recently gone down in the night, and taken the axe and a pine club from the woodpile, and sat upon his bed-side and trimmed off the green limbs, which laid in the morning as they had been cut off upon the floor. This fact, it is believed, though, no doubt has ensued, will constitute the crime of burglary, and bring the wretch to the gallows, if fortunately he shall be found. The whole of the southern parts of the State are on the alert, and have offered by subscription, a reward of $600 for his apprehension.

It has been ascertained that a man by the name of William Burke (an Irishman) had been at work upon the Canton Rail Road, at about the time the assassin represented that he was there himself, and his character and appearance had been such, as to confirm the suspicion, that he was the same person who committed the bloody deed.

The American Turf Register for the present month, contains a letter addressed to the editor, J. S. Skinner, Esq. by Genl. Gratiot of the United States Army, on the importance of procuring the best wild horses of the prairies south west of Cantonment Gibson. The horses that are found running wild in herds over that vast country, extending westward to the foot of the Rocky Mountains not in the possession of the Cage chiefs, are represented by all accounts to be of the finest and most powerful kind, superior to the very best horses among us, for speed and indurance. The celebrated naturalist, Audubon, rode one of them more than *three thousand miles* continually, without his losing a meal, or complaining a day; and an intelligent officer writes to Mr. Skinner, that "no one has observed the Osages galloping over the boundless prairies, under their fervid sun, and maintaining this for hours, viewed their muscular and handsome steeds, and compared his own jaded nag with the bounding and restless animals around him, but has confessed the superiority of their horses." The race is supposed to be descended from the Arabian stock, through the celebrated Andelusian horses of Spain, brought there by the Moors, and thence exported to the Spanish American provinces.

Arrangements have been made through the agency of several officers of the army, to have some of the best of the kind selected and imported into this region, for the purpose of improving the stock.

TWENTY-THIRD CONGRESS.
FIRST SESSION.

THURSDAY, JANUARY 16.

IN SENATE.

A message was received from the President of the United States, by Mr. Donelson, his secretary, transmitting a report from the Director of the United States Mint, exhibiting the state of that institution for the year 1833.

The following resolutions were severally presented and laid upon the table:

By Mr. Linn,

Resolved, That the Committee on Manufactures be instructed to inquire whether the duty on lead has not been eluded, or attempted to be eluded, by the importation of lead in the form of busts, clock and sash weights, bullets, large bowls, &c.

By Mr. Shepley,

Resolved, That the Secretary of the Treasury be directed to communicate to the Senate, so far as the returns received will permit, the tonnage departing from the United States, in each collection district thereof, to the British North American colonies, and to the British West Indies, since the 30th of September, 1832, distinguishing the domestic and foreign tonnage. And, also, the value of the exports to those places respectively, from each collection district during the same period.

The bill from the House of Representatives, making appropriations for the Naval service for the year 1834, was read the first time, and the second time by unanimous consent, and referred to the committee on Finance.

The Senate resumed the consideration of the Report of the Secretary of the Treasury, and the resolutions of Mr. Clay, on the subject of the removal of the public deposites from the Bank of the United States; when

Mr. Shepley resumed his remarks, and continued until a quarter before 3 o'clock, when he concluded with moving that when the question be taken on the resolutions, it be taken by yeas and nays; which was ordered

On motion of Mr. Webster, the Senate then proceeded to the consideration of Executive business. After remaining a short time with closed doors; on motion of Mr. Rives the Senate adjourned.

HOUSE OF REPRESENTATIVES.

The Speaker presented the following Message from the President of the United States, with the following report from the Director of the Mint:

WASHINGTON, Jan. 15, 1834.

SIR: I transmit to Congress a Report from the Director of the Mint, exhibiting the operations of that institution during the year 1833.

ANDREW JACKSON.

To the Hon. the Speaker of the House of Representatives.

MINT OF THE UNITED STATES,
Philadelphia, 1st January, 1834.

SIR: I have the honor to submit a Report on the general transactions of the Mint, during the last year.

