

eral Government, than a State Legislature, and in the exercise of its powers, according to the South Carolina Constitution, according to the members of the Assembly, which would not, in all probability, be approved. I rejected the idea of the Legislature acting on such subjects, and suggested the idea of a convention. This was done not only because a convention would be a better deliberative body, but with a view to those obstacles in the way of the progress of Nullification. And Sir, I have been so unfortunate that my efforts to prevent Nullification have brought upon me the charge of understanding it. Here, I know, I was not so understood; elsewhere an effort has been made to make an impression that I was favorable to this doctrine.

When, in that debate, I used the expression, "that the acts of Congress must cease to operate in the State, and Congress must acquiesce by abandoning, &c.," a fair and liberal interpretation would have been, not that the acts of the State in Convention, declaring the laws void, would first annul them, but that it would impose on Congress, so strong a moral obligation, as to induce it to abandon the exercise of the power or object of a new grant of power. So when I spoke of the new meaning was that Congress should interpose its authority and direct the Executive not to proceed in the execution of the laws, until the controversy was settled.

I will detain the Senate no longer upon a topic in which no Senator but myself has any interest or feeling. If a man is the best interpreter of his own meaning, I claim to be understood according to the explanation I have given. All liberal minded men will so understand me. From the liberal I ask no indulgence. I must be indulged, however, in one additional remark; I was pleased to see the Union men of South Carolina shortly after I delivered my speech on Foot's resolution, seize the idea that it was necessary to act by Convention, and they pressed the nullifiers so strongly with it that they held them in check for two years, and the latter at last only prevailed in the Legislature by a single vote, in voting a convention. I am not vain enough to think that any thing said by me produced the effect I have mentioned, but certain it is that they acted, and thereby retarded and postponed this process of nullification for two years at least, and were well justified in it altogether.

I wish to make a few remarks upon the subject of secession, which is claimed for the States by some gentlemen, as a constitutional right. If this right exists, I am ready to declare that all the high and exalted expectations and hopes which have entertained of the permanency of this Government and this Union, are visionary and unsubstantial. From the political history of the country my mind has come to the conclusion that one of the objects of the Constitution was to deprive the States of this right. By the Articles of the old Confederation, the States had agreed and stipulated that the Union should be perpetual. The very title of the Articles is "Articles of Confederation, and perpetual Union." The conclusion of them declares, "that the Articles thereof shall be inviolably observed by the States respectively and the Union shall be perpetual."

So far as a league or mere compact could bind and have effect, a perpetual union was secured under the Confederation; still there was a deficiency; the will of the States had been substituted for a government. Hence the necessity for a change, and therefore the Convention constructed a government, and clothed it with the powers necessary to attain the great objects in view, and to that extent, deprived the States of their pre-existing powers and sovereignty; when the people in their State Conventions ratified this Constitution, they withdrew or subtracted so much sovereign power from the State Governments, and transferred to, and vested it in, the General Government. The people, under the Constitution, exercise their sovereign power through the agency of their Government upon all subjects committed to it, in the same way, and to the same extent, that they exercise their sovereignty through the State Governments, upon all other subjects. That it was not intended by the framers of the federal constitution, that the States should retain their entire sovereignty is manifest from the language of the letter, which was adopted unanimously by the Convention, and transmitted with the Constitution to the old Congress—the language is, "It is obviously unacceptable in the Federal Government of these States, to secure all rights independent sovereignty to each, and to provide for the interest and safety of all individuals entering into society must give up a share of liberty to preserve the rest." From this it appears that the Convention well knew that the instrument they had formed deprived the States of a portion of their sovereignty, and argument is employed to reconcile the States to the surrender.

In the same letter there is the following: "In all our deliberations, on this subject, we kept steadily in our view, that which appears to be the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. Now if secession be a constitutional right, what has been gained by the adoption of the constitution towards consolidating the Union? Nothing, yes, less than nothing. Under the confederation, had a State seceded, it would have been a breach of its pledged faith, and solemn engagements, and would have been just cause of war; but according to the doctrine now contended for, a State can at her sovereign will and pleasure, as a matter of right, without giving offence, or cause of war, abandon and go out of the Union, and break up the whole government. I have never supposed for a moment that this right existed, but on the contrary, that our great object, the foundation of this Government, was to deprive the States of this right, and to have a general Government clothed with powers sufficient to prevent, should such an attempt be made by any one or more States.

