspapers, &c., without limitation as to the quantity or the distance.

M. Merrick, with almost despairing energy, defended his proposition of limiting the private lines for carriage of newspapers, &c., to fifty miles. Without some such restriction, the cupidity of private express companies would absorb so much of the revenues of the department as to destroy its efficiency entirely.

Mr. Woodbury denounced the usurpation of power contemplated by restricting the privilege of private carriers of printed matter assumed to belong to the mails. It was an assumption of power that he could never sanction.

Mr. Simmons argued that the only way of destroying private expresses was by reducing the postages so low as to remove the temptation for competition.

Mr. Merrick replied that without some profits to the department, it could not sustain its operations; and that as long as it derived profit from its charges of transportations, the cupidity of private individuals would induce them to compete for this profit—penalties, therefore, and restrictions, were the only alternative for the salvation of the department.

Mr. Niles, Mr. Atchison, Mr. Merrick, and Mr. Huntington, continued the debate upon the amendment to exempt from penalty the carriage, irrespective of distance, by private agencies, of newspapers, pamphlets, and magazines. Mr. Merrick, single-handed, contending for the monopoly of the department.

The amendment was agreed to—30 for it, to 9 against it.

Mr. Simmons moved to amend the first section, by fixing the rates of postage upon single letters at a uniform rate of five cents for any distance of carriage, instead of the five and ten cent rates, for distances not exceeding 100 miles, as the case may be.

The amendment was supported by Messrs. Simmons and Phelps, and opposed by Mr. Merrick, because of the impossibility of a uniform charge of five cents affording revenues sufficient for the most meagre support of the Department.

And the amendment was agreed to, 33 to 14, as follows:—

Yeas.—Messrs. Allen, Ashley, Atchison, Barrow, Bayard, Benton, Breese, Choate, Dix, Dayton, Dickinson, Evans, Foster, Francis, Hannegan, Heywood, Henderson, Huntington, Jarnagin, Miller, Morehead, Niles, Phelps, Porter, Semple, Simmons, Sturgeon, Tappan, Upham, Walker, White, Woodbridge—33.

Nays.—Messrs. Atherton, Buchanan, Clayton, Colquitt, Fairfield, Huger, Johnson, Lewis, Mangum, Merrick, Pearce, Rives, Sevier, Woodbury—14.

Mr. Niles' amendment came up for payment of railroad companies, by the Department, per annum, $200, or $100, or $50 per mile, according to their railroad lines, in respect of the class to which they may belong—the first, second, or third class of rail roads, which was agreed to.

Mr. Huger moved to re-consider, with a view to increase this mileage to railroads to $250, for the first class. Mr. H. contended that Mr. Niles was ignorant of the railroad companies of the South—their duties, and their small profits. Nor did the Senator know anything more as regards the rapacity of railroad companies, and argued to show it.

Mr. Niles replied, and Mr. Dayton sustained the motion to reconsider. Mr Huntington did the same. Mr. White opposed any increase of the maximum, with much fervency.

The vote was reconsidered—ayes 24, noes 16.

A motion was made to go into Executive business. Mr. Merrick appealed for the engrossment of the Post-office bill—16 to 17. Not carried.

An adjournment was moved. Division called for—19 to 19. Not successful.

Motion renewed by Mr. Berrien to go into Executive business. Objected to.

Mr. Berrien moved to lay the bill on the table. Division—22 in the affirmative—bill laid on the table.

And the Senate went into Executive session.

House of Representatives.

Washington, Thursday, Feb 6, 1845.

On motion of Mr. Kennedy, of Md., the House adopted a resolution, calling upon the Secretary of the Treasury for a copy of all instructions, issued by him to the various collectors. This has particular reference to the order respecting duties on coffee by Dutch and American vessels.

General McKay, of N. C., moved that the rules be suspended, and the House resolve itself into Committee of the Whole on the State of the Union.

Mr. Houston, of Ala., wished to be allowed to take up a bill, giving right of passage through the Public Lands to a Railway Company in Tennessee and Alabama. Refused.

General McKay's motion was then agreed to, and the House resolved itself into Committee of the Whole,

Mr. Vinton, of Ohio, in the Chair.