The coinage effected within that period, amounts to $3,765,710, comprising $978,550 in gold coins, $2,759,000 in silver, $28,160 in copper, and consisting of 10,307,790 pieces of coin: viz:

Half Eagles,	193,630	pieces,	making	$968,150
Quarter do.	4,160	"	"	10,400
Half Dolls.	5,206,000	"	"	2,603,000
Quarter do.	156,000	"	"	39,000
Dismes	485,000	"	"	48,500
Half do.	1,370,000	"	"	68,500
Cents	2,739,000	"	"	27,390
Half Cents	145,000	"	"	770
	10,370,790			$3,765,710

Of the amount of gold coined within the past year, about $85,000 were derived from Mexico, South America and the West Indies; $12,000 from Africa; $868,000 from the Gold Region of the United States, and about $13,000 from sources not ascertained.

Of the amount of Gold of the United States, above mentioned, about $104,000 may be stated to have been received from Virginia; $475,000 from North Carolina; $66,000 from South Carolina; $216,000 from Georgia; and about $7000 from Tennessee.

The annexed statement exhibits the quantity of gold received from the several districts of the United States, which have thus far produced it in sufficient quantities to be an object of regard, commencing with the year 1824.—Previously to that period, gold had been received at the Mint only from North Carolina, from which quarter it was first transmitted for coinage in 1804. During the interval, however, from that date, to 1823, inclusive, the average amount had not exceeded $2500.

In the report of 1st January, 1833, it was remarked that the quantity of gold of the United States brought to the mint in 1832, was regarded, according to estimates entitled to great respect, as not much exceeding one half the quantity produced from the mines within that year; nearly an equal amount being supposed to have been exported uncoined, or consumed in the arts. Nothing has since occurred to create a doubt of the correctness of that conjecture. It is altogether probable that the remark is equally true in regard to the last year, and that the amount of gold derived from the United States, within that period, has exceeded one million and a half of dollars. This sum, it is believed, is not less than about one-fifth of the amount of gold produced within the same period, from all other sources, in Europe and America, estimated according to the best authorities.

I have the honor to be with great respect, your obedient servant,

SAMUEL MOORE,
Director of the Mint of the United States.

To the President of the United States.

STATEMENT of the amount of Gold produced annually from the Gold Region of the United States, from the year 1824, to 1833, inclusive.

	N. Carolina	S. Carolina.	Georgia.	Tennessee	Alabama	*Total.
1824	85,000					85,000
1825	17,000					17,000
1826	20,000					20,000
1827	21,000					21,000
1828	46,000					46,000
1829	134,000	83,500	212,000			140,000
1830	204,000	26,000	176,000	1,000		466,000
1831	294,000	22,000	140,000	1,000	1,000	520,000
1832	458,000	45,000	215,000	7,000		678,000
1833	475,000	66,000	216,000			858,000
	$1,674,000	162,500	744,000	9,000	1,000	2,781,000
	Virginia.					
1824	$2,500					
1825	24,000					
1826	26,000					
1827	34,000					
1828	104,000					
	$190,500					

THE DEPOSITE QUESTION.

The subject of the deposites then came up as the order of the day; when

Mr. Beardsley, of New York, took the floor and continued to occupy it until near 4 o'clock; when

Mr. Jones, of Georgia, moved the adjournment, and has the floor for tomorrow.

IN SENATE.

FRIDAY, January 17, 1838.

The Vice President communicated a letter from the Secretary of War, including a report from the agent of the National Road in Indiana, which, on motion of Mr. Hendricks, was referred to the Committee on Roads and Canals.

The Vice President also communicated a letter from the Secretary of War, inclosing a statement of the number, names, and compensation of the Clerks employed in his Department during the year 1833.

Mr. Poindexter, from the Committee on Public Lands, reported several bills of a private nature.

Mr. Poindexter, from the same Committee, asked to be discharged from the further consideration of the resolution of the State of Missouri, respecting land districts.

Mr. Poindexter, who moved to lay the resolution of Mr. Clay (submitted on Tuesday last) upon the table, called it up.

Mr. Clay moved the following as an amendment to the amendment of Mr. Forsyth:

"By extending the period of payment of revenue bonds, under suitable precautions or otherwise, within the constitutional powers of Congress."

Mr. Poindexter then addressed the Senate for some considerable time, and was followed by Mr. Benton, for a few moments; when Mr. Webster, expressing a wish to be heard upon the subject, moved that the resolution lie upon the table; which, after an intimation by Mr. Clay, that he should expect it to be taken up on Monday, was so ordered.

