

Twenty-first Congress.  
SECOND SESSION.

SENATE.

Thursday, Jan. 20.

The bill introduced on leave by M. Benton, for reducing the duties on Indian blankets, was read the second time, and referred to the Committee on Indian Affairs. Mr. Smith, of Maryland, from the Committee on Finance, to whom the subject had been referred, reported a bill for the reduction of the duties on silks, drugs, medicines, perfum. &c. which was read, and ordered to a second reading. When the High Court of Impeachment for the trial of Judge Peck was opened, Mr. Meredith resumed his argument in favor of the respondent, and during various authorities in his defense continued until the close of the sitting of the Court, half past 3 o'clock.

Friday, Jan. 21.

Petitions were presented by Messrs. Ruggles, Grundy, and Sanford; and resolutions were introduced by Messrs. Hendricks, and Robinson. The bill making an appropriation for compensating the Marshal and witnesses attending the trial of Judge Peck, was ordered to be engrossed for a third reading; and at a subsequent period of the day, was read the third time and passed. The bill making appropriations for the support of revolution and invalid pensioners, for the year 1831, was also ordered to a third reading. After transacting a portion of the usual kind of business, the Senate, at 12 o'clock, resolved itself into a High Court of Impeachment, for the trial of Judge Peck; when Mr. Meredith continued his able argument in favor of the respondent. The Court then, at half past 3 o'clock, adjourned. Mr. Meredith will, it is presumed, finish his argument tomorrow.

Saturday, Jan. 22.

The Senate after acting on several private bills and petitions, together with the bill from the House in relation to the mileage of members of Congress, and adopting the resolutions submitted on Friday, by Messrs. Robinson and Hendricks, resolved itself into a High Court of Impeachment for the trial of Judge Peck, and Mr. Meredith, at about one o'clock, having concluded his argument in favor of the respondent, Mr. Wirt commenced his argument on the same side, and continued until the Court adjourned. Mr. Wirt will, of course, resume his argument on Monday.

Monday, Jan. 24.

The Senate, after receiving petitions and reports of committees, referred to the Committee on Post Offices and Post Roads, the bill from the House making a uniform rule for the computation of mileage of members of Congress, and ordered several bills to a third reading. On the opening of the High Court of Impeachment for the trial of Judge Peck, Mr. Wirt resumed his argument in favor of the respondent, and continued until three o'clock; when, without his having concluded, the Court adjourned. Mr. Wirt will continue his argument tomorrow.

Tuesday, Jan. 25.

A communication was received from the President of the United States in relation to the protection of our fur trade, and the affairs of the Hudson Bay Company; which, on the motion of Mr. Benton, was referred to the Committee on Military Affairs. Among the petitions presented, were two from Ohio and Maine, praying that the transportation of the mail on the Sabbath may be abolished by law. The High Court of Impeachment for the trial of Judge Peck was occupied during the remainder of the day with the able and eloquent argument of Mr. Wirt, in favor of the respondent. At 4 o'clock, Mr. Wirt having concluded, the Court adjourned.

Wednesday, Jan. 26.

After the usual business of presenting petitions, memorials, bills, &c., the following bills were passed: The bill to ascertain and mark the boundary line between the States of Alabama and Illinois and the Territory of Florida; the bill for relinquishing certain lands to Alabama for the construction of a canal; and the bill for the relief of William Scott, of Tennessee. At 12 o'clock the Senate, as a High Court of Impeachment, proceeded with the trial of Judge Peck, Mr. Storrs, of New York, one of the managers on the part of the House of Representatives, addressed the Court till the hour of adjournment, without concluding, in an energetic and impressive speech, and stated his expectation to conclude his argument this day.

HOUSE OF REPRESENTATIVES.

Thursday, Jan. 20.

