

THE STAR, and North-Carolina State Gazette, Published weekly, by BELL & LAWRENCE.

Subscription, three dollars per annum.—No paper will be sent without at least \$1 50 is paid in advance, and no paper discontinued, but at the option of the Editors, unless all arrears are paid. Advertisements, not exceeding fifteen lines, inserted three times for one dollar, and twenty five cents for each continuation.—All letters to the Editors must be post paid.

HOUSE OF REPRESENTATIVES.

Remarks of Mr. Carson, of N. Carolina, in the Committee of the Whole, upon the bill making appropriations for furnishing the President's House, and to carry on the Public Buildings.

Mr. Carson said, I am sorry, Mr. Chairman, to trouble the Committee with a solitary remark upon this subject, but a sense of duty impels me to do so, and from this duty I shall not shrink. Before I can vote for the appropriation of a single dollar to make further decorations for the President's Palace, I must know who it is that will disburse the money, as well as for what particular kind of furniture it is to be expended.

It will be recollected, Mr. Chairman, that at the last session of Congress, fourteen thousand dollars were appropriated for this particular purpose. This sum, as appears from the documents before us, was placed, by order of the President, under the control of his son, Mr. John Adams, jr. and how was it expended?—Why, sir, the gentleman from Georgia, (Mr. Forsyth), has said, that "there are items in the account rendered, which he could have brought to light, and he had to regret that they are now placed in the public records of this House." I, too, Mr. Chairman, regret that there are such records, and I more especially regret that such disposition should have been made of the public money confided to the President. I again ask, how was this money expended? I solicit the indulgence of the Committee whilst I repeat a few of the items as furnished in the official report of Mr. John Adams, jr.

ITEMS.

To L. Servand, for Billiard Table, \$50 00 To B. F. Pomroy, for Billiard balls, \$ 6 00 To P. Thompson, for Chess-men \$23 50 &c. &c. "Is it possible, Mr. Chairman, to believe that it ever was intended by Congress, that the public money should have been applied to the purchase of gaming tables and gambling furniture?—And if it is right to purchase billiard tables and chess-men, why not purchase also, pharo banks, playing cards, race horses, and every other necessary article to complete a system of gambling at the President's palace, and let it at once be understood by the People, that this is a most splendid gambling administration.

Mr. Chairman, such conduct in the Chief Magistrate of this nation, is enough to shock and alarm the religious, the moral, and reflecting part of the community; especially when we see such an administration, attempting to revolutionize the Catholic Religion in South America; and to promulgate the true doctrines of our Saviour, by sending ministers to Panama. But, Mr. Chairman, there are other items in the account rendered, which I do not fully comprehend.

The items for the single article of dry goods, amounts to upwards of twenty-seven hundred dollars." What part of the furniture, Mr. Chairman, was this? Not carpeting, sir, for I discover that article under its proper name.

It is most obvious, Mr. Chairman, that the fourteen thousand dollars have been expended in a most extraordinary manner, and we are now called on to add twenty-five thousand more. For one, sir, can never vote for any further sum, until I have an assurance that it will not be expended for the purpose of completing the gambling arrangements of the Palace.

But sir, let it not be said, that I charge the President of the United States with being a gambler; I would only be understood as saying, that those are articles made use of for that purpose.

Before, however, the vote is taken upon this subject, let me again ask the attention of the Committee, to the letter of Mr. John Adams, Jr. in the conclusion of his report. He says, "in rendering this account, it may not be improper to remark, that the expenditures have all been made with an eye to the strictest economy." &c.

"With an eye to the strictest economy."—Item, "Billiard table \$50"—Item, "Chess-men \$23 50." Yet all has been expended with an eye to the strictest economy. Sir, there is no doubt but those articles are considered cheap by that gentleman.—But if this be economy, I for one am not disposed to appropriate any more of the public money for such economical purposes. I hope this part of the bill, sir, will be stricken out.

Executive Proceedings. IN SENATE.

PROCEEDINGS ON THE CREEK TREATY.

Tuesday, January 31, 1826.

The following message was received from the President of the United States, by Mr. John Adams, Jr.