On motion of Mr. Ewing, it was

Resolved, That when the Senate adjourn, it would adjourn until Monday.

The Vice President then announced the special order of the day to be Mr. Clay's resolution, upon

THE REMOVAL OF THE DEPOSITES.

Mr. Rives addressed the Senate until five o'clock in support of the reasons of the Secretary, and against the resolutions of Mr. Clay.

It is impossible, notwithstanding an imperative rule adopted by the editor, owing to the lateness of the hour for the Reporter to give any thing like a synopsis of the profound arguments of this able speech;—the speech will be written out immediately, and published as soon as practicable.

Mr. Ewing then took the floor and moved an adjournment; which was carried.

HOUSE OF REPRESENTAVIVES.

FRIDAY, Jan 17, 1834.

Mr. Watmough reported a bill concerning Navy Pensions and the Navy Pension Fund: and

Mr. Polk, a bill making appropriations for revolutionary and other pensioners of the United States for the year 1834—both of which bills were severally referred to the Committee of the Whole on the state of the Union, and ordered to be printed.

THE PENSION LAWS.

The resolution submitted by Mr. Chilton, to appoint a Select Committee to inquire into the expediency of so extending the general Pension Law, as to embrace within its provisions those persons who were engaged in the Indian wars down to 1794, with the amendment thereto, submitted by Mr. Boulden, to appoint a committee to inquire into the moral effects of the pension system—coming up as the unfinished business—

Mr. Peyton, resumed his remarks. He said that any vote of the House, by which the services of the persons engaged in the conflicts with the Indians might be recognised, would be to them, the proudest day of their existence, and its effect would be to relieve many who had long experienced undeserved want and misery. Adverting to the statement, made by the honorable member from Rhode Island, (Mr. Burges,) "that this was a petty warfare," he asked, could that be considered a petty warfare, which raged from Georgia to Canada? and in which, thousands, and tens of thousands of savages had been engaged for years? But to show that those wars, were neither petty nor inglorious, he referred the gentleman to an instance in which a small party of only nineteen whites, had resisted and proved victorious, over a band of Indians, who outnumbered them in the proportion of one hundred to one, and he described these conflicts and said that although, after the savages obtained victories, they had used their power barbarously; that in every Indian camp, the remnants of human skeletons, the remnants of those, whose bodies were consumed at the stake, were to be met with; even the skeletons of women and children, yet he must repel the insinuation that the whites had committed similar atrocities, and asked the gentleman if he ever heard of a white man injuring women and children, begging him, when he should hear such a charge made, to set it down as false. That gentleman was unsparing of his censure upon these hardy bands for defending themselves, or for pursuing the savages. But was he equally so upon the privateering of those from his own State, during the last war? No. Yet his patriotic blood seemed to curdle in his veins, when he reflected upon the conduct of the white man, who was forced to peril his life against the most fearful odds. He talked, too, "of atrocious acts of retaliation having been committed by the frontier men," but Mr. P. denied the justice of this charge, and referred the gentleman to the history of Kentucky and of the times, by which he would learn such was not the conduct of Boon, when he penetrated into the deep forest in pursuit of the two Miss Callerys, whom he regained from the Indians and restored to their homes. Boon was not alone in such achievements. There was a long list in which the name of Weeks and others were to be enrolled. There were 1,500 women and children who were taken captive, wounded or slain; at least 2,000 horses, and not less than 5,000 dollars worth of property taken from the harrassed and bleeding hunters. Yet this was all "petty" in the gentleman's opinion. Mr. P. contended at length, that it was owing to their gallant exertions the standard raised by CORNWALLIS in the South, at the instigation of the tories, had been pulled down, and after detailing the events of the battle at King's mountain, as having contributed as much as any other, to establish the independence of the United States, he expressed his hope, that the glory of that and their other actions, would be permitted to stand as a proud monument of their fame; that the surviving remnant of such an heroic band would be considered as not the least deserving of those who now enjoyed the bounty of the nation.