In the House of Representatives, Mr. Hall, from the Committee on Public Expenditure, reported a bill to establish a uniform rule for computing the mileage of members of Congress. Mr. Chilton moved in amendment that the allowance be reduced to six dollars per diem, and to the same sum for travelling expenses for every twenty miles. The amendment was advocated by Mr. Chilton, and Mr. Yancy, and opposed by Mr. Speight and Mr. Carson. Mr. Chilton again ad-

ressed the House on the subject, and Mr. Carson replied, after advising to an erroneous statement as to the distances of the residences of members, called for the previous question, which being sustained, the bill was read twice, and ordered to be engrossed for a third reading tomorrow. Mr. Clay, from the Committee on Public Lands, reported a bill for the relief of William Smith; which was read twice, and committed to a Committee of the Whole. Mr. Johnson, of Kentucky, reported a bill reducing into one of the several acts relative to the Post Office Department; which was read a first and second time, and committed to a Committee of the Whole. The resolution of Mr. Wickliff on the subject of the codification of the Laws, and the further organization of the army with respect to commissioned officers, was taken up and adopted. The resolution of Mr. Potter on the subject of the transactions of the Bank of the United States for the year 1830, was likewise agreed to. After the presentation of various resolutions, the House, on motion of Mr. Haynes, went into a Committee of the Whole, and proceeded to the Senate to attend the trial of the impeachment of Judge Peck; at 4 o'clock they returned, and the House adjourned.

Friday, Jan. 21.

The resolution of Mr. Leiper, calling upon the Postmaster General to communicate the cause of the irregularity in the receipt of the mail, and to devise some means for preventing the recurrence of such delay in future, was taken up and adopted. Mr. Dayton submitted a resolution on the subject of the number of the field, staff, and company officers of the United States' army; which was in accordance with the rules of the House laid upon the table for one day. The Speaker presented to the House the following communications: from the Secretary of the Treasury, in relation to the cultivation of sugar, which was ordered to be printed; from the Secretary of War, on the subject of increase of the corps of Topographical Engineers, which was referred to the Committee on Military Affairs; and from the same Department, in answer to a resolution of the House, as to the expediency of reducing the number of the officers of the army, which was similarly committed. The bill to establish a uniform rule for the computation of the mileage allowance to members of Congress, was read a third time and passed. After the House had acted upon various private bills, the joint resolution on the subject of compensation to members, was taken up and discussed, till the close of the hour. The House then went into Committee of the Whole. Mr. Martin in the Chair, and proceeded to the Senate to attend the trial of Judge Peck. The committee at 4 o'clock returned and reported progress, and the House adjourned till this day at 11 o'clock.

Saturday, Jan. 22.

The Speaker presented to the House of Representatives a communication from the Secretary of the Treasury, in reply to a resolution calling for information on the subject of the transactions of the United States' Bank during the year 1830. On motion of Mr. Potter, who offered the resolution, the communication was laid on the table, and ordered to be printed. The Speaker also presented certain resolutions from the Legislature of North Carolina, on the subject of Roanoke inlet; which, on motion of Mr. Speight, were referred to the Committee on Commerce. A memorial from numerous citizens of the State of Ohio, praying for a revision of the tariff, was likewise presented by the Speaker, and referred to the Committee on Manufactures. The House, after the adoption of various resolutions, took up the joint resolution on the subject of the compensation of members of Congress; which was discussed by Messrs. Dayton, Sutherland, Hall, Whittlesley, Chilton, and Carson, until the close of the hour. The House then proceeded in a Committee of the Whole. Mr. Martin the chairman, to the Senate chamber, to attend the trial of Judge Peck; and after remaining there several hours, returned; and the committee having reported, adjourned till this day.

Monday, Jan. 24.

In the House of Representatives, Mr. Shields, from the committee on the subject, reported several bills as having been correctly enrolled. Upwards of 70 petitions and memorials were presented and referred to the appropriate committees. Mr. Letcher gave notice, that on Monday next he should call up the bill for the repair of the Cumberland road. Mr. Davis, of South Carolina, from the Committee on the Judiciary, reported a bill to repeal the 25th section of an act to establish the Judicial Courts of the United States, passed in the year 1789. Mr. Doddridge moved to reject the bill; and Mr. Buchanan stated that he had a counter report to present from the minority of the committee. Before, however, either part of the subject was acted upon, the hour expired; and the House, on motion of Mr. Polk, went into a Committee of the Whole. Mr. Martin in the chair, and proceeded to attend the trial of Judge Peck. At half past 3 o'clock they returned, and the Chairman reported pro-

gress; after which the House, on motion of Mr. Haynes, adjourned until 11 o'clock tomorrow.

