

The bill from the House for the preservation and repair of the Cumberland Road, was read the first time, and on the question shall the bill be read a second time, a long discussion took place. The question was decided in the affirmative—yeas 23, nays 15.

Friday, May 19.
The bill for the preservation and repair of the Cumberland Road, was read a second time, and referred to the Committee on Roads and Canals.
Mr. Findlay submitted a resolution, which he wished referred to the same Committee, which was in substance, that the road should be ceded to the States through which it passed, on condition that they should keep the road in good order.

Mr. Eaton moved to lay the resolution on the table; which was carried.
The bill for the relief of James Monroe, was read a third time, passed and returned to the House.
The Senate proceeded to consider the report of the managers on the part of the Senate, at the conference on the disagreeing votes of the two Houses, on the amendment proposed by the Senate, to the bill making appropriations to carry into effect the treaty concluded between the United States and the Creek Indians, ratified on the 22d of April, 1826.

A long discussion ensued, in which Messrs. Van Buren, Holmes, Harrison, Tazewell, Benton, Branch, Berrien, and King, took part.
In the early part of the debate, Mr. Van Buren submitted a resolution that the Senate instruct their conferees to insist on their amendment. This was subsequently modified, on the suggestion of Mr. Holmes, so as to read as follows:

Resolved, That the Committee of Conference on the part of the Senate be instructed to agree to the proposition of the conferees of the House of Representatives on the amendment of the Senate to the bill making appropriations for carrying into effect the Treaty with the Creek Indians.

The resolution was agreed to.
Mr. Harrison then, partly from some circumstances which arose out of the preceding debate, and partly from the quantity of business yet to be acted on, and the little prospect there was, considering the length of the debates, to act on it all by to-morrow night, offered a resolution proposing to extend the session to Thursday next; which was concurred in.

Mr. White moved that the Senate insist on its amendment to the bill for the relief of James Monroe, disagreed to by the other House, and that a Committee of Conference be asked for. The motion was carried.

HOUSE OF REPRESENTATIVES.

Monday, May 15.

The following joint resolution offered by Mr. Carson of North Carolina, was called up:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States do cause a reconnaissance to be made of the most direct practicable route for the location of the contemplated National road, leading from the City of Washington to New Orleans; and that the results of such reconnaissance be reported to Congress at its next session.

The resolution was read, and passed to a second reading.

On motion of Mr. Webster, the House took up the subject of the bill to amend the Judicial System of the U. States.

Mr. Webster then moved to recommit the bill, with the report of the committee to the Judiciary committee, for the purpose of bringing this single question to the view of the House, viz: Whether there is any thing in the amendment of the Senate, which cannot be altered by subsequent legislation. Defective arrangement of the Circuits may be cured by a subsequent act; but, if the Senate's amendment enters into the appointment itself, it cannot be remedied by any subsequent legislation. Feeling a strong desire to save the bill if possible, Mr. W. by instruction of a majority of the Judiciary committee, moved to recommit the bill, with instructions to inquire "whether there be any thing in the proposed amendment of the Senate, which, if the bill should pass, might not be altered, if necessary, by a subsequent act."

The question was taken on the motion for recommitment with amendments, and determined in the negative, 85 to 55.

Mr. Cook, of Illinois, then moved that the House do recede from its disagreement to the Senate's amendment; but soon after modified his motion, by moving to recommit the bill. This was decided not to be in order; and, on motion of Mr. Bartlett, the bill was ordered to lie on the table—ayes 86, noes 63.

Mr. Stewart moved to postpone the orders of the day preceding the bill "for the preservation and repair of the Cumberland Road." The motion prevailed—ayes 70, noes 45,—and the House accordingly went into committee of the whole on that bill.

On filling the blank for the salary of the Superintendent, attempts were made to fix it at 1500 and 1200 dollars, without effect; and it was agreed that his salary shall be \$1000 per annum. Various minor amendments were moved, and agreed to; when Mr. Williams, of N. C. professing himself hostile to the whole project, moved to strike out the section containing the appropriation. Mr. Powell opposed this motion and moved to fill the blank in that section with \$50,000.