Mr. Pinckney said that he valued as highly as any person, the rich inheritance of independence that was left them, by their fathers, and duly appreciated the price at which it was purchased. But he would prefer showing his veneration for those engaged in the revolution, in some other way, than by increasing taxation, or the burdens of the nation. The mover of the resolution, had certainly taken such captivating ground, that even he, deprecating as he must ever do, the consequences of its adoption by the House, was almost tempted to give freely, the pittance, which was claimed so eloquently for the war-worn veterans of the west. But he had a higher duty to perform, than to give way to his feeling, as he must contend, that the House, had no constitutional right to adopt the resolution; the whole pension sytem was established, without constitutional authority, and he defied the utmost ingenuity to point out any one article in the constitution, from which the power to establish it could be inferred. If then, it was not constitutional to establish the system for the soldier of the revolution, how much more unjust was it, to include within the provisions of that law, those who, whatever were their services elsewhere, had no agency in that war? Their services having been subsequent to that event, they had not contributed to lay the glorious foundation on which the federal constitution was raised. He could not assent to the pension system being established, much less being extended; for by the annual message of the President, as well as the report from the Secretary of the Treasury, they were plainly told, that economy was necessary; that there were some doubt, that the revenue would keep pace with the expenditure and they were warned of this, in order to prevent them indulging their feelings, by making appropriations of this character. But notwithstanding this warning, scarcely a day passed, without some schemes being presented, which had for their object an extension of the public expenditure. There were propositions to distribute the public lands; to make appropriations for subscriptions to various roads and canals, and lastly, the pension system as now sought, was to be increased. He called on the House to consider that the certain effect of proceeding in this way must be to oblige them again to have recourse to most onerous taxation; and that for this purpose, notwithstanding all the agitation which prevailed on the subject of the tariff had been sealed by the compromise bill, that subject must be again opened. But were Congress prepared to convulse the country as it had been on that question? Would they again have the country so torn and distracted as it was, and this too, not for the benefit of any great manufacturing interest, but for such a measure as this, which was only based on an appeal to their feelings of generosity? He trusted not, for his motto was justice, rather than generosity; and it was not justice to tax the public for the benefit of a class of persons who had no claims whatever. He would rejoice to see the pension system abolished altogether; considering that it was notoriously a branch which had its origin in the protective system; it had been devised under color of showing gratitude to those who achieved the independence of the country; but, in reality, to keep up the system of high duties, and this being the understanding of the South, as to its origin, it was most odious to them, for they knew that so long as the expenditure of the Government was increased, or kept up unnecessarily, taxation must be resorted to.—They were now about to commence a new era; the public debts were to be paid off. There was no longer a pretext for the continuance of taxation. Egonomy was one principle on which the present administration came into office; to correct abuses and reform institutions was another. But how had these promises been fulfilled? Where was the retrenchment, where was the expenditure reduced? Instead of retrenchment, they found such extravagrance to prevail, that some of the departments were insolvent; and, in such a state of things, ought Congress to increase the expenditure, or to reduce the revenue to the legitimate wants of the people? As long as there was the pretext of the public debt, the people bore taxation; but now that they know that pretext is removed, they demand as a right, that no more taxation, no more appropriations shall be made than was absolutely necessary. If there was one objection stronger than another to taxation, it would be to taxation for the pension system, because it was not only burdensome in itself, but because as it operated unequally, it therefore operated unjustly. Who, he asked, enjoyed its benefits? Not one in twenty in the South participated in the benefits of it—although the South, more than any other portion of the United States, contributed to the revenue of the country.

After some further remarks, Mr. P. concluded, by a motion to postpone the resolution indefinitely.