Tuesday, Jan. 25.

The bill from the Senate for the compensation of the witnesses and others attending the trial of Judge Peck, was read twice and referred to the Committee on the Judiciary. Numerous other bills from the Senate were also passed through the preliminary stages of legislation. A message was received from the President, transmitting an interesting report from the Board of Inspectors of the Penitentiary of the District of Columbia, respecting the state of that establishment. It was referred to the Committee on the District, and ordered to be printed. Various bills were afterwards reported and acted upon. Mr. Wayne, from the Committee on the Judiciary, introduced a joint resolution authorizing a subscription on the part of Congress to a proposed serotype edition of the laws of the United States; which was on motion of Mr. Taylor, committed to a Committee of the Whole. The bill reported on Monday by Mr. Davis, of South Carolina, on the Committee of the Judiciary to repeal the twenty fifth section of the act establishing the Judicial Courts of the Union, passed in the year 1789, was then taken up. The section in question is the one providing that a judgment or decree of the highest court of law or equity in a State, upon a question involving the validity of a treaty or statute of an authority exercised under the United States, may be re-examined and reversed, or affirmed, by the Supreme Court. An animated discussion ensued upon this important question, which continued until the close of the hour, when S. D. Dodge, Buchanan, Strong, Martin, Ramsey, Daniel, Archer, Wickliff, and Eilsworth, severally addressing the Chairman on the subject. Mr. Johnson, of Kentucky, had risen to speak upon the question, when the debate was arrested by the expiration of the allotted time. The House at 12 o'clock, went on motion of Mr. Haynes, into a Committee of the Whole. Mr. Martin in the Chair, and proceeded in the Senate Chamber to attend the trial of the impeachment. At 4 o'clock they returned and reported, and the House adjourned.

Wednesday, Jan. 26.

After the usual presentation of reports, the Speaker submitted a memorial from sundry citizens of Philadelphia, praying for a modification of the tariff duties on iron; which, at a subsequent period of the sitting, led to a long discussion, in which Messrs. Speight, Ramsey, M. Duff, Miller, Miller, Combs, Long, Huntington, Barbour, of Virginia, and Hall participated; and was ultimately referred to the Committee on Manufactures. Mr. Doddridge, from the Committee on the District of Columbia, reported a bill for the more speedy administration of justice within the District, which was read twice, and made the order of the day for tomorrow. Mr. Thompson, of Georgia, from the Committee on the Militia, introduced a bill for the better organization of the militia of the District; which was read a first and second time, and made the special order for Monday next. After the transaction of some further business, the House, as heretofore, attended in Committee the trial of Judge Peck; and on returning, at half past three o'clock, adjourned.

**True Republicanism.**—The following resolution, amongst a number of others, was adopted at a public meeting held at West Chester, Pennsylvania, some time last autumn. It seems to us to embody, with beautiful precision and clearness, the fundamental principles of free government, on which alone it can exist securely or permanently. The resolution was reported to the meeting by Mr. Charles Miner, and is presumed to be from his pen. It deserves to be taken for the text and guide of all our Legislatures.

**Resolved,** That knowledge and virtue in the people are the sure foundations of public liberty and private happiness. Thus impressed, and believing that ignorance is the prolific parent of prejudice and error, leading to ruin, we hold it proper that a judicious and liberal system should be devised and carried into effect, by which every child born in the Republic should be afforded the opportunity of receiving at least a good elementary education, that all may be enabled to know their rights, scan the proceedings of those to whom they delegate power, comprehend the disposal of the national treasure, which is, in fact, the money of the people, and thereby ensure an intelligent vigilance and enlightened judgment in respect to public affairs, securing that salutary responsibility to the people, on the part of their servants, which is the vital principle that sustains the republican system, and preserves it free from selfishness and corruption.