To the Senate of the United States: Washington, 31st Jan. 1826.

I transmit herewith to the Senate, for their consideration, and advice, with regard to its ratification, a Treaty, concluded by the Secretary of War, duly authorized thereto, with the Chiefs and Headmen of the Creek Nation, deposited by them, and now in this city. It has been agreed upon, and is presented to the consideration of the Senate, as a substitute for the Treaty signed at the Indian Springs on the 12th of February last. The circumstances under which this received, on the 3d of March last, your advice and consent to its ratification, are known to you. It was transmitted to me from the Senate on the 5th of March, and ratified in full confidence, yield-

ed to the advice and consent of the Senate, under a firm belief, founded on the Journal of the Commissioners of the United States, and on the express statements in the letter of one of them of the 16th of February, to the then Secretary of War, that it had been concluded with a large majority of the Chiefs of the Creek nation, and with a reasonable prospect of immediate acquiescence by the remainder. This expectation has not been merely disappointed. The first measures for carrying the treaty into execution had scarcely been taken, when the two principal Chiefs who had signed it fell victims to the exasperation of the great mass of the nation, and their families and dependents, far from being able to execute the engagements on their part, fled for life, safety, and subsistence, from the territories which they had assumed to cede, to our own. Yet, in this fugitive condition, and while subsisting on the bounty of the United States, they have been finding advancing pretensions to receive exclusively to themselves the whole of the sums stipulated by the Commissioners of the United States in payment for all the lands of the Creek nation which were ceded by the terms of the treaty. And they have claimed the stipulation of the eighth article, that the United States would "protect the emigrating party against the encroachments, hostility, and impositions of the whites, and of all others," as an engagement by which the United States were bound to become the instruments of their vengeance, and to inflict upon the majority of the Creek nation the punishment of Indian retribution, to gratify the vindictive fury of an impotent and helpless minority of their own tribe.

In this state of things, the question is not, whether the treaty of the 12th of February last shall or shall not be executed. So far as the United States were or could be bound by it, I have been anxiously desirous of carrying it into execution. But, like other treaties, its fulfillment depends upon the will, not of one, but of both the parties to it. The parties on the face of the treaty are, the United States and the Creek nation; and however desirous one of them may be to give it effect, this wish must prove abortive, while the other party refuses its stipulations, and disavows its obligations. By the refusal of the Creek nation to perform their part of the treaty, the United States are absolved from all its engagements on their part, and the alternative left them is, either to resort to measures of war, to secure by force the advantages stipulated to them in the treaty, or to attempt the adjustment of the interest by a new compact. In the preference dictated by the nature of our institutions, and by the sentiments of justice and humanity which the occasion requires, for measures of peace, the treaty herewith transmitted has been concluded, and is submitted to the decision of the Senate. After exhausting every effort in our power to obtain the acquiescence of the Creek nation to the Treaty of the 12th of February, I entertained for some time the hope that their assent might at least have been given to a new treaty, by which all their lands within the State of Georgia should have been ceded. This has also proved impracticable; and, although the excepted portion is of comparatively small amount and importance, I have assented to its exception so far as to place it before the Senate, only from a conviction, that between it and a resort to the forcible expulsion of the Creeks from their habitations and lands within the State of Georgia, there was no middle term.

The deputation with which the treaty has been concluded consists of the principal Chiefs of the Nation, able not only to negotiate, but to carry into effect, the stipulations to which they have agreed. There is a deputation also here from the small party, which undertook to contract for the whole nation at the treaty of the 12th of February; but the numbers of which, according to the information collected by General Gaines, does not exceed four hundred. They represent themselves, indeed, to be far more numerous, but whatever their number may be, their interests have been provided for in the treaty now submitted. Their subscriptions to it would also have been received, but for unreasonable pretensions raised by them after all the arrangements of the treaty had been agreed upon, and it was actually signed. Whatever the merits may have been, in the facility with which they ceded all the lands of their nation within the State of Georgia, their utter inability to perform the engagements which they so readily contracted, and the exorbitancy of their demands, when compared with the inefficiency of their own means of performance, leave them with no claims upon the United States other than of impartial and rigorous justice.