Mr. Vance of Ohio, moved to fill it with \$25,000; whereupon, Mr. Powell withdrew his motion for \$50,000, but that motion was renewed by Mr. Beecher of Ohio, who supported his motion by a speech. After much desultory discussion between Messrs. Worthington, Dorsey, and Barney, Mr. Lawrence, of Penn. moved to fill the blank with \$270,000.

Mr. Johnson, of Va. moved \$167,000. The question being put successively on the two highest sums, beginning with the largest, it was decided in the negative by a large majority.

The debate was now renewed by Messrs. Henry, of Ky. Livingston, of Lou. and Thompson, of Penn.

The question then being on \$50,000, it was negatived—ayes 72, noes 75.

Mr. Stewart then moved 45,000 dollars, which motion was carried—ayes 75, noes 72.

Mr. Vance moved to strike out the 10th section of the bill, (for the erection of a bridge across the Monongahela River, and his motion was carried—ayes 100.

Mr. Forsyth now moved to strike out the 6th and 12th sections, (providing for punishing injuries done to the road,) as being unnecessary and tending to produce collisions between the General and State Governments.

Mr. Vinton and Mr. Powell opposed this amendment; and it was lost—ayes 59, noes 69.

After some further unsuccessful motions for amendment of the bill, Mr. Ward, of New York, moved to add to the exemption from tolls, all persons going "to or from any military parade." It was negatived.

Mr. Stevenson, of Pa. moved to strike out the words, "prior to the erection of the gates aforesaid;" so that the money might be appropriated to repairs and toll-gates simultaneous. The motion prevailed.

The Committee then rose and reported the bill.

Mr. Williams, to try the sense of the House, moved the indefinite postponement of the bill; which was negatived—109 to 42.

The House then adjourned.

Tuesday, May 16.

Mr. Alston, from the Committee raised on the 22nd of December last, to inquire into the expediency of altering the election laws of the several States, so as to provide that no election shall take place for members of the House of Representatives until the term of service for which they have been elected has expired, reported that it would be inexpedient, at this time, to pass any law changing the election laws of any of the States; which report was ordered to lie on the table.

The joint resolution, offered by Mr. Carson, some days since, requesting the President of the United States to cause a reconnaissance to be made, of the most practicable route for the location of the contemplated National Road from Washington City to New Orleans, was read a second time.

Mr. Letcher submitted the following resolution, prefacing it with a declaration of his desire that the Judiciary bill should be definitively disposed of; believing, too, that the country expected of Congress to act definitively on the subject at the present session:

Resolved, That the bill, entitled "An act further to amend the Judicial system of the United States," with the amendments and the report, be again referred to the Committee on the Judiciary, with instructions to report to this House, whether there is any thing in the amendment of the Senate which cannot be altered by some subsequent act of legislation, if it be found expedient.

The House agreed to consider this resolution by a vote of 81 to 65.

Mr. Wright, of Ohio, moved to amend the resolution, by striking out the whole of it after the word *Report*, so as to make it a resolution to postpone the subject to the 23d day of May, (the last day of the session, on which no bill can pass; and the motion, therefore, is equivalent to the rejection of it.)

Mr. Mangum, of N. C. moved to amend the amendment of Mr. Wright, by striking out the 22d, and inserting the 23d of May. Though uniformly hostile to the bill either with or without the amendment, he was unwilling to give the subject the go-by, in the manner proposed. He believed that a majority of the House was in favor of passing the bill in some form, and he could not join with those who, rather than adopt the Senate's amendment, would defeat the bill by an indirect vote. On the 22d, which was the last day of the session, the House would be thin—there might scarcely be a quorum for business—he was unwilling to leave a question of so much magnitude to be settled on that day. In moving the 23d, his object was to pursue a direct and open course, and try at once the sense of the House.

Mr. Wright acknowledged that the purpose he had in view, in the motion he had made, was to defeat the bill. He preferred this course to that proposed by the gentleman from Kentucky, Mr. Letcher, and a motion to postpone to a day certain, taking precedence of a motion to recommit, he had put his motion into that form. He concurred with the gentleman from North Carolina, in approving and in pursuing what he esteemed a direct course.

Mr. Mangum now asked whether he had correctly understood the Chair to say, that the motion to postpone to the 23d, would not, of necessity, defeat the bill?

The Chair replied that it would not necessarily do so.