REVIEWS, &c.—(Concluded.)

RESOLUTIONS.

A few days before the Legislature adjourned much of the time and attention of the members was occupied in the consideration of several political resolutions. Some of these resolutions were introduced at an early period of the session, but were not acted upon until near its close. Being sensible of the repugnance of any subject to engage in the consideration of any subject of moment, at such a period, and being deeply impressed with the importance of many of the resolutions, we very much regret that their consideration was delayed to so late a period.

Before closing this review, we will revert to some of the resolutions, which we have before noticed, and will place before our readers such as have before escaped our attention.

**Mr. Hinton's resolutions.**—These resolutions will be recalled, in strong terms, against the power assumed by the General Government of pursuing works of internal improvement in the territory of the individual States. The exercise of that power, we, in common with the great majority of the people of North Carolina, believe to be, not only unjust and attended with partial results, but that it is also a dangerous violation of the compact entered into by the States. Believing thus, we were truly gratified at the large majority of the members of the house who supported the resolutions. They have thus showed their determination to put all the weight of their influence against the exercise of a power, which, they could not avoid thinking, would eventually rob the States of all their sacred rights and leave them nominally sovereign States without the power to exercise any act of sovereignty. Our sentiments on this subject, however, have been so often repeated, that we will not any longer weary the patience of our readers by dwelling upon it.

We were gratified, on another account, by the vote of the House of C. Many persons entirely opposed to the policy of the present administration, in order to support a popularity, not based upon their wisdom or their principles, exhibit themselves as Jackson men, and were, in consequence, elected. These resolutions reduced them to the alternative of sanctioning doctrines, which were repugnant to their feelings, or of throwing off the cloak and appearing in their true colours. Some of these Jackson men in name only, (we have heard) when the resolutions were introduced, were very uneasy—they wished under the torture produced by being referred to the alternative, just mentioned,—they exercised all their ingenuity in devising plans to waver in the consideration of the resolutions—their joint wisdom, however, was unable to produce any reason, save that the session was too near a close. The friends of the administration of Genl. Jackson saw their situation and their object, and they defeated it; they called on the resolutions and these Jackson men in the speaker's language were compelled to ease, and as soon as they did they were abandoned by the true friends of the present administration; and we hope that those who heard the case will pluck out their stolen feathers and no longer give them the means of deceiving the unwary. The people have been too long deceived by names; it is now time to look to facts, and not to depend so much upon their assertions without any proof.

Mr. Hinton is said to have done himself great credit for the able manner in which he supported his resolutions, and fully sustained the character which he had previously assumed.

**Mr. Speight's resolutions.**—This gentleman introduced two sets of resolutions,—the one protesting against the Tariff,—the other approbatory of the veto message, and of the present measures of the administration. The former we have mentioned more than once, and did not dislike to mention the name of a gentleman of whom we spoke, when we noticed the resolutions, and who has had his name placed by the side of that of Clay, Webster, &c. by a certain print, we would again revert to them. The latter after undergoing several amendments were finally adopted by an overwhelming majority,—nine only voting against them. The House of Commons have, by this vote, as well as that upon Mr. Hinton's resolutions, proved true to the trust reposed in them by the people. They have put the seal of confirmation upon that wild, uncivil and uncourteous course of policy which has been pursued by a corrupt Congress for so many years; and we fondly hope that the other States will do the same; that the enemies of the course will act with unanimity, and we may yet hope to see the affairs of government administered upon just and equitable principles, with the letter of the constitution for the guide of those into whose hands the sacred trust of administering them, is reposed.

**Mr. Hinton's Resolutions.**—A few days before the adjournment of the Legislature, Mr. Hinton of Beaufort, introduced a series of resolutions, approbatory of the administration of General

Jackson, to which Mr. Speight offered an amendment, recommending him for the next Presidency, which was not adopted. Mr. Hinton, and others, of the same genus, have at the same time, shown their ignorance of the sentiments of the people of North Carolina, and exemplified the maxim, "that a drowning man will catch at a straw," by asserting that this vote argues a want of confidence among the people of N. C. in Gen. Jackson, and holds out to the already deluded Clay, the hope that the people of this state will vote for him at the next election. No state in the Union, is more warmly attached to the principles which have been the guide of the present administration, than North Carolina, and at the next election her vote will be undivided as that of any other.