Mr. Burges rose to say, that he had been greatly misrepresented in his observations formerly made on this resolution, concerning military pensions. It has been asserted that he had termed the Indian war, to which the honorable gentleman had referred, a 'petty' war. Now he had not said that it was a petty war; although he certainly had said that it was a private, not a public war. And to this remark he was stimulated by an observation of one who advocated the passage of the resolution—that the war had continued for twenty years: therefore, giving the gentleman credit for his assertion, he could not but consider it a private war; for with no Indian war of a public nature, of 20 years' continuance, has he been made acquainted in his historical researches. It must have been a private war, because those who were engaged in it, had not been enlisted in the public service of the country, nor had they been equipped or designed as militia. Where then is the nature of a public war? Where the test of evidence to prove that those engaged were engaged in the service of the public? And if not engaged in the service of the nation, why should the nation be publicly taxed to remunerate private services so performed? He does not deny the men—Boon, Spencer, and their associates—were brave men; nor that any of those who may have contended in the alleged wars with the Indians, may have been actuated by a chivalrous spirit; the bravery they possessed, they possessed for themselves. They were pioneers for themselves, not for a love for the nation. They were stimulated by a desire to better their own condition; not to defend their country's rights; and their condition they did better. Have they not taken forcible possession of the most fertile lands in the most fertile districts; and entailed their property on their sons and grandsons, while they have been enabled to settle all their cousins around them? What more would they desire? They have monopolized territories; and now they want to become pensioners on the public bounty. Gentlemen are very loud in applauding the chivalry of those men, but they disdain to give more than their praise. They exclaim that those whom they eulogise are in straights and misery; but so far from being ready to contribute to these allegad wants of applauded chevaliers, they are anxious to exonerate themselves from their craving demands, and to burden the public with those from whose claims they appear not otherwise willing or able to obtain redemption. They give praise when they should give alms; and think that this applause and the aid of public pensions should relieve themselves from maintaining. [The speaker then instanced several examples from ancient and modern history wherein there had been pioneers on the frontiers of extending countries, and discoverers of previously unknown regions.] He alluded to extending the frontiers from Rhode Island to Connecticut, and thence westward still; but which of all the adventurers so employed, ever asked the support of the public funds for private services so performed? He alluded to the wanderings of Hercules in Italy, and the barbarity of the tyrant Cacus, filching his neighbour's cattle, and drawing them backward into his den: but that Hercules discovered the cattle by their lowing; so says the poetical version of the tale, but whether true or not he can't say. Yet this Hercules is now deemed a hero, from such exploits of his pioneering bravery, and Cacus condemned as an aboriginal savage. So with the pioneers of the west. They are deemed heroic cavaliers; and the aborigines of the soil, whom they conquered and extirpated, are denominated savages, whom it was a glory to extirpate, in whom it was a crime to endeavor to regain their own lands, and over whom it was bravery to triumph, and deserving of public pensions. But we are told that the civilization disseminated by the conquest, improves the condition of these reputed savages; and for this, those instrumental in extending the *boon* of civilization, deserve public approbation and reward. For himself, he has no desire to reward any for killing the Indians, in party or pioneering conflicts.—The Indians were the original possessors of the soil, and cannot be condemned for struggling to retain their own. The Indian names and fame are interwoven in the annals and statistics of the country; and when that mountain to which Spencer had given his name, may dwindle to obscurity or change its epithet, the mighty rivers of the land, the Ohio, Mississippi, &c. will roll on a reminiscent record of their fame to posterior ages; their waters, in rolling onward to the ocean, will resound their fame; and the literature of the country will redeem them from infamy. The Indians were attacked, routed, extirpated. They were driven from the lands of their fathers; and well might they exclaim that they had scarcely left land enough to die on. At that period, the frontier settlers thought but of their own condition; how they might improve it, by acquiring fertile possessions; and now that the dangers of those adventurous joys have passed away, now that the days of their enjoying the warwhoop of their much wronged opposers have gone, they turn round and demand the right of having bestowed on them pensions for so acting for themselves against a self-raised foe. If pensions are granted for the display of chivalry, such as this is commended to have been, then will pensions swell the expenses of the nation, and engross the revenues of the country; for the frontiers of the west will still be extending westward, and opportunities be still given for the display of chivalrous spirit at every such extension. We shall therefore keep alive the spirit of chivalry, and eternally awaken the spirit of war. There will always be Sampsons and Herculeses among those cavaliers; and a demand will always be made to pension them or their sons, as the heroes of the twenty years' war have been rewarded before them. The evils will thus be extended. It is therefore much better to narrow the pension system while we may; and before we afford injurious precedents for expenditures of the public bounty, and rewards for monopolizing skirmishes with the Indians. He is not disposed to reward such chivalry, nor to participate in such exploits. If, in such a contest, the gentleman to whom he is now more immediately opposed, should take a fancy to tomahawk him, and to carry about his venerable scalp as a trophy of victory, he might consider himself as deserving a pension of the government; but if he was fortunate enough to master his enemy, and had taken his scalp, he would not think it worth his trouble to take it away.

