Havne's eloquent reply, and that speech of Mr. Webster, which is said for powerful ef-fect to be unequalled in the sansas of Con-

Mr. Hayne said, I have not risen Mr President, for the purpose of discussing the propriety of instituting the inquiry reconin ended by the resolution, but to offer a few remarks on another and much more important question to which gentlemen have alluded in the course of this debate I mean the policy which night to be pursued in relation to the Public Lands. Every gentleman who has had a scat in Congress for the last two or three years. on even for the last two or three werks. must be convinced of the great and grow ing importance of this question. than half of our time has been taken up with the discussion of propositions connected with the Public Lands-more than half of our acts embrace provisions grow. ing out of this fruitful source. Day after day the changes are rang on this topic from the grave inquiry into the right he new States to the absolute sovereignty and property in the soil, down to the grant of a pre-emption of a few quarter sections to actual settlers. In the language of a great aratar in relation to another devezed question," we may truly say, "that year after year we have been lashed round the miserable circle of occasional arguments and temperary expedients." gentleman can fail to perceive that this is a question no longer to be evaded; it must be met-fairly and fearlessly met; a question that is pressed upon us in so many ways-that intrudes in such a variety of shapes-involving so deeply the feelings and interests of a large portion of the U. shote course of our legislation—cannot be put aside, or laid asteep. We cannot long avoid it-we must meet and overcome t, or it will overcome us. Let us, then. Mr. President, be prepared to encounter it in a spirit of wisdom and of justice, and endeavour to prepare in our own minds and the minds of the people, for a just and entightened decision. The object of the remarks I am about to offer, is merely to call public attention to the question, to thraw out a few crove and undigested thoughts as food for reflection-in order to prepare the public mend for the adoption. at no distant day, of some fixed and settled policy in relation to the Public lands. lelieve that out of the Western country there is no subject in the whole range of our legislation, less understood, and in relation to which there exists so many errors, and such unhappy prejudices and miscon-

There may be said to be two great parties in this country, who entertain very opposite opinions, in relation to the character of the policy which the government has heretofore pursued, in relation to the Public lands, as well as to that which ought, hereafter, to be pursued. I propose, very briefly, to examine these opinons, and to throw out for consideration a

few ideas in connexion with them. Adverting first, to the past policy of the government, we find that one party, embracing a very large portion, perhaps at this time a majority of the people of the Units ed States, in all quarters of the Union, ent riain the opinion, that in the settlement of the new States and the disposition of the Public lands, Congress has pursued not only a highly just and liberal course, but one of extraordinary kindness and indulgence. We are regarded as having acted towards the new States in the spirit of parental weakness, granting to froward children, and daly every thing that was reasonable and proper, but actually robbing ouselves of our property to gratify their insatiable desires. While the other party, embracing the entire West, insist that we have treated them from the beginring not like beirs of the estate, but in the spirit of a hard taskingster, resolved to promete our setash interests from the fruit of their labor. Now, sir, it is not my present purpose to investigate all the ground. which these opposite opinions rest; I shall content mysell with noticing one or of the new States, actually constantly extwo particulars, in relation to which it has ceeded the ability of the People to pay, w, not for the purpose of aggravatment of discontent in relation to when is known to exist in write, for I do not know that my will ever reach them, but to assist in ng others to what I believe to be a just sense of the past policy of the government in relation to this matter. In the creation and settlement of the new States. Mr. President, the plan has been invariably pursued, of selling out from time to time, certain portions of the Public lands, for the highest price that could possibly be obtained for them an open market, and, un-til a few years past, on long credits. In this respect, a marked difference is observ-able, between our policy and that of every ther nation that has ever attempted to establish colonies, or create new States. Without pausing to examine the course persued in this respect at earlier periods in the history of the world, I will come di-