Mr. Wright said, that, if that was the case, he should accept the amendment proposed by the gentleman from North Carolina, Mr. Mangum, as a modification of his motion.

Mr. Stevenson, of Virginia, suggested to the gentleman from Kentucky, to withdraw his motion to recommit the bill, and suffer the question to be taken at once on receding, or not.

Mr. Letcher expressed his willingness to withdraw the motion for recommitment; and a general cry of "to-day," "now," arising in the House, he withdrew his motion.

Mr. Stevenson then moved that the House now consider the bill.

The motion prevailed.

Mr. Wright moved that the House do adhere to its disagreement to the amendment of the Senate.

Mr. Stevenson moved that the House recede from its disagreement; and contended that the latter motion had precedence by the rules and practice of the House.

The Chair at first decided that the motion to recede was not a privileged motion; but subsequently determined that it would be most convenient to give that motion the precedence.

Mr. Forsyth asked if the House could recede on condition, and proposed an amendment to the amendment of the Senate.

The Chair decided that it could.

Mr. Stevenson then renewed the motion to recede.

After considerable debate, the question on postponing the bill indefinitely was taken and decided in the affirmative—99 to 89.

So the bill was indefinitely postponed, [referred.]

The House proceeded to consider the amendment of the Senate to the joint resolution directing a system of Cavalry and Artillery tactics to be prepared for the use of the Militia, and concurred therein.

The House took up the bill "making appropriation to extinguish the Indian title to lands in the State of Indiana and to acquire the right of surveying and locating a canal route through the Great Miami Reservation."

Mr. Cocke offered an amendment, the object of which was, after the enacting clause, to strike out the residue of the bill, and insert the following:

"That the President of the United States be, and he is hereby, authorized to negotiate a treaty with the Miami or any other tribe of Indians, for the extinguishment of their title to land within the States of Indiana, North Carolina, Mississippi, and Ohio; and for the right of surveying and locating a canal through the lands which now are, or hereafter may be, reserved by the Miamies, contiguous to the Wabash river; and with the Cherokee Indians, for the canal route to connect the waters of the Mobile, in the States of Georgia, Tennessee, and Alabama; and that the sum of 55,000 dollars be, and the same is hereby, appropriated for the purposes aforesaid, out of any money in the Treasury, not otherwise appropriated."

Mr. Cocke further moved to amend the title, so as to make it read: "A bill making an appropriation to extinguish the Indian title to land in the States of Indiana, North Carolina, Mississippi, and Ohio, and to acquire the right of surveying and locating a canal contiguous to the Wabash river, and a canal route to connect the waters of Tennessee and Mobile Rivers, in the States of Georgia, Tennessee and Alabama."

On this proposition a conversation took place between Messrs. Cocke, M'Coy, Jennings, of Indiana, and Forsyth. The latter gentleman moved that the committee rise, report progress, and ask leave to sit again.

The motion prevailed—ayes 70, noes 38.

The committee then rose—and the House refused to the committee leave to sit again.

Mr. Forsyth moved to postpone the bill indefinitely.

This motion was opposed by Mr. Carson of North Carolina; and Mr. Conner, of N. C. asked for the yeas and nays; but the House refused to order them.

Mr. Webster remonstrated. Mr. Vinton replied, and went into a consideration of the general subject of our Indian relations. He represented the bills as forming part of a corrected system which he denominated "a popularity trap." Mr. Vinton was here called to order by the Chair. He concluded a speech of considerable extent; and was replied to by Mr. Jennings, of Ind. who stated facts to shew the present state of the Indians, and their willingness to remove.

Mr. Powell moved to lay the bill on the table.

On this question, Mr. Moore, of Alabama, asked for the yeas and nays; but the House refused to order them.

And the motion to lay the bill on the table was negatived; ayes 58, noes 62.

Mr. Carson replied to Messrs. Vinton and Powell, and stated how small a sum was asked by North Carolina, (5,000 dollars.)

Mr. Forsyth opposed the bill, and went into a discussion of the ordinary mode of conducting Indian treaties; and the want of all evidence that any treaty was wished to be formed, &c.

Mr. Test stated that there was a memorial before the House, on the subject.

Mr. Mitchell, of Tenn. moved an amendment, and defended the necessity and propriety of appropriations to beautify the public buildings.