Gentlemen seem unwilling to take a full view of the altered state of things produced by the adoption of the constitution. Rights were acquired as well as surrendered upon the formation of this Government—the people of each State surrendered a portion of their sovereignty, and pre-existing rights, and required the advantages appertaining to a Union of all the people and all the States. The wisdom and physical strength of the whole country, is united for the purpose of defending the rights of any particular member of the Union, which may be invaded.—In our external relations, the States are a portion of Great Nation and Government. Our respect and security at home depend upon the rights acquired and secured by the Federal Constitution.—Every State and citizen, of the United States, has an interest, in the honor and glory achieved by the son-of-Carolina in that way, by which we obtained our liberty and the Federal constitution confers on the other States, a right to demand all the cour-

age and civility of that State in any fibrous tendency, in a conflict with a foreign power. I will not dwell on the consequences of this doctrine of secession—the evils are too apparent and appalling to every mind; wars between the States will immediately ensue; causes of irritation will spring up, which nothing but a superintending General Government can prevent. The States will contract alliances with different foreign powers, and we shall be brought to fight battles, not for liberty and independence as heretofore, but on account of the quarrels of other powers on which we may respectively be dependent. We shall cease to be a great nation, and nothing will be seen but fragments of this once mighty empire, if only to be gathered up, and used by the pirates of power. Sir, I do not vote for this measure, because it has been asked for, and is to be used by a Chief Magistrate, in whom I have confidence. I would act in the same way were the choice, I support it because I believe, it to be the duty of Congress to place the necessary means in the hands of him, who is made responsible by the Constitution, for the execution of the laws. It has been said, that this is novel and unprecedented legislation. Not so; the laws to enforce the embargo were as strong, and contained similar provisions—except that clause in the 1st section of this bill, which authorizes the General Government to retire from the land to the water, for the purpose of avoiding collision with the authorities of South Carolina. The Senator [Mr. Miller, of South Carolina], has said that South Carolina adopted her Constitution in the year 1790, after the formation of the Federal Constitution, and if any thing be contained in the State Constitution inconsistent with the Federal Constitution, the last expression of the will of the People must prevail, and it will be obligatory upon the citizens of that State. I understand the true principle to be precisely the other way. The people of that State and all others, have agreed and so expressed themselves in the Federal Constitution, that it shall not be so. It is there declared, "That the Constitution and laws of the United States made in pursuance of it, shall be the supreme law of the land, and the Judges of every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary, notwithstanding."