our fathers along the whole Atlantic coast, now composing the old thirteen States. poid for their lands, and even when conditions seemingly more substantial, were annexed to the grants-such for instance as settlement and cultivation,"-these were considered as substantially complied with. by the cotting down a few trees and erecting a log cabin the work of only a few days. Even these conditions very soon came to be considered as merely nominal. and were never required to be pursued, in order to vest in the grantce, the fee simple of the sail. Such was the system under which this country was originally settled. and under that early and vigorous manhood which enabled them in a few years to achieve their independence; and I beggenthemen to recollect, and note the fact, that while they paid substantially nothing to the mother country, the whole profits of their industry were suffered to remain in their own hands. Now what, let us inquire, was the reason which has induced all nations to adopt this system in the setflement of new countries? Can it be any other than this : that it affords the only certain means of building up in a wilderness-great and prosperous communities ? Was not that policy tounded on the universal belief, that the conquest of a new country, the driving out " the savage beasts and still more savage men," cutting down and subduing and encountering all the hardships and privations necessarily incident to the conversion of the wilderness into cultivated fields, was worth the fee simple of the soil ? And was it not beliefed that the mother c untry found ample remuneration for the value of the land so granted in the additions to her power and the new sources of commerce and of wealth | ture distribution among the States, while, on the furnished by prosperous and populous other, it is insisted that the whole of these lands States ? Now, sir, I submit to the candid of right belong to, and ought to be relinquished dion-instructing itself into almost every consideration of gentlemen, whether the question of public policy, and tinging the policy so diametrically opposite to this, posed policy, that the public lands ought to be than to say, that, by the very terms of the grants hich has been invariably pursued by the United States towards the new States in he West has been quite so just and libe rat, as we have been accustomed to believe. Certain it is, that the British Colonies to the North of us, and the Spanish & French to the South and West, have been tostered and reared up under a very different system. Lands which had been for fifty or a hundred years open to every se'fler, without any charge beyond the expence of the survey, were, the moment they fell into the hands of the United States, held up for sale at the highest price that a public auction, at the most favorable seasons, and not unfrequently a spirit of the wildest competition, could produce, with a limitation that they should never be sold below a certain minimum price-thus making it, as it would seem, the cardinal point of our policy, not to settle the country, and facilirate the formation of new States, but to fill our coffers by coining our lands into

Let us now consider for a moment, Mr. President, the effect of these two opposite systems on the condition of a new State. I will take the State of Missouri, by way of example. Here is a large fertile territory coming into the possession of the United States, without any inhabitants but the pockets of the people. Every scheme or Indians and wild beasts-a territory which is to be converted into a sovereign and independent State. You commence your operations by surveying and selling out a portion of the lands, on long credits to actual settlers; and, as the population | ports-has done much to weaken the responsi progresses, you go on year after year, bility of our federal rulers to the People, and making additional sales on the same terms; and this operation is to be continued, as gentlemen tell us, for fifty or a hundred years at least, if not for all time to come. The inhabitants of this new State, under such a system, it is most obvious, must have commenced their operations under a load of debt, the annual payment of which must necessarily drain their country of the whole profits of their labor, just so long as this system shall last. This debt is due, not from some citizens of the State to others of the same State-(in which case the money would remain in the country)-but it is due from the whole population of the State to the United States, by whom it is regularly drawn out, to be expended abroad. Sir, the amount of this debt has, in every one as is proved by the fact that you have cause for complaint. I notice been compelled, from time to time, in your great liberality, to extend the credits, and in some instances even to remit portions of the debt, in order to protect some land debtors from bankruptcy and total ruin. Now, Mr. President, I will submit the question to any candid man, whether, under this system, the People of new State, so situated, could, by any industry or exertion, ever become rich and prosperous. What has been the consequence, sir? Almost universal poverty to money-hardly a sufficient circulating medium for the ordinary exchanges of society-paper banks, relief laws, and the annumerable other evils, social, political, and moral, on which it unnecessary for me to dwell. Sir, under a system by which a drain like this is constantly operating upon the wealth of the whole community, the country may be afflic ed with a curse which it has been rectly to the measures adopted in the first well observed is more grievous to be borne settlement of the new world, and will than the barrenness of the soil, and the ervations entirely to North inclemency of the seasons." It is said, le English, the French, and sir, that we learn from our own misforhave successively planted tunes how to feel for the sufferings of ohere, and have all adopted thers, and perhaps the present condition cy, which, from the very be- of the Southern States has served to he world, had always been press more deeply on my own mind, the