The Senate certainly did not do its duty. They (if they acknowledge the principle that the Representative is bound to obey the will of his constituents) ought to have voted for the amendment. Some of them said, however, that though friendly to the administration, they thought such a recommendation too premature, others said that it was a matter in which the Legislature had no right to interfere, and others again said it looked too much like caucusing. These reasons of themselves, were enough to kill the amendment, but we have heard another, which if true, would even satisfy J. H. Pizarra, that notwithstanding the vote which was then given, that North Carolina is still friendly to the administration,—it is that the resolutions with the amendment were referred to a committee of five,—three of whom were opposed to them. Add to all these the fact, that they were not taken up until just as the Legislature was about to meet, and we think the most stubborn will give up the idea, that the people of this state are opposed to the present administration, and the most enthusiastic of Mr. Clay's admirers will give up all hopes that North Carolina will vote for him.

In concluding we will observe that from the great variety of subjects which have come under our review, it is natural to believe, that we have, upon some of them, differed with our friends. This we trust, will create no difference among us, when we say, that we have honestly and fearlessly expressed our opinions upon each.

We will now take occasion to say something more of the case of the Indian who was executed for murder under the criminal laws of Georgia. Not knowing anything of the merits of the case between the Commonwealth of Georgia and the Indian, we cannot undertake to pass any opinion upon the justice or legality of the sentence and execution. We propose only to examine and see how far the State of Georgia violated the constitution, in proceeding with the execution of a judgment of one of her own courts, without regard to the writ of *habeas corpus* by the Chief Justice of the United States to bring the case up before the Supreme Court under the Judiciary act.

We do not pretend either to determine whether this was a case over which the Supreme Court had any jurisdiction, and whether it was within the spirit and meaning of the Judiciary act. But we will take the strongest possible case, and suppose it was expressly provided for in the passage of that act, and we will endeavour to show that the refusal of Georgia to obey the citation of the Federal Justice was not a violation of the constitution. Georgia (and we trust no other Southern State, at least) will never permit the general government by treaty or otherwise to erect a sovereign and independent state within her borders, violating in positive terms that provision of the constitutional compact which declares that no government shall be erected within a government. This being sound constitutional doctrine, denied by none, not even the wildest enthusiasts in favor of "powers constructive," there can be no act committed within the limits of the territory of Georgia (meaning to include that upon which the Indians reside) which could, by possibility, so far as that state is concerned, make a case such as that which we have admitted, for argument's sake, to belong to the jurisdiction of the Supreme Court of the United States.

If Georgia admitted the validity and constitutionality of the Indian treaties which have in defiance of the constitution, guaranteed to the Nation a sovereign and independent government within her territorial limits, then indeed it is a case of that character, over which the Supreme Court claims jurisdiction. (How just we repeat, we will not pretend to determine) occur within the limits of that State. Then it being impossible, under the constitution, that a case like the one made out by this Indian could occur, Georgia has not, and cannot violate the Supreme law of the land in refusing to obey the citation of the Chief Justice, and in determining to proceed to execute the judgment of her own Court, the act of the Federal Judge to subject it, to the contrary notwithstanding. "The Congress of the United States, by its solemn act, has supported the ground taken by Georgia and the Southern States that the Indians are not entitled to exercise separate and exclusive jurisdiction over any lands in the State of Georgia, but that they stand upon the same footing as the citizens of the State, and are citizens of all intents, and purposes, their persons and property being subject to the laws of Georgia, and not this act of legislation destroy the validity of all treaties confirming to the Indians entire sovereignty to their lands, even, if their validity ever existed? It is gone now, and can never be created again unless by the repeal of the present law and the enactment of a law confirming