From this provision in the Constitution, it is apparent that any act of a Convention or Legislature of a State, which conflicts with the Constitution or laws of the United States, passed in pursuance of the Constitution, is utterly void and of no effect. The same Senator has urged, that sovereignty is indivisible; and therefore, the entire allegiance of the citizens of South Carolina is due to that State. His error is in the application of his principle; in this country the sovereignty is in the people—and I am willing to grant that it is indivisible, but it does not follow that its exercise cannot be parcelled out between different agents or governments. The other Senator [from South Carolina, Mr. Calhoun], has stated that the high expectations which had been formed by the Southern portion of the United States previous to the present Chief Magistrate's coming into power, have been disappointed. It will do injustice to say, that he assumes whether this allegation be well founded or I will venture to say, it there be any portion of this Union whose political principles have been acted upon more than others, it is the South. One great subject of complaint from that quarter, was the large apprehended expenditure of public money for internal improvements. This source of expenditure has been dried up by the President's Veto upon the Maysville Road Bill, and other subjects of internal improvements of the like kind.—The people of the Southern States are generally opposed to the re-chartering of the Bank of the United States. The President, at the hazard of every thing that relates to himself, has placed himself in opposition to this institution, whose power could have crushed any other man in the nation. The Indian tribes in the Southwest were a great inconvenience and annoyance to that portion of the Union. They have been nearly all removed to the west of the Mississippi, in consequence of treaties made by this Administration. The great evil of which the South complains, and the one present and unjust Tariff of 1828. The President has, upon all proper occasions, recommended its reduction to the wants of the Government—has used, and is at this time using, all his influence for that purpose. Further, he has, by closing up the avenues of expenditure, produced the necessity of a speedy reduction. Do these things furnish any evidence that the South has been disappointed, or has any just cause of complaint? On the contrary, it will do abundant proof that the Chief Magistrate has not been intent upon the just claims of that section of the country? It is true, he had not confined his regards to them alone. Wherever the same reasons existed in any other section of the United States, he has acted in the same manner towards them. He has not only removed the Indians from the South west, but likewise from the North west. He has shown equal assiduity and attention to other interests. He has ordered the removal of the Indians from the West, for injuries committed upon the citizens of the United States, than has ever been effected under any former administration. Whether this be owing to superior political skill or superior good fortune, we need not inquire. One thing is certain; many citizens to the North and East have been greatly benefited by the results which have attended our foreign negotiations. The Senator from South Carolina [Mr. Calhoun] admits, that the State has not been injured by the Government on its limit, and now complains, that we wish to apply force. The answer is very obvious; the laws of South Carolina authorize the use of force to prevent the execution of the laws of the United States; therefore, Congress must authorize force to defend the laws, or submit to the dictation of that State. It is avowed on this floor, by her Senators, that if this bill passes, South Carolina will employ military force to carry into effect her Ordinance and laws. I have never doubted that South Carolina was settled in her purpose upon this subject. Her citizens are in an error, a gross error; but when men have made up their minds, and have resolved upon their purpose, they do not go back to inquire into the propriety of the determination, at which they have arrived—with them, the time for reasoning has passed by—they have decided on action, and will not now stop to calculate the consequences, look at her military preparations—arms, and all the munitions of war, are purchased; volunteers to the number of twelve thousand, are authorized by law; orders for the purchase of provisions have been issued; volunteers are daily tendering their services; the Commanding General has procured a supply of sugar for the purpose of forcing the force and effect of the Writ of Habeas Corpus. These things cannot be mistaken. There are not blustering men; they are brave, true men; and my only wish is, that the Government should be prepared with the necessary means to prevent a protrusion of the law; and surely gentlemen ought not to object to this, unless they have made up their minds,

that one State shall control the whole Union. It has been intimated by the Senator from South Carolina [Mr. Calhoun] who sits on my right, that the Chief Magistrate seems desirous to make war on the men, women and children of South Carolina—nothing is more unfounded. We have called for all the troops, which have been issued to the military depots, others stationed near Charleston. They have been laid before us—A spirit of peace and forbearance breathes through the whole of them—all offensive movements and conduct are strictly forbidden—all collision to be avoided, unless in the single case of an attempt by an armed force to seize the public property, or to take dutiable goods out of the possession of the Collector before the duties are secured. The President could not say or do less, unless he would disregard his high constitutional duty, the imperative language of which is, that "he shall take care the laws be faithfully executed." There can be no misunderstanding upon this subject, no violence can occur, unless commenced by the State of South Carolina, and should such madness prevail on her part, it ought to be, and will be, firmly met by the Executive Department of this Government—and I should consider Congress as essentially failing in its duty, were it to withhold the necessary means. I regret extremely that time will not permit me to reply to an argument to what has been said by the Senator from Mississippi [Mr. Poindexter]; a few of his remarks, however, must be attended to; he says that the act of 1795 only authorizes the militia to be called out when the President shall be notified of the necessity for doing so, by the governor of a State. This is the provision of the first section which applies to cases of insurrection—but the 2d section of that act, gives more power to the Executive of the United States, in cases of obstruction to the laws than in this bill confers. I will read it to be read.

And he it further enacted, That whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, it shall be lawful for the President of the United States to call forth the militia of such State, or of any other State or States, as may be necessary to suppress such combination, and to cause the laws to be executed; and the use of the militia so to be called forth may be continued, if necessary, until the expiration of thirty days after the commencement of the then next session of Congress.