sary in the settlement of new grievous oppression of a system by which

viz. a free grant of lamis, the wealth of a country is drained off to be

at money and without price."- be expended elsewhere. In that devoted re-

e- our misfortune to stand in that relation to the Federal Government which subjects us to a taxation, which it requires the utmost efforts of our industry to meet.

vhole amount of our contri is expended abroad—we stand towards the U. Stales in the relation of trelation of England.—
The fruits of our labor are drawn from us to enrich other and more favored sections of the Union; while with one of the finest climates and suits of society, and to organize the whole labo the richest products in the world, furnishing, and capital of the country." But what shall we with one-third of the population, two-thirds of the extraordinary, the wonderful, and painful pectacle of a country, enriched by the bounty of God, but blasted by the cruel policy of man. The rank grass grows in our streets one very dred policy on the fortunes of the West. It is

Let gentlemen now pause and consider for a moment what would have been the probable effects of an opposite policy. Suppose, Sir, a certain portion of the State of Missouri had been originally laid off and sold to the actual settlers for the quit rent of " a peppercorn" or even for a small price to be paid down in eash. Then, Sir, all the money that was made in the country would have remained in the country, and passing from hand to hand, would, like rich and abundant streams flowing through the land, have adorned and fertilized the whole. Suppose, Sir, that all the sales that have been effected, had been made by the State, and that the proceeds had gone into the State Treasury to be returned back to the people in some of the various shapes in which a beneficent local government exerts its powers for the improvement of the condition of its citizens. Who can say, how much of wealth and prosperity, how much of improvement in science and the arts, how much of individual and social happiness, would have been diffused throughout the land! I have done. Mr. President, with this topic.

In coming to the consideration of the next

great question, what ought to be the future po-

licy of the Government in relation to the Public

lands? we find the most opposite and irrecon-

citable opinions between the two parties which I

have before described. On the one side it is

contended that the public land ought to be re-

served as a permanent fund for revenue, and fu-

to the States in which they lie. I shall proceed tion, Mr. President, how far it is possible to convert the public lands into a great source of revenue. Cemain it is, that all the efforts heretofore made for this purpose have most signally failed. The harshness, if not injustice of the proceeding, puts those upon whom it is to operate upon the alert, to contrive methods of evading and counteracting our policy, and hundreds of schemes, in the shape of appropriations of lands for Roads, Canals, and Schools, grants to actual settlers, &c. are resorted to for the purpose of resist these applications, and to reserve the whole of your lands, for fifty or for a hundred years, or for all time to come, to furnish a great fund for permanent revenue, is it desirable that we should do so? Will it promote the welfare of the U. States to have at our disposal a permanent Treasury, not drawn from the pockets of the people, but to be derived from a source independent of them? Would it be safe to confide such a treasure to the keeping of our national rulers? to expose them to the temptation insuperable from the direction and control of fund which might be enlarged or diminished al most at pleasure, without imposing burthers up on the people? Sir, I may be singular-per haps I stand alme here in the opinion, but it is one I have long entertained that one of the greatest safeguards of liberty is a jealous watchfulness on the part of the people, over the collection and expenditure of the public money-a watchfulness that can only be secured where the money is drawn by taxation directly from contrivance by which rulers are able to procure the command of money by means unknown to, unseen or unfelt by, the People, destroys this security. Even the revenue system of this country, by which the pecuniary resources are deri ved from indirect tuxution-from duties upon im has made them, in some measure, careless of their rightss and regardless of the high trust sir, that if \$28,000,000 per annum was now levied by direct taxation, or by an apportionment of the same among the States, instead of being raised by an indirect tax, of the severe effect of which few are aware, that the waste and extravagance. the unanthorized imposition of luties, and ap propriations of money for unconstitutional ob iects, would have been tolerated for a single vear? My life upon it, sir, they would not. I distrust, therefore, sir, the policy of creating a great permanent National Treasury, whether to be derived from public lands or from any other source. If I had, sir, the powers of a magician, and could, by the wave of my hand, convert this capitol into gold for such a purpose. I would not do it. If I could, by a mere act of my will. put at the disposal of the Federal Government any amount of treasuse which I might think proper to name, I should limit the amount to the means necessary for the legitimate purposes of the Government. Sir, an immense national treaenable Congress and the Executive to exercise a control over States, as well as over great interests in the country, may, even over corporations and individuals-utterly destructive of the purity, and fatal to the duration of our institutions. would be equally fatal to the sovereignty and independence of the States. Sir, I am one of those who believe that the very life of our sys-