In referring to the impressions under which I ratified the treaty of the 12th of February last, I do not deem it necessary to decide upon the propriety of the manner in which it was negotiated. Deeply regretting the cruelties and recommissions to which these events have given rise, I believe the public interest will be best consulted by discarding them altogether from the discussion of the subject. The great body of the Creek nation inflexibly refuse to acknowledge or to execute that treaty. Upon this ground it will be set aside should the Senate advise and consent to the ratification of that now communicated, without looking back to the means by which the other was effected. And, in the adjustment of the terms of the present treaty, I have been particularly anxious to dispense a measure of great liberality to both parties of the Creek nation, in her than to extort from them a bargain, of which the advantages on our part could only be purchased by hardship on theirs.

JOHN QUINCY ADAMS.

The message, treaty, and accompanying documents, were read.

On motion, the said treaty was read the second time, by unanimous consent, and considered as in committee of the whole.

On motion by Mr. Benton, Resolved, That it be referred to the Committee on Indian Affairs, to consider and report thereon: and that it be printed in confidence for the use of the members.

Friday, March 17.

Mr. Benton, from the Committee on Indian Affairs, made the following report:

"The committee on Indian Affairs, to which was referred the President's Message, of January 31, 1826, accompanied by the

Treaty made at the City of Washington, on the 24th of the same month, between the Secretary on the part of the United States, and the Chiefs and Headmen of the Creek nation, on the part of said nation, report that they have had the said message and treaty under consideration also, the memorial and resolution of the Legislature of Georgia, which was referred to the committee by the order of the 28th day of February last; also, the message of the Governor of the State of Alabama, and the resolutions of the Legislature of said State, which were, in like manner, referred to the committee on the 7th day of the last mentioned month, and recommend the adoption of the following resolution:

Resolved, That the Senate do not advise and consent to the ratification of the treaty made at Washington the 24th of February, 1826, between the Secretary of War, on the part of the United States, and the Chiefs and Headmen of the Creek nation, on the part of said nation."

The report was read.

Tuesday, March 21.

Mr. Edwards submitted the following motion for consideration:

Resolved, That the President be requested to communicate to the Senate such evidence as may be in his possession, tending to show that the persons who signed the treaty of the 12th of February, one thousand eight hundred and twenty-five, on the part of the Creek nation, had no sufficient authority to form treaties, or make cessions of the lands of that nation.

Friday, March 31.

The following message was received from the President of the United States, by Mr. John Adams, Jr.

To the Senate of the U. States: Washington, March 31.

I communicate to the Senate, herewith, a supplementary article to the treaty, with the Chiefs and Headmen of the Creek nation in behalf of that nation, which was transmitted to the Senate on the 1st of January last, and which I submit, together with, and as a part of that treaty, for the constitutional advice and consent of the Senate, with regard to its ratification. A report of the Secretary of War accompanies the article, setting forth the reasons for which it has been concluded.

JOHN QUINCY ADAMS.

The message was read.

The separate article, therein referred to, was read twice, by unanimous consent.

Ordered, That it be referred, with the treaty communicated on the 1st of January, to the committee on Indian Affairs, and be printed in confidence for the use of the members.

Tuesday, April 4.

Mr. Benton, from the Committee on Indian Affairs, to whom was referred the treaty with the Creek Indians, with the supplementary article thereto, reported the same without amendment.

The Senate proceeded to consider the said treaty as in committee of the whole; and amendments being proposed by Mr. Berrien—On motion, the Senate adjourned.

Wednesday, April 5.

The Senate resumed the consideration of the treaty with the Creek Indians, with the amendments proposed thereto; and after debate, on motion of Mr. King, the Senate adjourned.

Thursday, April 6.

The Senate resumed the consideration of the treaty with the Creek Indians, together with the amendments proposed thereto; and after debate—on motion by Mr. Berrien, that it lie on the table.

It was determined in the affirmative—yeas 25, nays 14.