Under this provision, the President is not to be notified, or called on, by the Governor of a State; and in the case before us, it would be absurd to make such a provision, when the Executive of South Carolina is the military head and leader of the opposition to the laws. It is said, nothing of an offensive character has been done by the State of South Carolina. It is true, they have not laid violent hands upon the Collector, or the property in his possession; but they have promised, in the most solemn manner, that they will do so, and they are preparing their 12,000 men to effect their purpose. I am constrained to believe they are in earnest; it would be an insult to them to say that all they have done is mere boasting. I am, therefore, in favor of preparing to meet them decisively in the strongest attitude they can assume. The argument of Mr. Alexander Hamilton, in the New York Convention, is relied on to sustain the opposition to this bill. He argued against the opposition to the new Government, because war under the Confederation would ensue between the General and State Governments; and to avoid this, a Government, capable of passing by the State Legislatures, and acting directly upon the citizens, should be preferred. This was an enlightened view of the Federal Constitution.—The two Governments were designed to act independently of each other. This was for the purpose of avoiding collision, but South Carolina, in the present instance, has not confined her action to the sphere assigned her by the Constitution, but has stepped beyond her constitutional limits, and has, with a bold hand, seized upon the powers of the General Government. If civil war ensues, it grows out of her aggression, not from any thing done by this Government, or any department of it.—The opinion of Mr. Wilson, in the Pennsylvania Convention, has been referred to, I admit that his opinions are high authority, and I rely on them for the purpose of showing that the opinions I have heretofore expressed are correct.

He says "that the supreme power resides in the people, as the fountain of government, that the people have not, that the people meant not, that the people ought not, to part with it to any Government whatsoever. In their hands it remains secure; they can delegate it in such proportions, to such bodies, on such terms, and under such limitations, as they think proper. I agree that there cannot be two sovereign powers on the same subject."

"I consider the people of the United States, as forming one great community, and I consider the people of the different States, as forming communities again, on a lesser scale; from this great division of the people into distinct communities, it will be found necessary, that different portions of legislative powers should be given to the governments according to the nature, number and magnitude of their objects.

"I bless the people are considered in these two views, we shall never be able to understand the principle of this system as constructed. I view the States, and the people as well as by the States, and not the people as made for the States. The people, therefore, have a right to resist the unconstitutional powers of society to form either a General Government or State Governments, in what manner they please, or to accommodate them to one another, and by this means preserve their sills."

"The principles here laid down present the Federal and State Governments, and the relations which each citizen bears to them respectively, in their true light. In reference to general subjects, committed by the Constitution to the General Government, the people of the U. States are one community or nation, and each citizen owes allegiance to the General Government to that extent; for all other purposes, the allegiance of each citizen is due to the State in which he lives.

"In the Olmsted case, the State of Pennsylvania interposed its authority to protect the heirs of Rittenhouse from an execution, issued by the Federal Court—by order of the Governor, the militia, were called out, under the command of General Bright, and they by force prevented the Marshal from executing the process. The commanding General, however, and others who assisted him were afterwards seized, convicted, and sentenced to undergo a fine and imprisonment. In this decision the State of Pennsylvania acquiesced. From this I infer that the State authorities can furnish no protection to the citizen, in his resistance to the laws of the Union. I am admonished by the late hour of the night, as well as by the exhaustion of my own strength, that it is time

to bring my remarks to a close. I cannot, however, take my seat, without saying a few words upon another subject, intimately connected with the one under discussion—I mean the Tariff laws, which have given rise to that unpleasant condition in which our country is placed. Some object to our acting upon that subject, at the present session, on account of the threatening attitude, assumed by South Carolina; with me this objection weighs very little. Her errors, however great, and great they certainly are, will not justify me in doing wrong.—This bill, if passed, it seems to me, should remove that difficulty from every mind; by it, we shall have vindicated the laws of the Union against countervailing acts on the part of this Government. It will not still satisfy gentlemen, and they insist on retaining the Tariff laws in all their present oppressive forms, the blood which may be shed shall be upon other skirts, not mine.

