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Congressional Proceedings.

Thursday, Dec. 7, 1820.
IN SENATE.

Missouri. The Senate then resumed the consideration of the resolution on the admission of Missouri into the Union; the question being on the following proviso, offered yesterday by Mr. Eaton:

Provided, That nothing herein contained shall be construed as to give the assent of Congress to any provision in the constitution of Missouri, if any such there be, which contravenes that clause in the constitution of the United States which declares that the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

Mr. King, of New-York, observed, that the decision had been deferred yesterday at his request. For him, he could discover no good effect which the proviso would produce; and a declaration could not weaken the effect of the repugnant article of the constitution adopted by Missouri, either in any respect, he conceived, or as it already stood before the Senate, concerning the admission of the new state. He therefore could not, viewing it as he did, assent to this proposition.

The question was then taken on Mr. Eaton's proviso, and decided in the negative, by yeas and nays, as follows:—YEAS 21, NAYS 24.

The question being then stated on the resolution itself.

Mr. Smith of North Carolina moved the postponement of the subject until to-morrow—which motion prevailed, and it was postponed accordingly.

Adjourned.

THE MISSOURI CONSTITUTION.

The amendment offered by Mr. Eaton having been negatived.

The question was stated on ordering the resolution to a third reading, and no gentleman rising to offer any remarks, the Secretary had commenced taking the votes, when Mr. Barrill, of Rhode Island, addressed the chair.

Mr. B. in attempting to rise & address the President, found his surcoat engaged by his chair, and was long detained by the embarrassment, that the Secretary had begun to call the yeas and nays, and one gentleman had actually answered. Mr. B. apologized to the President for not rising sooner, by stating the embarrassment at, when Mr. Barbour, of Virginia, jointly observed across the House, that the gentleman ought to regard it as an omen of defeat and yield to it accordingly; to which Mr. Barrill replied, "I fear no omen in my country's cause."

Mr. Barrill then delivered his speech against admitting Missouri, and, the little he had spoken had exhausted his strength, and he could add nothing more if he wished to do so.

Friday, December 8.

The bill to pay to him as three per cent. of the net proceeds of the sale of the public land in that state was read the third time, and returned to the other House.

able, until to-morrow, on the motion of Mr. Holmes, of Maine, and The Senate went into the consideration of Executive business; after which it

Adjourned to 11 o'clock to-morrow.

Saturday, Dec. 9, 1820.

Mr. Tichenor enumerated to the Senate a preamble and sundry resolutions of the Legislature of Vermont, instructing the Senators and requesting the Representatives in Congress from that state, to exert their influence to prevent the admission of Missouri into the Union, unless the toleration of slavery therein be prohibited in its constitution, and said constitution rendered conformable to the constitution of the United States; & the said document was read.

Missouri.—The Senate resumed the consideration of the resolution declaring the consent of Congress to the admission of the state of Missouri.

Mr. Holmes, of Maine, addressed the Senate an hour and a half in defence of the acceptance of the state, and of its admission into the Union.

Mr. O., of Massachusetts, took the other side and spoke about an hour against admitting the state with the constitution which it had submitted to Congress.

Mr. Barbour, of Virginia, presuming that some other gentleman might desire to deliver his sentiments on the question, moved an adjournment, and

The Senate adjourned.

Monday, Dec. 11, 1820.

Missouri Constitution.—The Senate then resumed the consideration of the resolution declaring the assent of Congress to the admission of the state of Missouri into the Union.

Mr. Eaton, of Tennessee, said, before the Senate proceeded to a final vote upon the resolution, he would ask permission again to offer the amendment which had heretofore been submitted, and rejected. This, he believed, was strictly in order. The rejection of the proviso being before the Senate, in committee of the whole, did not prevent it from being considered, now that the resolution was reported to the Senate, Mr. E. then offered the following amendment to the resolution:

Provided, That nothing herein give the assent of Congress to any provision in the constitution of Missouri, if any such there be, which contravenes that clause in the constitution of the United States which declares that the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

The Senate divided on the amendment, and there rose in its favor 23 members, and it was agreed to.

The question then being on ordering the resolution to a third reading, as amended.

Mr. Morrill, of New Hampshire, rose and delivered a speech of nearly two hours' length against the resolution.

Mr. Macon followed this speech with a motion to re-commit the resolution to the select committee which reported it, with instructions to strike out the proviso adopted to-day on the motion of Mr. Eaton. Mr. Macon had no doubt whatever of the propriety of the naked resolution as reported, and was opposed to the proviso; he therefore proposed this mode of getting rid of it.

The question on re-committing the resolution was decided in the negative by yeas and nays, as follows:

YEAS—Messrs. Barrill, Dickerson, King, of New-York, Lanman, Lowrie, Macon, Mills, Morrill, Noble, Palmer, Roberts, Ruggles, Sanford, Smith, Tichenor, Williams, of Tennessee, Wilson—17.