The Committee resumed the consideration of the bill, making appropriations for the Indian department.

General McKay moved, that if there were no more amendments, it be reported to the House.

Mr. Schenck of Ohio, said he had an amendment to propose.

Cave Johnson of Tenn., made some remarks, which were inaudible to the reporter.

Mr. Schenck inquired if there were any other amendments pending.

The Chair replied, there were not, as the one offered on yesterday had been decided out of order.

Mr. Bidlack of Ohio, hoped that the chairman of the Committee of Ways and Means would withdraw his objection on the point of order and allow that amendment to be adopted.

General McKay withdrew his objection.

The amendment appropriating $5,000 for the expenses of a treaty with the Winnebago Indians, was then adopted.

Mr. Schenck, of Ohio, then sent up his amendment proposing an increased appropriation to the Wyandot Indians. He said that this offered to the members of the House an opportunity of defending their position on the question of repudiation or no repudiation. He said that the bill proposed an appropriation of $17,500 in lieu of annuities, but made no further proposal. The treaty, he said, for purchasing the lands of the Wyandottes, in Ohio, had a direct and positive stipulation providing that the U. States should pay those Indians for the improvements which they had made on their lands, and which were of considerable value, and the value of which was to be ascertained by appraisement by Commissioners appointed by both the parties. The President of the U. States appointed their Commissioners—the survey was undertaken, and when finished the appraisement amounted to $127,094, much to the surprise of every one, for it had been supposed that it would not amount to more than $20,000, to which amount an appropriation had been made in advance. There was no collusion, no fraud, the appraisement had been made according to the terms of the treaty, and the Commissioner on Indian Affairs had supposed that nothing remained but for the United States to pay the amount, to which effect he had reported, and he would send the report of the Commissioner to the Clerk's desk to be read, (which was accordingly done, and the facts there stated were as above.) Mr. Vance also handed up the treaty, for the clause to be read providing for the appraisement, and agreeing to the payment of the amount. Mr. S. said that there could be little doubt but that the improvements had been valued exhorbitantly high, but it would be seen that the Commissioner was of the opinion that there was but one alternative: either the United States must pay the debt, legally contracted or must repudiate it. Congress had heretofore appropriated $70,000 to the payment of this claim, leaving $57,000 due, and this he proposed to provide for in the amendment he had proposed. He then went into an examination of the causes which he supposed to have been brought to bear upon the President in order to induce him to believe that it was important that a second survey should be made, which he attributed to the designs and efforts of speculators, who were desirous to obtain these lands, (some of the best in the State,) and the treaty provided that the minimum price of these lands when brought into the market was to be $2 50 per acre in addition to the appraised value of the improvements, which, therefore, it became important to them to have reduced. He characterised the President's appointment of a second commission to appraise these improvements as an usurpation of authority which he did not possess, but even that commission appointed with the express view of reducing the appraisement, under the opinion that the former was exorbitantly high, had only reduced it to $66,000. This, he said, the President had no right to do at all, and the question for the House to decide was whether having made a bad bargain, they considered themselves at liberty to violate it on that account. If the President could appoint a second commission, he might appoint a third and a fourth, and so on to the end of time. There had been no fraud, collusion, or mismanagement on the part of the Indians, and so the commissioner of Indian affairs declared in his report, and the question was one of repudiation or no—repudiation on the part of the United States; and not merely repudiation, but marked with the grossest infamy which could attach to any act.

Cave Johnson, of Tenn., offered an amendment in lieu of Mr Schencks, providing for the confirmation of the second survey and appraisement made, and the payment of the amount, providing it be received in full of all demands by the Wyandottes against the U. S. government. He said he conceived the United States stood in a different relation to the Indians to that in which they stood to other nations in treaty, and the relations between individuals. He thought they stood in the relation of guardians, and it was their duty to see that justice was done to the Indians, and also to the general government. He put it to the House if they were called upon to pay an appraisement which valued the property at three or four times its actual value. He then read extracts from the reports, showing the way in which the appraisements were made. Some lots of from 23 acres to 140 or upwards had been valued with improvements at $54 per acre, at $21. $18, $15, and $34 per acre. Such was the mode in which the estimates were made.

Mr. Brinkerhoff—Allow me to ask what quantity of land was valued at $54 per acre?