distributions of favors, whether by legislation or appropriation, which has a direct and powerful ency to spread corruption through the land -to create an abject spirit, of dependence-to and finally to saf the very foundations of the Government itself. ut, Sir, there is another purpose to which it been supposed the public lands can be aphas been supposed the public lands can be applied will more objectionable. I mean that suggested in a report from the Treasury Department under the late administration, of so regulating the disposition of the public lands as to cres and preserve in certain que riers of the Union. nopulation autable for conducting great manu-facturing establishments. It is supposed, Sir, by the advocates of the American System, that the great obstacle to the progress of manufactures in t money and without price."— be expended elsewhere. In that devoted retow, that we British colonists at giou, sir, in which my lot has been cast, it is sistence, will work for the lowest wages, and be

great ends for which it was instituted. I am op-

posed, therefore, in any shape, to all unnecessary extension of the powers, or the influence

over the States, or the People of the States,

and, most of all, I am opposed to those partial

satisfied with the amullest possible share of human enjoyment. And this difficulty it is prop sed to overcome, by so regulating and limits drawing off this portion of the population from the manufacturing States. Sir, it is had ecough, that Government should presume to regulate the industry of man-it is sufficiently monstrous that they should attempt, by arbitrary legislation, artificially to adjust and balance the various pu say of the resort to such means for these purpo the whole experts of the country, we exhibit ses! What I create a manufactory of paupers, in order to enable the rich proprietors of woolen and cotton factories to amass wealth? From the bottom of my soul do I ablior and detest the idea that the powers of the Federal Government fields are scathed by the hand of injustice and should ever be prostituted for such purpose.oppression. Such, Sir, though probably in a Sir. I hope we shall act on a more just and libless degree, must have been the effects of a kin- eral system of policy. The People of America are, and ought to be for a century to come, esnot in the nature of things that it should have sentially an agricultural People, and I can conceive of no policy that can possibly be pursued in relation to the public lands, none that would be more " for the common benefit of the States," than to use them as the means of furnishing a secure asylum to that class of our fellow citizens. who, in any portion of the country, may fine themselves unable to procure a comfortable subsistence by the means immediately within their reach. I would by a just and liberal system convert into great and flourishing communities, that entire class of persons, who would otherwise be paupers in your streets, and outcasts in society, and by so doing, you will but fulfil the great trust which has been confided to your care