A motion was then made to suspend the rules of the House, relative to the duties of Friday, in order that the preceding debate might be continued; but was lost.

On the motion of Mr. Polk, several bills for the relief of individuals, as reported by the Committee of Ways and Means, were then read a third time and *passed*.

A few petitions were then proposed, with the consent of the House, and some private bills.

The Speaker presented a public document containing the list of Clerks belonging to the public Departments.

A resolution passed by a small minority, conceding to the Colonization Society the use of the Hall of Representatives for a meeting to be held on Monday evening next.

Mr. Polk moved to suspend the standing orders of the House, in order to propose the bill of appropriations (returned with amendments from the Senate) concerning the contingent expenses of Congress, in the articles of stationary, &c. &c. The gentleman said it was absolutely necessary that the appropriation should be made as soon as possible. The House concurred.

Mr. Polk then said that the Committee of Ways and Means had agreed to the amendments proposed by the Senate, except that one which proposed to strike out altogether a clause which had first been passed in 1830, and continued every year since, which restricted this appropriation for contingencies to mere stationary, &c. and the printing of such public documents as may be ordered by both Houses in the routine of business: unless it were otherwise ordered by a joint resolution of both Houses. Although he did not wish to originate discussion on this clause, he thought it prudently restrictive, as it tends to prevent the ordering of books, &c. without making any appropriation for them; and prevents the action of either House without the concurrence of both. But this restriction cannot extend to the vote lately passed for Elliot's Debates—its effects being solely prospective. Nor can it prevent the ordering in future any books: its object being solely to prevent such orders without the joint resolution of both Houses, which is required to make any appropriation:—Appropriations may be specially made for any particular purpose; so that the clause proposed is to prevent the appropriation made for the contingent expenses of both Houses, amenable to the orders of either only, in any resolution not jointly passed.

Mr. Foot objected to the clause, and thought it should be admitted, as the senate had proposed. It is rather singular that either House should be denied the privilege of printing what it adjudges proper to order, when that privilege is extended to all the Departments, which are allowed to print *ad libitum*, what is considered necessary: nor is it consistent that the Senate should be denied the privilege which is appropriated by the House. This will bring both Houses into an improper collision. He sees therefore no sufficient reason why they should endeavor to tie up their own and other person's hands.

The discussion was continued by Messrs. C. C. Clay and Polk, who supported the motion and by Messrs. Everett of Massachusetts, and Adams of Massachusetts, who opposed the motion to disagree to the Senate's amendment.

On motion of Mr. McKim, the yeas and nays were ordered on the question.

The question being taken, it was decided in the affirmative; by a vote of 70 to 112.

So the House disagreed to the amendment of the Senate.

On motion of Mr. Vance, it was

Ordered, That when the House adjourn, it adjourn to meet on Monday.

The House then adjourned.

LEGISLATURE OF MARYLAND.

HOUSE OF DELEGATES.

FRIDAY, January 17th, 1834.

Mr. Merrick presented a memorial of the Chesapeake and Ohio Rail Road Company, for an advance of part of the states subscription for the stock of that company;

Also presented a momorial of the Baltimore and Ohio Rail Road Company, praying for an alteration in the rate of interest fixed by a law of the last session upon the stock subscribed for by the state, for the construction of the Baltimore and Washington Rail Road;

Which were severally read and referred to the committee on internal improvement.

Mr. Snowden presented a petition of sundry citizens of Anne Arundel county and Baltimore county, praying for an act to incorporate the Patapsco Bank of Maryland;

Which was read and referred to Messrs. Snowden, Ely, Spencer, Pratt and Moores,

On motion by Mr. Harris,

Ordered, That it be a rule of this house that the Speaker shall forthwith, and at the commencement of every succeeding session, appoint a standing committee on corporations, whose duty it shall be to investigate all such bills for creating corporations as may be referred to them, and report if any, and what inconvenience may result to the state from the passage of such bills.

On motion of Mr. Harris,

Ordered, That a select committee of three be appointed to inquire and report by what authority the institution known by the name of the Susquehanna Bridge and Bank Company carry on banking operations in the city of Baltimore, and whether said institution has not forfeited its charter.