Mr. Vance—Forty acres.

Mr. Brinkerhoff—(very decidedly)—It could not be worth that much.

Cave Johnson then went on to show further the manifestly and extravagantly over estimated value of these lands, giving the amounts of various appraisements which had been made, and gave some instances of the mode in which the appraisements had been made by men who were trading with the Indians and selling goods to them at twice and three times their value. He also mentioned that the appointment of the second commission by the President had been because the House had refused to appropriate the money and, therefore, the President sent it for the purpose of ascertaining whether the valuation were over estimated, so that both he and the House might have information on the subject. He, therefore, proposed that the Indians should be paid the amount of the second valuation, which he believed to be very high, if they would take it, in full satisfaction of all claims against the United States.

Mr. Vance, of Ohio, supported the proposition to pay the original valuation, and asked if the United States were going to higgle about this paltry amount when they had driven the Indians from their homes across the Mississippi—a gallant race of people, too, who had defended our frontier during the last war. He said Mr. Johnson's proposition was to pay them half their claim or starve them.

Mr. St. John, of Ohio, said that the tract alluded to was in his district. He then went on to describe the mode of appraisment, saying that the parties appointed were when Tyler-men were scarce in Ohio—one was a merchant and the other a lawyer—they had the control of the traders with the Indians and he understood that they undertook to see them paid—what was the private understanding he would not undertake to say. He then proceeded to point out where errors might occur in the appraisement and instancing a number of these improvements and the price at which they were appraised, said that he could purchase a quarter section of land, well improved, for less than one fourth the price. He also showed that a number of these improvements were made with government funds, and now they charged this extravagant price to the government. A number of other particulars he instanced, showing the frauds which were perpetrated on the government and thought they were not required to pay any such unjust claims as these—they were too ready to do it and it did not benefit the Indians nor would they think any more of the government for it; it only induces others to prefer similar claims.

After some conversation between Mr Vance, Mr. Pringle, and Mr. St. John, the question was put, and Mr. Johnson asked for tellers on his amendment, and there voted, yeas 75; nays 45. So Mr. Johnson's amendment was adopted.

Mr. Schenck then proposed to amend by the insertion of a clause, declaring that Congress repudiated the balance.

The Chair declared it to be out of order.

The question was then put on the amendment as amended, which was adopted—yeas 76; nays 41.

Mr. Semple, of Ind., offered an amendment, authorizing the Secretary of War to make such rule as may be expedient for the payment of the debts of the Pottawatomies, to be paid out of their annuities to their creditors. After some conversation it was put, and lost.

Mr. Giddings took occasion to make a speech on this bill, into which he introduced the Florida Indians, Slavery, and a number of other &c.'s, that had no reference to the subject.

Mr. Black, of Ga, said Mr. G's was the old story or the old song, and it was a good deal worse every time it was sung—(Laughter.) He called upon the gentleman to answer him. He asserted that slavery was an evil—a moral evil—all sorts of an evil. Now the people of Georgia did not believe that it was an evil, or any sort of an evil, nor did any part or district of Georgia believe that it was an evil, and he called upon the gentleman, if he had any facts to prove the contrary to state them.

Mr. Giddings—Not now.

Mr. Black—Yes, now Sir for I shall not have the opportunity of replying otherwise.

Mr. Giddings—Then I have the floor without conditions—(Laughter.)

Mr. Black—I yield the floor for the gentleman to make that explanation. I call upon the gentleman to produce his facts, if he has any.

Mr. Giddings—Then I shall have the floor without conditions—(Laughter.)

The Chairman—Does the gentleman from Georgia yield the floor.

Mr. Black—For that explanation only.

After some amusing passages between Mr. Black, the Chairman, and Mr. Giddings, which produced much laughter, the former yielded the floor to

Mr. Giddings, who proceeded—not to answer Mr. Black's enquiry—but to make the most violent denunciations against slavery and slaveholders, and the south. After speaking for fifteen minutes, he was interrupted by

Mr. Black, who asked if he were going to answer the query he had proposed, and

Mr. Giddings refused to do so.

Mr. Black then claimed the floor.

The Chair decided that Mr. Giddings had taken the floor without conditions.