When the blood of my countrymen is flowing, when widows and orphans are making, in this unnatural conflict, I desire to be able to raise up pure and undefiled lands before my God and country, and say, if my counsels had prevailed, this had not been so. Sir, so solicitous am I to see the present difficulties fairly adjusted, that upon my return to the bosom of my constituents, if I could only say, we have prevailed, justice has triumphed, the Union is safe, peace, good will, and brotherly love, reign throughout the land, I would not exchange that luxury of feeling, that rich rest of the heart, which it would afford, for the victor's or conqueror's laureled wreath.

TWENTY-SECOND CONGRESS, SECOND SESSION.

IN SENATE.

FRIDAY, March 1.

A message was received from the House of Representatives announcing the concurrence of that body with the resolution of the Senate suspending the rule which forbids the reception of bills passed in either House within three days of the close of the session.

The Chairman of each of the Standing Committees asked to be discharged from the further consideration of the various subjects referred to them and not yet acted on. These motions were concurred in.

Mr. Clay said, he would make one more effort to have the Revolutionary Commutation Bill taken up by the Senate.

Mr. Smith remarked, that if the gentleman would allow bills to take their regular course, there could be no danger of these bills being lost.

THE TARIFF.

The bill to modify the act of July, 1832, and all other acts imposing duties on imports, was taken up for its third reading. The yeas and nays having been ordered on the motion of Mr. Dickerson.

Mr. Robbins gave his objection to the bill.

Messrs. Calhoun and Frilinghuyden addressed the Senate at length in favor of the bill.

Mr. Smith begged of Senators to take the question, and not consume the little time remaining to the Senate for the transaction of the mass of important business before it.

Mr. Dallas spoke some time in opposition to the bill. He was followed by Messrs. Ewing, Mangum and Clayton, on the other side of the question.

Mr. Webster recapitulated the objections he entertained towards the bill. He was followed by Messrs. Frilinghuyden, Sibley, Clayton, Forsyth, Sprague, Holmes, Bibb, Wright, Clay and Smith.

Mr. Wright made an explanation, and referred to some remarks which fell from Mr. Clay.

After a short rejoinder from the latter Senator, the question was taken on the final passage of the bill, and decided in the affirmative by a vote of 29 to 16.

Those who voted in the affirmative were—Messrs. Bell, Birds, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Foot, Forsyth, Frilinghuyden, Grundy, Hill, Holmes, Johnson, King, Mangum, Miller, Moore, Nauden, Poindexter, Rives, Robinson, Sprague, T. M. Johnson, Tyler, Wagsaman, White, Wright—29.

Those who voted in the negative, were—Messrs. Benton, Ducker, Dallas, Dickerson, Dudley, Hendricks, Knight, Prentiss, Robbins, Ruggles, Seymour, Sibley, Smith, Tipton, Webster, Wilkins—16.

The bill was passed.

The Senate then took a recess till half past seven o'clock.

HOUSE OF REPRESENTATIVES.

THURSDAY, Feb. 28.

In the House of Representatives, on Thursday evening, various bills from the Senate were read by unanimous consent, and referred to the appropriate Committee, and the following joint resolutions from the Senate, respecting the transmission of bills between the two Houses under the joint rules came up.

Mr. Adams moved to strike out the whole resolution and substitute a provision dispensing with the 16th and 17th joint rules for the present session.

Mr. Wickliffe moved to amend the original resolution, by providing that certain specified bills, might pass between the two Houses the first day of the session. A desultory discussion took place upon the amendment, which was negatived, when the proposition of Mr. Adams was adopted, and the resolution as amended, ordered to the third reading.

The House then resumed the consideration of the bill further to provide for the collection of duties on imports.

Mr. Wayne addressed the House in support of the bill, and in reply to Mr. McDuffie, an hour and a half.

Mr. Foster opposed the bill in a speech of little more than an hour.

Mr. Daniel followed also, in opposition to the bill, in a speech between three and four hours long.

When Mr. D had concluded, Mr. Craig demanded the previous question, which was sustained.

Mr. Davenport demanded the yeas and nays on the previous question, which were ordered, and the yeas and nays were taken as follows:—

The previous questions were ordered, yeas 110, nays 44.

The main question—shall this bill be read a third time? was carried, yeas 126, nays 34.