The question was taken on the amendment of Mr. Whittlesey, and decided in the negative; ayes 57, noes 61.

Mr. Mitchell, of Md. moved an amendment, as an additional section, by which it was required, that all the furniture for the President's House should, as far as practicable, be of American or domestic manufacture.

It was carried.

The committee then rose, and reported the bill to the House as amended.

Mr. Forsyth now opposed the amendment of Mr. Beecher (to strike out 25,000 dollars, and insert 5,000 dollars,) and, after some conversation, it was negatived.

The other amendments were then agreed to by the House.

Mr. Whittlesey renewed his motion to strike out 100,000 dollars, and insert 58,586 dollars, 78 cents; but it was negatived, ayes 61, noes 73.

Mr. Carson, in like manner, renewed a motion to strike out 25,000 dollars, and asked the yeas and nays—but the House refused to order them, 80 to 103; and the motion to strike out was negatived.

Thursday, May 18.
Mr. M'Duffie, from the select committee of twenty-four, appointed on the amendments of the Constitution, made the following report:

The committee to whom was referred the several resolutions of the House of Representatives, declaring the expediency of amending the Constitution as to prevent the election of President and Vice President from devolving upon Congress, report, that they have had the said resolutions under consideration, but have not been able to agree upon any specific plan for carrying into effect the leading resolution, under which they have been appointed; and they therefore ask to be discharged from the further consideration of the subject.

On motion of Mr. P.ter, of Md. *Resolved*, That the Secretary of the Navy be instructed to cause the remains of Com. Oliver H. Perry to be removed from the island of Trinidad, in a public vessel of the U. States, and to have the same conveyed to Newport, in the State of Rhode Island.

Mr. Newton moved to discharge the committee of the whole from the further consideration of the bill "to authorize the importation of gin and brandy in casks of a capacity of not less than 15 gallons."

The motion prevailed.

Mr. Tomlinson moved to amend the bill by striking out the words, "and gin," wherever it occurs. [This amendment goes to exclude the article of gin from the provisions of the bill, restricting it to brandy alone.]

The amendment was adopted.

Mr. Tomlinson also offered the following proviso, which was also adopted to come in at the close of the first section:

And provided further, That all brandy imported in casks, of a capacity less than five gallons, shall be deposited at the expense and risk of the importer, in such public or other warehouses, as shall be designated by the collector or surveyor for the port where the same shall be landed, and shall be removed therefrom for importation only, in the manner prescribed by the act, entitled "An act providing for the deposit of arms and distilled spirits, in public warehouses, and for other purposes."

Several amendments were offered by Mr. Tomlinson, and adopted.

When, after a few words, in opposition, from Mr. Trimble, the bill was ordered to its third reading.

Mr. Dwight moved that the House go into Committee of the whole on the State of the Union. The motion prevailed, and the House went into Committee accordingly on the bill, in addition to "An act entitled an act to regulate and fix the compensation of the Clerks in the different Offices," passed April 18, 1818.

Some slight amendments were proposed by Mr. Dwight, and adopted.

Mr. Cook moved that 1000 dollars be added to the salary of the Postmaster General.

In support of this amendment, Mr. Cook went into a detailed statement of the labors performed in the Postmaster's Department, and the reforms produced by exertions of the present incumbent.

Mr. Cocke moved to amend the bill, by increasing the salary to 6000 dollars.

Some farther amendments were proposed, but they did not succeed; and the Committee then rose and reported the bill to the House.

The amendments were then severally adopted by the House, until that for increasing the salary of the Postmaster General came up.

Mr. Taylor, of Virginia, moved to strike out two, and insert one—so as to make the salary 5,000 dollars instead of 6,000 dollars—and demanded the yeas and nays, but the House refused to order them. The question was then taken on the motion of Mr. Taylor to fix the salary at 5,000 dollars, and carried—ayes 69, noes 43.

Mr. Polk opposed the bill at large, on the ground that the House had no information which justified its provisions.

Mr. Dwight replied, and the bill was then ordered to its third reading this day.