Mr. Black stated, that he had not yielded the floor in such a way. He had yielded it expressly for the purpose of a reply to his question.

The Chair decided that Mr. Giddings had the floor without conditions.

Mr. Hammett, of Miss., appealed from the decision of the chair.

Mr. Houston, of Alabama, asked if the gentleman could speak twice on the same subject?

Here there was a scene of most extraordinary confusion. The Chairman decided that the appeal was debateable, and about twenty members were on the floor at once. Finally,

Mr. Weller, of Ohio, obtained the floor, and read the rule which provided that an appeal should not be debatable.

The Chairman then put the question on the appeal from his decision, which was reversed by a large majority, and

Mr. Black, of Georgia, claimed and obtained the floor. He commenced by referring to Mr. Giddings having said that he had assailed him in a vile and dirty manner. He said that he did not regret the language he had used to that individual; but he did regret that a necessity existed for referring at all to that individual, when the very act of so doing degraded and made vile the person who was compelled to make such reference. Mr. B. then proceeded in his comments in the most severe and caustic style, assailing Mr. Giddings in a manner the most unprecedented and personal, making charges which were so strong, and proceeding in such an embittered manner, that he was finally called to order by Mr. McDowell of Ohio, and Mr. Burt of South Carolina.

When he concluded, a motion was made that the committee rise.

Mr. Giddings was at this time attempting to obtain the floor, and amidst considerable confusion

Mr. Schenck called out and said he observed that his colleague, Mr. Giddings, was endeavoring to obtain the floor, and after so violent an attack had been made upon him, he supposed that no gentleman in the House would refuse him the privilege of replying.

Several persons cried out "No, no!"

Mr. McConnell, of Ala., said he objected to it.

Mr. Schenck—turning round and going to the lobby (in an under tone)—I said "No *Gentleman*."

Mr McConnell said here *sotto voce*—I will attend to you in another place, or words to that effect.

The motion that the committee rise was then put and carried.

Mr. McKay offered a resolution providing that all debate on this bill should cease in twenty minutes after the committee resumed its consideration, which was agreed to. He then moved that the House resolve itself into Committee of the Whole again, but

A motion was made to adjourn, on which the yeas and nays were asked and ordered, and resulted—yeas 72, nays 89. So the House would not adjourn.

The House then resolved itself into Committee of the Whole.

Mr. Vinton in the Chair.

Mr. McKay then made an explanation to show that Mr. Giddings was mistaken in his ideas in relation to appropriation made in the bill before the House.

Mr. Giddings then said that with reference to the assaults, he should leave his character in the hands of his constituents, but he thought that those who had had the seal of condemnation set on their brow (Mr. Black was defeated at the last Congressional election), and had been clared unworthy of the confidence of an enlightened and honorable constituency, should not be the persons to talk about character in this hall. He proceeded to notice the charges which had been made by Mr. Black, and reiterated some of the statements which he had previously made, and also daring Mr. Black to knock him down.

At this time the reporter observed a very general movement over to the side of the Hall where Mr. Giddings was standing, and was informed on inquiry that Mr. Black had gone over to that part of the House and a great scene of excitement prevailed, which ended by Mr. Black's friends taking him away and inducing him to resume his seat. When Mr. Giddings ceased.

Mr. Black stated that he regretted very much that he had been led by the slang and falsehoods of the individual who had spoken, to allow his feelings to be aroused, and went on with some remarks, but in so low a tone that the Reporter could only gather the purport to be, that Mr. B. considered Mr. G. so much beneath him that he would not challenge him.

Mr. McKay moved that the Committee rise and report the bill. Agreed to.

He then moved the previous question on the bill, but withdrew it for—

Mr. Dillingham, of Ct, who moved a re-consideration of the vote by which the Land Bill had been laid on the table, and moved its postponement until Monday, which was agreed to.

The previous question was then put and ordered, and on the question, "Shall the main question be now put?"

Mr. Vance, of Ohio, called for the yeas and nays;

On which tellers were demanded, and voted for yeas and nays, 25 against 101. So the yeas and nays were ordered, and resulted—ayes 108, nays 44. So the main question was ordered, and the amendments agreed to, and the bill passed.

The House then adjourned.

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