NAYS—Messrs. Barbour, Brown, Chandler, Dana, Eaton, Edwards, Elliott, Gallard, Holmes, of Maine, Holmes, of Mississippi, Hovey, Johnson, of Kentucky, Johnson, of Louisiana, King, of Alabama, Lloyd, Parrott, Pinkney, Pleasants, Talbot, Taylor, Thomas, Trimble, Van Dyke, Walker, of Alabama, Williams, of Georgia, Williams, of Mississippi, Williams, of Tennessee—26.

The question was then taken on ordering the resolution, as amended, to be engrossed and read a third time, and was decided in the affirmative by yeas and nays, as follows:

YEAS—Messrs. Barbour, Brown, Chandler, Eaton, Edwards, Elliott, Gallard, Holmes, of Maine, Holmes, of Mississippi, Hovey, Johnson, of Kentucky, Johnson, of Louisiana, King, of Alabama, Lloyd, Parrott, Pinkney, Pleasants, Talbot, Taylor, Thomas, Trimble, Van Dyke, Walker, of Alabama, Williams, of Georgia, Williams, of Mississippi, Williams, of Tennessee—26.

NAYS—Messrs. Barrill, Dana, Dickerson, of New-York, King, of New-York, Lanman, Lowrie, Macon, Mills, Morrill, Noble, Pal-

mer, Roberts, Ruggles, Sanford, Tichenor, Trimble, Wilson—18.

The Senate adjourned.

Tuesday, December 12.

Mr. Trimble presented several petitions from citizens of Ohio, purchasers of public lands, praying relief in the same terms and of the same character as petitions heretofore presented by Mr. F. and others from citizens of the western states.

Mr. Noble presented a similar petition from sundry inhabitants of Indiana.

The hour for taking up the orders of the day not having arrived.

The Senate, on motion of Mr. Williams, of Penn. went into consideration of Executive business, and remained a short time in private sitting.

Admission of Missouri.—The Senate having resumed the consideration of Legislative business—a resolution declaring the consent of Congress to the admission of the state of Missouri into the Union was read a third time, and the question stated: "Shall the resolution pass?"

The question being then put, the Resolution was passed and sent to the House of Representatives for concurrence; and

The Senate adjourned.

Thursday, December 14.

Mr. Noble submitted the following resolution.

Resolved, That the committee on Public Lands be instructed to enquire into the expediency of authorizing the sale, and to reduce the price of certain sections of land, heretofore reserved for the future disposal of Congress, situated and being within that part of the Cincinnati district which lies in Indiana.

Some private bills were introduced on and (to allow time for some alterations in the Senate Chamber, having little business left on the table.)

The Senate adjourned to Monday.

House of Representatives

Thursday, Dec. 7, 1820.

Missouri.—The House then resolved itself into a committee of the whole, Mr. Nelson, of Virginia, in the chair, on the resolution declaring the admission of Missouri into the other States of the Union. And the question having been again stated—

Mr. Sergeant rose. The speech which he delivered, occupied upwards of two hours' time, but not a very full report.

On motion of Mr. Storrs, who desired an opportunity of stating the reasons which would induce him to vote against the resolution for the admission of Missouri—

The committee rose, and the House adjourned.

Friday, December 8.

Missouri.—The house then again resolved itself into a committee of the whole. Mr. Hill in the chair on the resolution declaring the admission of Missouri into the Union on an equal footing with the original states.

Mr. Storrs, of New-York, in a speech of about an hour's length, assigned the reasons which would induce him to vote against the resolution.

Mr. P. BARBOUR, of Virginia, in a speech of somewhat greater length, defended the resolution, and vindicated the right of Missouri to the form of admission into the Union.

When Mr. Barbour concluded, there seemed not to be a disposition in any person to rise.

Mr. Smyth of Va. said that he wished to present his views on the subject, but was not prepared to do so this afternoon. He therefore asked that the committee should rise, and ask leave to sit again.

The committee, however, refused to rise.

Mr. Archer, of Va. said, that he, too, wished to address the House on this question; but was prevented from doing so to-day by bodily indisposition.

Another motion for the committee to rise was negatived.

At the consideration of the resolve declaring the admission of the state of Missouri into the Union—

Mr. A. Smyth, of Virginia, delivered a speech of two hours length in support of it, and Mr. Strong, of New York, a speech of one hour's length against it.

When, on motion of Mr. Nelson, of Virginia, The House adjourned.

Tuesday, December 12.

The Speaker also laid before the House a report of the Secretary of War of a plan on which the army may be reduced to 6000 men; made in obedience to a resolution of this House of the 11th of May last.

Missouri.—The House again resolved itself into a committee of the whole, Mr. Nelson, of Virginia, in the chair, on the resolution for admitting the state of Missouri into the Union.

Mr. M'Lane, of Delaware, occupied the floor two hours in support of the passage of the resolution.

Mr. Mallory, of Vermont, delivered his sentiments at large decidedly against the admission of the state under its present constitution.

Mr. Easton, of Massachusetts, submitted, at considerable length, the reasons which constrained him to oppose the admission of the state with a constitution containing the principle embraced in its 26th article, relative to the exclusion of free colored people from the state.