The amendments reported by the committee of the whole to the bill "providing for the preservation and repair of the Cumberland Road," were taken by in order; and some progress having been made in them—

Mr. Hoffman, of N. York, presenting the bill as going to an act of rob-

Mr. Mitchell, of Tenn. moved an amendment, and defended the necessity and propriety of appropriations to beautify the public buildings. It was carried; and Mr. Forsyth having withdrawn his call for the reading of the Memorial— Mr. Cocke replied to Mr. Forsyth and Mr. Vinton, on the subject of treaties, the amount of annuities, &c. and closed a speech of considerable extent, by moving to strike out all of the bill, after the enacting words, and inserting what he had proposed in committee of the whole. Mr. Test, of Indiana, spoke in favor of the amendment. Mr. M'Coy said, that he was willing to vote for the original bill, but would not vote for the amendment. Mr. Carson spoke in reply to some remarks of Mr. M'Coy, and Mr. M'C. rejoined. Mr. Forsyth spoke in reply to Mr. Test, and reiterated his remarks on the subject of treaty making—in which he adverted especially to the treaty in Georgia, and to the future policy of that State on this subject. Mr. Cocke replied at length. And the question being then taken on the amendment of Mr. Cocke—the yeas were 49, the noes 40. No quorum having voted, Mr. Cambreleng now moved an adjournment, which prevailed—ayes 59, noes 41. **Wednesday, May 17.** Mr. Burges, of Rhode Island, moved to discharge the committee of the whole from the further consideration of the joint resolution, reported some days since by the Committee on Military Pensions, relative to a more equitable construction of the laws of 1818 and 1820, granting pensions for Revolutionary services. The motion was agreed to—ayes 73, noes 45. Mr. Livingston, of Lou. offered the following as an amendment: After "nine months" add "or who, while in said service, were captured and imprisoned by the enemy, for so long time as, with their services aforesaid, did make the term of nine months or upwards." The amendment was agreed to; when Mr. Sawyer of North Carolina, moved to lay the Resolution on the table, but subsequently withdrew his motion. The resolution was opposed by Messrs. Cocke, M'Coy, Williams, Mallory, and Trimble, and advocated by Messrs. Burges, Wood, and Marvin. Two attempts were made to lay it on the table. Mr. Cocke moved to amend the resolution, so as to include all State troops and Militia, who served nine months. On this motion the yeas and nays were ordered; but before the question was taken, the second attempt to lay the resolution on the table, moved by Mr. Williams, was successful. So the resolution was ordered to lie upon the table. When the bill establishing the office of a Commissioner of the Customs was at its passage, a debate arose, in substance much the same with that which took place yesterday, and which terminated in laying the bill upon the table. Mr. Allen of Mass. moved to lay the bill on the table. The motion prevailed—ayes 73, noes 61. On motion of Mr. Everett, of Massachusetts, the House went into committee of the whole, Mr. Lathrop, of Massachusetts in the chair, on the bill making appropriation for completing & furnishing the Public Buildings. Mr. Everett, Chairman of the Committee who reported the bill, explained its several items, beginning with that which appropriates "for finishing the large room in the President's House, the sum of twenty-five thousand dollars." Mr. Beecher, of Ohio, moved to strike out this item. Mr. Forsyth opposed the motion to strike out, considering it a matter of propriety, decency, and decorum, that, as this House had been erected for the Chief Magistrate, and he was compelled by law to reside in it, that it should be furnished in a style appropriate to the building. Mr. Beecher modified his motion so as to strike out "twenty-five thousand dollars" and insert "for the purchase of furniture, five thousand dollars." The amendment was agreed to. Mr. Beecher then moved a further amendment, striking out the appropriation for graduating the grounds round the President's House; but, after an explanation and remonstrance on the part of Mr. Everett, he consented to withdraw his motion. After some further conversation between Messrs. Forsyth, Everett, and Bartlett, this item was agreed to, and the House took up the next: "For continuing the work on the Capitol, the sum of one hundred thousand dollars." Mr. Whittlesey moved to strike out 100,000 dollars, and insert \$38,586 78, which sum he saw reported as sufficient to complete the capitol upon the present plan—he thought the western front needed no concealment, but was decidedly the handsomest front presented by this building. He thought no serious danger could arise from keeping fuel in the vaults of the building. Mr. Mallory, of Vt. expressed an opinion as to the western front, directly the reverse of that given by Mr. Whit-