In pursuance whereof the Speaker appointed Messrs. Harris, Palmer and Dale to constitute said committee

On motion by Mr. Moores,

Ordered, That the committee on education be and they are hereby instructed to report a bill providing for the distribution of the common free school fund, among the several counties of this state.

On motion by Mr. Lantz,

Ordered, That the standing committee on the coloured population be instructed to inquire into the expediency of repealing, revising or new modelling the acts of December session, 1831, and December session, 1832, relative to the colored population, and report by bill or otherwise.

Mr. Unkefer obtained leave to bring in a bill to be entitled, an act to repeal certain parts of an act relating to the people of color in this state, passed at December session, 1831, chapter 281, and impose a tax upon each slave brought into this state, to be applied to the benefit of the Maryland Colonization Society;

Ordered that Messrs. Unkefer, Bruff and Heard report the same.

Mr. Dulany obtained leave to bring in a bill to be entitled, an act relative to the introduction of slaves into this state acquired by marriage;

Ordered that Messrs. Dulany, Fassitt and Humrickhouse report the same.

The bill reported by Mr. Burchenal, entitled an act to establish Magistrate's District courts in this state, and prescribing their powers and duties, was taken up for consideration;

When, on motion by Mr. Fassitt, the said bill was ordered to lie on the table, and made the order of the day for Thursday the 30th inst.

Mr. Roberts reported a bill, entitled, An act relating to the Surveyor of Queen Anne's county, which was read the first time;

When on motion by Mr. Handy the said bill was referred to the committee on grievances and courts of justice.

The clerk of the Senate returned the bill entitled, An act to incorporate the Choptank Steam Boat and navigation company of Maryland, endorsed will pass with the proposed amendment;

Which amendment was read the first and second time by special order, assented to, and the bill ordered to be engrossed;

SATURDAY, Jan. 18.

Mr. Nicols presented a memorial and petition of sundry citizens of Dorchester county, praying the establishment of a State Bank;

Which was read and referred to the committee on ways and means.

Mr. Carter, of Montgomery submitted the following order;

Ordered, That the committee on corporations be instructed to inquire and report to this house if any corporations in this state have violated their charters, and if so, whether such violations be not a forfeiture of the same.

Resolved in the affirmative.

Mr. Crabb, chairman of the committee on elections and privileges delivered a report and resolution confirming the seats of all the sitting members of the House of Delegates; which was read and concurred in by the House.

Mr. Sellman chairman of the committee on claims delivered the following report, which was read the first time and ordered to lie on the table.

WHEREAS the present mode of contracting for the stationary, for the use of the Excutive and Legislature, is attended with great inconvenience and much delay, Therefore,

Resolved by the General Assembly of Maryland, That the State Librarian be, and he is hereby authorized and directed to purchase annually hereafter, the usual and necessary supplies of Stationery, for the use of the Executive and Legislative Departments of this State; previously to the meeting of each session of the Legislature;

And that the bills for stationary so purchased by him, be annually submitted to the examination of the Joint Committee on the Library, and on the approval of said committee—the Committee on Claims shall pay or cause to be paid to the person or persons, from whom said purchasers shall have been made, such sums as may appear to be due in the same manner, as similar claimants are now paid, and that the Committee on Claims allow the Librarian —— per cent on the amount of said purchases.

Resolved, That the resolution No. 11, passed at December session, 1830, directing the Clerk of the council to advertise, that proposals will be received for furnishing stationary for the Executive and Legislature, be and the same is hereby repealed.

MONDAY, Jan. 20.

Mr. Larrimore presented petitions from sundry inhabitants of Primary School District No. 12, in Queen-Ann's county, praying the passage of a law to tax the inhabitants of said district, for the support of a Primary School in said district;

Which were severally read and referred to Messrs. Larrimore, Burgess and Roberts.

Mr. Fountain presented a petition of the citizens of Denton and sundry inhabitants of Caroline county, praying for an act authorising the Levy Court of said county to dispose of the causeway leading from the village of Denton to Denton Bridge, in any way they may deem most advantageous.

Which was read and referred to Messrs. Fountain, Charles and Carter of Caroline.

On motion by Mr. Hillen,

Ordered, That the committee on Ways and Means be instructed to inquire into the expediency of revising, reducing, or otherwise remodelling the license law, passed at December session, 1831, chapter 262.