On propounding the question, when shall the bill be read the third time?

Mr. Bell said that he would propose that the bill be now read, in order that there might be an expression of the opinion of the House on the point. A conversation arose, in which several members took part, as to the propriety of reading the bill now, or to morrow, a motion was made to suspend the rules, and Mr. Carson, which was negatived, and the bill ordered to be now read. The bill having been read.

Mr. Beardsley, said, the state of public business was such as would not admit of more

time being spent in the discussion of the bill. As several members were absent, who probably desired to record their votes upon its passage, he should move the previous question, and if it was carried, he hoped the House would adjourn, in order that the question might be taken without debate, to morrow.

Mr. Beardsley accordingly, moved the previous question, which was sustained.

The yeas and nays on the previous question were ordered on the call of Mr. Plummer, and were yeas 111, nays 40.

Before the main question on the passage of the bill was propounded, the House, at half past one o'clock, A. M. on motion of Mr. Mercer—Adjourned.

FRIDAY, March 1.

Several Senate bills were reported by the Standing Committees.

Mr. Wickliffe from the Committee on Public Lands, to which had been referred the resolution of the House, requiring that Committee to enquire into the condition of the General Land office, and the causes of arrears of business, &c. &c., reported to the House, that the Committee, every morning, nearly had been more or less engaged in the examination of the subject, but for the want of time, had come to no determination. He stated that some testimony had been collected, and he submitted to the House whether it ought to be printed, and what order should be taken on the subject.

Mr. Irvin suggested that some testimony had been taken, which, if printed, might operate injuriously to the party implicated, when, had time permitted, a different aspect might have been given to the transactions to which he referred. He therefore moved to lay the papers on the table, which was agreed to.

Mr. Verplanck, from the Committee of Ways and Means, made a report on the subject of the Bank of the U. S. accompanied with a resolution importing that the Government deposits may, in the opinion of the House, be safely continued in the Bank of the United States. Mr. V. moved to postpone the consideration of the report until to-morrow (to-day) and print, which was agreed to.

Mr. Folk, in behalf of such members of the Committee, presented a counter report, which he moved might take the same direction, which was agreed to.

Mr. Wainwright moved that 10,000 copies of these reports be printed.

Mr. Folk hoped no objection would be made to the motion.

He motion to print that number was accordingly agreed to.

Mr. Daniel, from the Select Committee, to which was referred that part of the President's message which relates to Internal Improvements and the exercise of doubtful powers by Congress, made a verbal report, stating in substance that the Committee had spent four weeks upon the consideration of the matters referred to them, and as no two gentlemen upon the Committee agreed in opinion upon any one subject involved, the Committee asked to be discharged from the further consideration of matters so perplexing. He would ask permission to add for himself, that after the vote taken last night, he did not think any amendment to the Constitution necessary.

The question was taken on discharging the Committee and negatived.

Mr. E. Everett, said if the House would not discharge the Committee he hoped to be excused from further attendance upon it.

Several resolutions were adopted, when the hour allotted to morning business expired.—The bill further to provide for the collection of duties on imports then came up. The previous question upon the passage of the bill had been ordered on the preceding evening.

Mr. Stewart demanded the yeas and nays upon the passage of the bill, which were ordered.