On motion of Mr. Branch,

The yeas and nays being desired by one fifth of the Senators present—

Those who voted in the affirmative, are—Messrs. Berrien, Chandler, Cobb, Eaton, Harrison, Hayne, Hendricks, Holmes, Johnston, of Lou. Kane, King, Lloyd, Macon, Noble, Reed, Rowan, Ruggles, Seymour, Smith, Tazewell, Thomas, Van Buren, White, Williams, Woodbury.—25.

Those who voted in negative are—Messrs. Barton, Benton, Branch, Chase, Clayton, Dickerson, Edwards, Findlay, Harper, Johnson, of Ky. Marks, Robbins, Sanford, Willey.—14.

Mr. Berrien submitted the following motion for consideration; which was read, and ordered to be printed in confidence, for the use of the members:

Resolved, That the Senate of the United States, having had the treaty lately concluded with a deputation of the Creek Indians, now at the Seat of Government, together with the treaty supplemental thereto, (under consideration) and being exceedingly desirous that the difference subsisting between the United States and the Creek Nation of Indians should be amicably adjusted and settled; do advise and request the President of the United States to endeavor to conclude, with the Deputations here, the following additional supplemental articles:

1st. So to arrange it as that the entire lands owned by the Creek Nation of Indians, in the limits of Georgia be ceded, absolutely and certainly, agreeably to the terms of cession by Georgia to the United States, on such further considerations as may be deemed proper.

2d. That the sum of \$30,000 for each 1,000 persons of said Creek Nation, be paid, who, within — months from the ratification of the treaty, shall signify their disposition to the Agent to emigrate to the West of the Mississippi, and who shall accordingly, carry said design into execution, within a reasonable time thereafter.

3d. The United States to support each of said emigrants for — months after their arrival at the point of destination; — months' notice of their intention to emigrate being given to the United States, through their Agent; to pay for supplies furnished the McIntosh party since the death of the General, proper vouchers for the same being produced; and to give to each male emigrant, over the age of sixteen years, a rifle gun and ammunition, butcher knife, and a camp kettle, and to pay for the value of all improvements left by any emigrant, which said value of the land, to be ascertained by a Commissioner to be appointed by the President.

4th. To stipulate that the exploring party, provided for in the treaty, shall be accompanied by an agent, who shall be acceptable to them, and to be appointed by the President, and after the return of said agent herein provided for, and after his report to the Secretary of War, the President of the United States shall, forthwith, grant to such agent a special commission, authorizing him to repair to the Creek Nation, there to open a book of registry, in which shall be inserted the names of all persons willing to emigrate to the country which shall have been determined upon, of which due and public notice shall be given throughout all the Creek Nation. The friends and followers of the late General McIntosh shall have free access to the several towns, and to all parts of the Creek Nation, under the protection of the said special agent, for the purpose of inducing their friends throughout the Nation to join them in their emigration; and all persons desirous of emigrating, shall be at full liberty to do so, without hindrance or molestation from those who remain; and the resident agent of the United States shall be instructed to give them all necessary aid, and the said special agent shall accompany them in their emigration.

5th. That the first article be modified, so as to read, after "twenty-five," in the sixth line, "Shall not be required to be executed by either party, farther than the same has been already executed: And that annuities of two hundred dollars per annum be paid to each of the wives and daughters of the Indian Chief, General William McIntosh; to the wife of Samuel Hawkins, a half breed, deceased, and to the wife of the Indian Chief, Etomme Tustunnuggee."

A motion was made by Mr. King, that the Senate proceed to the consideration of the motion submitted by Mr. Edwards on the 21st March, in relation to the Creek Treaty. Whereupon,

Mr. King submitted the following motion for consideration:

Resolved, That the President of the United States be requested to lay before the Senate the treaty made with the Creek Nation of Indians, on the 12th day of February, 1825; with such evidence as may be in his possession tending to show that the said treaty was not signed by persons competent to make a treaty, or that it is not now binding on the parties, or ought not to be carried into effect.

The Senate proceeded to consider the motion; and on the question to agree thereto, — it was determined in the negative—yeas 9, nays 26.