The committee then rose, on the motion of Mr. Beecher, of Ohio, (some other gentlemen also rising to obtain the floor;) and

The House adjourned.

Thursday, December 14.

The following letter from the Secretary of War was received & read:

War Department,
14th December, 1820.

SIR: In answer to that part of the resolution of the house of Representatives of the 9th inst. requiring this Department to show whether the order given by Colonel King of the 11th infantry, for shooting deserters taken in the fact, was approved by any general officer in the service of the United States, or was by him, as stated in the defence of said Colonel, I have to enclose an extract of the letter of Major General Jackson, on that subject, which was transmitted to the House of Representatives with the copy of the report of Colonel King, and which is published in the appendix of that report. This extract contains all the information within the knowledge of this department on that subject.

In relation to that part of the resolution which requires any information this department may possess showing that corporal punishment has been inflicted on any soldier, whereby he came to his death, I have the honor to state, that the only report of that kind, which has reached this department, was the case of a soldier at Fort Preble, near Portland, in Maine. Major Brooks, a correct and intelligent officer commanding that post, in September last, reported that the death of a soldier, an habitual drunkard, who had been on a fatigue party, under Lieut. Hobart and had been confined by him, had caused much excitement among the citizens who attributed the death of the man to the conduct of Lieut. Hobart; that the civil authority had taken up the affair for investigation, to which Lieut. Hobart had readily submitted himself. The report was accompanied by the enclosed certificate of the jury of inquest as to the correct conduct of Major Brooks and the other officers of the post, in relation to the transaction. It thus appearing that the affair would undergo an investigation in the District Court of the United States, the department did not think it proper to order a military investigation.

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

J. C. CALHOUN.

To the Speaker of the House of Representatives.

The House adjourned until to-morrow.

Wrapping paper

For sale at this Office.

Legislature of N. Carolina.

THE HOUSE OF COMMONS.

Wednesday, Dec. 13.

The resignation of John Carson, Brigadier General of the 10th brigade, was read and accepted.

On motion of Mr. Mebane, the committee on the public land sold in the vicinity of Raleigh, were instructed to enquire into the propriety of making some reasonable compensation to the commissioners who were employed in laying off and selling said land.

On motion of Mr. Welch, the committee on Cherokee lands were instructed to enquire into the expediency of authorizing the county court of Haywood to appoint commissioners to lay off a town by the name of Franklin, on the 400 acres of lands reserved for that purpose in the lands lately acquired by treaty.

Mr. J. R. McDowell moved to instruct the Judiciary committee to enquire into the expediency of organizing the county courts in such way as to authorize five justices in each county to hold courts, and receive therefor a compensation. Not agreed.

Mr. Cameron made a report explanatory of the loss which has been sustained in the remittance of a sum of money to Leghorn, in part payment of the status of Washington, which was concurred with.

After two unsuccessful balloting for a Judge, Mr. James Martin's name was withdrawn, when another balloting took place, and it appeared George B. Badger was elected by a majority of one vote, and was so reported; but on motion of Mr. R. A. Jones, the house refused to concur with the report, on the ground of some unfairness in the election. The subject is referred to a select committee.

The following bills were presented:

By Mr. Iredell, a bill concerning usury; Mr. Scott, a bill to amend an act passed in 1816, for the better regulating county court officers; Mr. Ehringhaus, a bill to establish an academy in Elizabeth City, and a bill to establish a separate court of probate in Pasquotank county. These bills were passed their first reading.

The resolution directing them to enquire into the expediency of applying such portion of the surplus money in the treasury, as can with propriety be spared from the current expenses of the year, reported a bill to authorize the treasury to pay over to the State Bank for deferred payments on stock.

Mr. Iredell, from the Judiciary Committee, who were instructed to report a bill simplifying the mode of proceeding against Banks and other corporations, reported a bill to regulate the proceedings in suits against corporations.

These bills also passed their first reading.

IN SENATE.

Monday, Dec. 11.

Mr. Locke, from the Judiciary Committee, to whom was referred a resolution on the subject, reported a bill to amend an act concerning the trial of slaves in capital cases, passed in 1818, which passed its first reading.

Mr. Locke, from the same committee, to whom was referred a resolution proposing to modify or change the manner of holding our Superior Courts, made a detailed Report thereon, which was ordered to be printed, and was made the order of the day for Wednesday next.

Mr. Conner, from the select committee to whom was referred sundry petitions praying for a charter to establish a College in the western part of this State, reported a bill for that purpose, which passed its first reading.

Mr. B. Person, from the select committee to whom was referred a Resolution directing them to enquire into the expediency of passing a law establishing a sum per diem hereafter to be paid to the members of Assembly, clerks, and door-keepers, reported a bill for the purpose, which passed its first reading.

The Senate took up the bill to amend an act concerning clerks of Courts, passed in 1819; and the bill to limit the time of bringing suits against Executors, &c. and passed both bills a second time, and ordered them to be engrossed.

The bill to increase the penalty on Sheriffs, &c. neglecting to perform their duty, was rejected.