The bill was passed by the following vote:—YEAS—Messrs. Adams, C. Allen, H. Allen, Allison, Anderson, Appleton, Armstrong, Ashley, Banks, N. Barber, Barringer, Beardsley, B. C. Bates, James Bates, Beardsley, Bell, Bergen, Bethune, Jas. Bluff, John Blair, Boon, Bouck, Briggs, John Broadhead, J. C. Broadhead, Bucier, Bullard, Burd, Burges, Cahoon, Cambreling, Carr, Chandler, Choate, Collier, E. Cooke, B. Cooke, Corwin, Craig, Crane, Crawford, Creighton, J. Davis, Dearborn, Denny, Dewart, Dickson, Doubleday, Drayton, Draper, Ellsworth, G. Evans, J. L. V. and E. Everett, H. Everett, Frindley, Fitzgerald, Fox, Gilmore, Grennell, Jr., W. H. Hall, H. Hall, Harper, Hawkins, Hester, Hodgden, Hoffman, Hogan, Holland, Horn, Howard, Hubbard, Huntington, J. H. Ingralls, J. Ingalls, Jarvis, Jeffers, R. M. Johnson, J. King, N. Kavanagh, Kendall, A. King, J. King, H. King, Kerr, Lansing, Leavitt, Leconte, Letcher, Lyon, Mann, Marshall, Maxwell, McCarty, W. McCoy, McIntire, McKay, McKean, Mercer, Miliigan, Mitchell, Mulholland, Nelson, Newton, Pearce, Pendleton, Pierson, Pitcher, Polk, Potts, Jr. Randolph, J. Reed, E. C. Reed, Russell, Semmes, Sewall, W. B. Shepard, A. H. Shepper, Slade, Smith, Soule, Speight, Standefer, Stephens, Stewart, Sutherland, Taylor, F. Thomas, P. Thomas, J. Thomson, Tompkins, Tracy, Verplanck, Ward, Wardwell, Wardwell, Washington, Wainwright, Wayne, Wilkin, E. Whiteley, F. Whiteley, C. P. White, Williams, Worthington, Young—149.

NAYS—Alexander, R. Allen, Archer, Arnold, Balcock, J. S. Barbour, Barnwell, Bouldin, Carson, China, Claiborne, Clay, Clayton, Coke, Connor, Cooper, Coulter, Daniel, Davenport, W. R. Davis, Felder, Foster, Gaither, Gordon, Griffin, T. H. Hall, Hawes, Hughes, C. Johnson, Lamar, Lewis, Mardis, Mason, McDuffie, Newman, Nichols, Plummer, Plummer, Roane, Root, Stantley, W. Thompson, Weeks, Wheeler, Wickliffe, Wilde—nays 47.

The question was then stated upon the title of the bill.

Mr. McDuffie rose for the purpose of performing a most painful and solemn duty. This House was about to bury the sovereignty of the States—to bury the Constitution of the country. He asked for the poor privilege of writing its epitaph. He moved to amend the title so as to make it read as follows:—

"An act to subvert the sovereignty of the States of this Union, to establish a consolidated Government, without limitation of powers, and to make the civil subordinate to the military power."

Mr. Wayne moved to fix the amendment on the table.

This being deemed not in order, Mr. Speight called the previous question on the title, which was sustained.

Mr. Wickliffe demanded the yeas and nays upon the previous question, which were ordered, and was carried by the following vote:—yeas 156, nays 35.

The original title of the bill was then agreed to.

Mr. Wickliffe stated that he should move to postpone all the orders previous for the purpose of taking up the Land Bill from the Senate.

The Special orders were laid on the table. Various private bills were passed, and amendments made by the Senate to bills concurred in

by the House, which were passed, and amendments made by the Senate to bills concurred in by the House, which were passed.

The bill to provide for a stereotype edition of the laws to be published by the printer to Congress came up.

Mr. J. Bates moved to lay it on the table which was carried, yeas 92, nays 64.

The House on motion of Mr. Wickliffe, went into Committee of the Whole on the state of the Union which was carried. Mr. Folk in the Chair.

Mr. Verplanck moved that the Committee take up the Harbor bill, which was negatived.

Mr. Wickliffe moved the Public Land Bill from the Senate be taken up, which was carried.

Mr. Duncan moved an amendment to the first section which provides that 12 1/2 per cent of the proceeds of lands be paid to the States in which they lie for the purpose of increasing that proportion to 20 per cent. This amendment was debated by Messrs. Clay, Irvin, Duncan, Whiteley, Burges and Ashley, when the question was taken and the amendment negatived.

Mr. Verplanck moved an amendment to the second section moving out the limitation of the objects to which the sums received under it by the several States are to be applied, and leaving the mode and objects of appropriation to the several State legislatures.

This proposition was debated by Messrs. Archer, Barbour, Adams, Clay, Hawes, and Plummer, and the amendment was adopted.

Mr. Wickliffe, also moved to add a proviso that no part of the proceeds of the public Land be paid to the States under the bill, until the Secretary of the Treasury shall be notified by the Commissioners of the Sinking fund that the Public debt has been extinguished.