On motion by Mr. King, the yeas and nays being desired by one-fifth of the Senators present—

Those who voted in the affirmative, are—Messrs. Branch, Eaton, Edwards, Hayne, Kane, King, Macon, Reed, Smith.—9.

Those who voted in the negative, are—Messrs. Barton, Benton, Berrien, Boligny, Chandler, Chase, Cobb, Dickerson, Findlay, Harper, Harrison, Hendricks, Johnson, of Ky, Johnston, of Lou. Marks, Noble, Robbins, Rowan, Sanford, Seymour, Tazewell, Thomas, Van Buren, White, Williams, Woodbury.—26.

So the motion was not agreed to.

Friday, April 21.

The Senate resumed, as in Committee of the Whole, the Treaty with the Creek Indians, the supplementary article thereto, with the amendments proposed on the 4th instant.

On motion of Mr. Berrien, to strike out the 1st article, and insert the following: "The execution of the treaty concluded at the Indian Springs, on the 12th day of February, 1826, shall not be further enforced, and the Creek Nation of Indians are hereby released from all obligations to fulfil and execute the same, further than the same has already been executed."

The question, was put: Shall the first article stand part of the treaty?—viz: "That the treaty concluded at the Indian Springs, on the twelfth day of February, one thousand eight hundred and twenty-five, between Commissioners on the part of the United States and the said Creek Nation of Indians, and ratified by the United States, on the seventh day of March, one thousand eight hundred and twenty five, is hereby declared to be null and void, to every intent and purpose whatsoever; and every right and claim arising from the same, is hereby cancelled and surrendered."

And it was determined in the affirmative, yeas 30, nays 8.

Those who voted in the affirmative, are—Messrs. Barton, Bell, Benton, Bouligny, Branch, Chambers, Chandler, Chase, Clayton, Dickerson, Eaton, Edwards, Findlay, Hendricks, Holmes, Johnson, of Ken. Johnston, of Lou. Kane, Knight, Lloyd, Marks, Mills, Reed, Robbins, Rowan, Seymour, Smith, Tazewell, Thomas, Willey.—30.

Those who voted in the negative, are—Messrs. Berrien, Cobb, Harrison, King, Macon, Van Buren, White, Williams.—8.

No amendment having been made, the President reported the treaty to the Senate accordingly.

Mr. Benton submitted the following resolution:

Resolved, (Two thirds of the Senators present concurring therein) That the Senate advise and consent to the ratification of the treaty between the United States of America and the Creek nation of Indians, concluded at the City of Washington, on the 24th day of January, 1826.

The Senate proceeded to consider the resolution.

A motion was made by Mr. White, to amend the same, by adding, at the end thereof, the following words: "Provided, that an additional article, to be executed between the United States and the Friends and Followers of the late General McIntosh, by their delegation now in the city of Washington, shall be entered into, containing the following stipulations, by the United States in favor of the said Friends and Followers of the late General McIntosh:

1. That the sum of 30,000 dollars for each 1,000 persons of said Creek Nation, be paid, who, within — months from the ratification of the Treaty, shall signify their disposition to the Agent to emigrate to the West of the Mississippi, and who shall accordingly carry said design into execution, within a reasonable time thereafter.

2. The United States to support each of

said emigrants for — months after their arrivals at the point of destination; — months' notice of their intention to emigrate being given to the United States through their Agent; to pay for supplies furnished the McIntosh party since the death of the General, proper vouchers for the same being produced; and to give to each male emigrant, over the age of sixteen years, a rifle gun and ammunition, butcher knife, and a camp kettle, and to pay for the value of all improvements left by any emigrant, which said value of the land, to be ascertained by a Commissioner to be appointed by the President.

3. To stipulate that the exploring party, provided for in the treaty, shall be accompanied by an Agent, who shall be acceptable to them, and to be appointed by the President, and after his report to the Secretary of War, the President of the United States shall, forthwith, grant to such agent a special commission, authorizing him to repair to the Creek Nation, there to open a book of registry, in which shall be inserted the names of all persons willing to emigrate to the country which shall have been determined upon, of which due and public notice shall be given throughout all the Creek Nation. The friends and followers of the late General McIntosh shall have free access to the several towns, and to all parts of the Creek Nation, under the protection of the said special agent, for the purpose of inducing their friends throughout the Nation, to join them in their emigration; and all persons desirous of emigrating, shall be at full liberty to do so, without hindrance or molestation from those who remain; and the resident Agent of the United States shall be instructed to give them all necessary aid; and the said special Agent shall accompany them in their emigration."