Mr. Hurtt obtained leave to bring in a bill to be entitled, an act to repeal the tenth section of the act entitled, an act relating to free negroes and slaves, passed at December session, 1831, chapter 323.

Ordered, That Messrs. Hurtt, Hayne and Miller of Kent report the same.

CONGRESSIONAL DEBATE.

MR. CALHOUN'S SPEECH.

IN SENATE—MONDAY, JAN. 13, 1834.

The Special Order now came up. The question being on Mr. Clay's resolutions in regard to the removal of the Public Deposites:

Mr. Calhoun then rose and said, that the statement of this case might be given in a very few words. The 16th section of the act incorporating it provides that wherever there is a bank or branch of the United States Bank, the public moneys should be deposited therein, unless otherwise ordered by the Secretary of the Treasury, and that, in that case, he should report to Congress, if in session, immediately; and if not, at the commencement of the next session. The Secretary, acting under the provision of this section, has ordered the deposites to be withheld from the bank, and has reported his reasons, in conformity to the provisions of the section. The Senate is now called upon to consider his reasons, in order to determine whether the Secretary is justified or not. I have examined them with care and deliberation without the slightest bias, as far as I am conscious, personal or political. I have but a slight acquaintance with the Secretary, and that little is not unfavorable to him. I stand wholly unconnected with the the two great parties now contending for ascendency. My political connexions are with that small and denounced party which has voluntarily wholly retired from the party strifes of the day, with the view of saving, if *possible, the liberty* and the constitution of the country, in the great crisis of our affairs.

Having maturely considered, with these impartial feelings, the reasons of the Secretary, I am constrained to say that he has entirely failed to make out his justification. At the very commencement he has placed his right to remove the deposites on an assumption, resting on a misconception of the case. In the progress of his argument he has entirely abandoned the first, and assumed a new and greatly enlarged ground, utterly inconsistent with the first and equally untenable; and yet, as broad as his assumptions are, there is an important part of the transaction which he does not attempt to vindicate, and to which he has not even alluded. I shall, said Mr. Calhoun, now proceed without further remark to make good these assertions.

The Secretary, at the commencement of his argument, assumes the position that, in the absence of all legal provision, he, as the head of the financial department, had the right, in virtue of his office, to designate the agent and place, for the safe keeping of the public deposites. He then contends that the 16th section does not restrict his power, which stands, he says, on the same ground that it did before the passing of the act incorporating the bank. It is unnecessary to inquire into the correctness of the position assumed by the Secretary; but, if it were, it would not be difficult to show that when an agent, with general powers, assumes, in the execution of his agency, a power not delegated, the assumption rests on the necessity of the case; and that no power, in such case, can be lawfully exercised, which was not necessary to effect the object intended. Nor would it be difficult to show that in this case, the power assumed by the Secretary, would belong, not to him, but to the Treasurer, who, under the act organizing the Treasury Department, is expressly charged the safe keeping of the public funds, for which he is responsible under bond, in heavy penalties. But, as strongly and directly as those considerations bear on the question of the power of the Secretary, I do not think it necessary to pursue them, for the plain reason that the Secretary has entirely mistaken the case. It is not a case, as he supposes, where there is no legal provision in relation to the safe keeping of the public funds, but one of precisely the opposite character. The 16th section expressly provides that the deposites shall be made in the bank and its branches, and of course it is perfectly clear that all powers which the Secretary has derived from the general and inherent powers of his office, in the absence of such provision, are wholly inapplicable to this case. Nor is it less clear, that if the section had terminated with the provision directing the deposites to be made in the bank, the Secretary would have had no more control of the subject, than myself or any other Senator, and it follows of course that he must derive his power, not from any general reasons connected with the nature of his office, but from some express provision contained in the section, or some other part of the act. It has not been attempted to be shown, that there is any such provision in any other section or part of the act. The only control, then, which the Secretary can rightfully claim over the deposites, is contained in the provision which directs that the deposites shall be made in the bank, unless otherwise ordered by the Secretary of the Treasury, which brings the whole question, in reference to the deposites, to the extent of the power which Congress intended to confer upon the Secretary, in these few words—"unless otherwise ordered."

In ascertaining the intention of Congress,

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