This amendment was debated by Messrs. Wickliffe, Vinton, Kennon, and Archer, and was adopted.

Mr. Duncan moved an amendment reducing the price of Public Lands subject to entry to \$1 per acre which was negatived. Several other amendments were proposed and negatived, when Mr. Clay moved to strike out the whole bill, after the enacting clause and inserting a substitute of the precise nature of which we were unable to ascertain.

Mr. Clay went at length into the discussion of this amendment and had not concluded his speech when our paper was made up.

FRIDAY, March 1, 1833.

After our paper went to press on Friday evening, the Land Bill from the Senate was carried through the Committee, and reported to the House when the amendments were concurred in, and the bill passed.

The House then went into Committee of the Whole on the State of the Union, in which the bill making appropriations for the improvement of Harbors and rivers; and the bill making appropriations for the civil and diplomatic service of the United States, for the year 1833, were taken up, and sundry amendments proposed by the Chairman of the Committee of Ways and Means, were adopted, and the bills reported to the House, which adjourned at past one o'clock, A. M.

SATURDAY, March 2.

On Saturday, various bills were reported by the Standing Committee.

Mr. E. Everett, from the Committee of Foreign Affairs, moved that the papers relative to the Convention with France, be printed, which was agreed to.

On motion of Mr. Anderson, a resolution was adopted allowing Overton Carr \$1000 in addition to his salary, for the faithful discharge of the extraordinary duties imposed on him.

The following resolution reported on the preceding day by the Committee of Ways and Means then came up:—

"Resolved, That the Government deposits may, in the opinion of the House, be safely continued in the Bank of the United States."

Which after an animated debate, in which Messrs. Polk, Ingersoll and McDuffie were the principal speakers, was adopted, yeas 110, nays 46.

By unanimous consent the House then took up the bills making appropriations for the Engineer Department and for civil and diplomatic service for the year 1833, upon the question of concurrence with the amendments made in Committee. The amendments were all agreed to.

The amendment providing for the appointment of a Commissioner of the Customs, in which Mr. E. Everett, extending the franking privilege of members of Congress.

Mr. Verplanck moved an additional appropriation of \$34,000 for Clerks in the Post Office Department.

Mr. E. Whiteley opposed this amendment.

Mr. Connor supported it—and read a letter from Mr. McLane, late Postmaster General, on the subject.

Mr. Wickliffe opposed the amendment at length, which was further supported by Messrs. Connor, and R. M. Johnson, and adopted.

Mr. Bell moved to amend the bill, by inserting a clause granting to Stephen Pleasonton, \$5,000 for certain extra services performed by him.

Mr. E. Whiteley said, that claim had been set the House by day and by night. If the amendment was persisted in, he should call for the reading of the report of the Committee of Claims against it.

Mr. Hubbard moved the previous question on the bill as previously amended—which was sustained.

Both bills were ordered to be engrossed.

On motion of Mr. E. Everett the House by unanimous consent went into committee upon the bill for carrying into effect the Convention with the King of the two Sicilies, which was agreed to.

Mr. Archer moved to strike out "two" and insert one year as the duration of the Commission, which was agreed to—the bill was then reported to the House.

The House then took a recess until 6 o'clock. At 6 o'clock the House again assembled.

The bills making appropriations for the Engineer Department, and for the civil and diplomatic service for the year 1833, were read a third time and passed.

Various bills from the Senate were passed.

The bill in addition to the act regulating passenger ships came up.

Mr. Jarvis said the bill proposed to repeal without examination a law which had passed with great deliberation. He moved to lay it on the table, which was carried.

After passing various acts from the Senate without debate, the House went into Committee of the Whole on the state of the Union, Mr. Wickliffe in the Chair.

The bill making appropriations for the Indian Department, was taken up.

Mr. E. Everett moved an amendment providing for the valuation and payment for the property of the American Board of Commissioners of Foreign Missions in the Choctaw Nation, which was agreed to.

Mr. Ashley moved an amendment appropriating \$100,000 for the expense of an expedi-