On the question to agree thereto, it was determined in the negative, yeas 9, nays 25.

Those who voted in the affirmative, are—Messrs. Berrien, Cobb, Harrison, Hayne, King, Noble, Tazewell, White Williams.—9.

Those who voted in the negative, are—Messrs. Barton, Bell, Benton, Bouligny, Branch, Chambers, Chandler, Chase, Clayton, Eaton, Edwards, Findlay, Harper, Hendricks, Johnson, Ken. Kane, Lloyd, Macon, Marks, Mills, Rowan, Seymour, Smith, Thomas, Willey.—25.

On the question to agree to the resolution — it was determined in the affirmative, yeas 30, nays 7.

Those who voted in the affirmative, are—Messrs. Barton, Bell, Benton, Bouligny, Branch, Chambers, Chandler, Chase, Clayton, Dickerson, Eaton, Edwards, Findlay, Harper, Harrison, Hendricks, Johnson, Ken. Kane, Lloyd, Marks, Mills, Noble, Randolph, Reed, Rowan, Seymour, Smith, Tazewell, Thomas, Willey.—30.

Those who voted in the negative, are—Messrs. Berrien, Cobb, Hayne, King, Macon, White, Williams.—7.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Cobb,

Ordered, That the injunction of secrecy removed from the President's Message of January, transmitting a Treaty with the Indians; the message of 31st March, together with a supplementary article; the documents accompanying the same; and the proceedings of the Senate thereon; and that the Secretary be authorized to furnish, any Senator on application, with a copy of the said proceedings.

May 17, 1826.

Mr. Benton, from the Committee of Conference, appointed by the Senate, on the disagreeing vote between the Senate and House of Representatives, on the amendment adopted by the Senate, to the bill appropriating money to carry into effect the treaty lately concluded with the Creek Indians, reported:

That, in pursuance of the instructions given to them by the Senate, they proposed to the Conferees, on the part of the House of Representatives, to unite with them, in an application to the Secretary of War, for information concerning the subject-matter of the resolution of the Senate; which invitation was accepted by them, and the letters from the Secretary, with the report of T. L. McKenney, accompanying the same, and herewith submitted, shew the result of the application.

The paper marked A, is a copy of the statement furnished to the Secretary, by the Conferees, and as appears by his last letter, corresponds with that spoken of by Mr. McKenney in his report; as having been furnished to him by the Cherokee, Ridge and Vann, and by him shewn to the Secretary.

From the facts stated in the documents submitted, it is manifest, that it is the design of the Delegation, by whom the treaty was negotiated, to make a distribution of the greater part of the money to be paid by the U. States, under the treaty, among themselves, three Cherokee Indians, who had no interest in the lands, and consequently, were not entitled to any portion of the money, and a few selected individuals, in gross fraud of the rights of the nation. The particulars of the contemplated distribution are stated in the paper marked A.

The Conferees of both Houses are unanimously of opinion, that it is the duty of the Government to protect the Nation against this unwarrantable design of the Delegation, as far as that can be done, consistently with the stipulations of the treaty, and the rightful powers of Legislation, which are possessed by Congress, over the interest of the Indian nations, within the United States. They differ, however, as to the extent to which that protection can be afforded.

The Conferees of the House believe, that the amendment of the Senate, so far as it provides for the proportions and manner in which the money shall be distributed, conflicts with the treaty, which stipulates that the money shall be paid to the Chiefs and Warriors thereof, and proposed to your conferees a substitute, in the following words, viz: "Both of which sums shall be paid to the Chiefs of the Creek nation, to be divided among the Chiefs and Warriors of the said nation. And the same to be done by a Special Agent, under the direction of the Secretary of War, in a full council of the nation, convened upon notice for that purpose."

Your Conferees, believing that the amend-