Sir, there is another scheme in relation to the public lands, which, as it addresses itself to the interested and selfish feelings of our nature, will doubtless find many advocates. I mean the distribution of the public lands among the States, according to some ratio hereafter to be settled Sir, this system of distribution is, in all its shapes liable to many and powerful objections. I will not go into them at this time, because the subject has recently undergone a thorough discussion in the other House, and because, from present indications, we shall shortly have up the subject here. "Sufficient unto the day is the evil thereof." I come now to the claims set up by the West to these lands. The first is, that they have a full and perfect legal and constitu tional right to all the lands within their respective limits. This claim was set up for the 1st time only a few years ago, and has been advocated or this floor by the gentlemen from Alabama and Indiana, with great zeal and ability. Without having paid much attention to this point it has appeared to me, that this claim is untenable. I to throw out some ideas in relation to the pro- shall not stop to enter into the argument further under which the United States have acquired these lands, the absolute property in the soil is vested in them, and must, it would seem, continue so until the lands shall be sald or otherwise disposed of. Lean easily conceive that it may be extremely inconvenient, hay, highly injurious to a State, to have immense boilies of land with in her chartered limits, locked up from sale and settlement, withdrawn from the power of taxa tion, and contributing in no respect to her wealth or prosperity. But though this state of things may present strong claims on the Federal Gocontrolling our operations. But, sir, let us take | vernment for the adoption of a lineral policy to it for granted, that we will be able, hereafter, to | wards the new States, it cannot affect the question of legal or constitutional right. Believing that this claim, on the part of the West, willneyer be recognized by the Federal Government I must regret that it has been urged, as I think it will have no other effect, than to create a prejudice against the claims of the new States.

But, sir, there has been another much more fruittul source of prejudice. I mean the demands constantly made from the West, for partial appropriations of the public lands for local objects. I am astonished that gentlemen from the West ern country have not perceived the tendency of such a course, to rivet upon them for ever the system which they consider so fatal to their in. terests. We have been told, sir, in the course of this debate, of the painful and degrading of fice which be gentlemen from that quarter are compelled to perform, in coming were, year after year, in the character of petitioners for these petty favors. The gentleman from Missouri tells us, Mif they were not goad d on by their necessities, they would never consent to be beggars at our doors." Sir, their course in this respect, let me say to those gentlemen, is greatly injurious to the West. While they shall conti nue to ask and gratefully to receive these petty and partial appropriations, they will be kept for conded, the question was taken on concurring ever in a state of dependence. Never will the in the report of the committee on elections, and Federal Government, or those who control its decided in the affirmative-aves 111, noes 79. operations, consent to emancipate the West, by adopting a wise aud-just policy, looking to any final disposition of the public lands, while the committed to their care. Can any man believe, people of the West can be kept in subjection and dependence, by occasi mal donations of those lands; and never will the Western States themselves assume their just and equal station among their sisters of the Union, while they are gratuities. What then, Mr. President, is our took up the bill to provide for taking the Fifth true policy on this important subject? I do not Census, being a special order of the day. In profess to have formed any fixed or settled opinions in relation to it. The time has not yet ar. rived when that question must be decided, and I must reserve for further lights, and more ma ture reflection, the formation of a final judgement. The public debt must be first paid. For this these lands have been solemnly pledged to the public creditors. This done, which, if there be no interference with the Sinking Fund, will be effected in three or four years, the question will then be fairly open, to be disposed of as Congress and the country may think just and proper. Without attempting to indicate precisely what our policy ought then to be, I will sury would be a fund for corruption. It would in the same spirit which has induced me to throw out the desultory thoughts which I have now presented to the Senate, suggest for consideration, whether it will not be sound policy, and true wisdom, to adopt a system o measures looking to the final relinquishment of these lands on the part of the United States, to the States in which they lie, on such terms and conditions as may fully indemnify us for the cost tem is the independence of the States, & that there of the original purchase, and all the trouble and is no evil more to be deprecated than the conso expense to which we may have been but on lidution of this Government. It is only by a their account. Giving up the plan of using these strict adherence to the limitations imposed by lands forever as a fund either for revenue or the Constitution on the Pederal Government- distribution, ceasing to hug them as a great that this system works well, and can answer the treasure, renouncing the idea of administering them with a view to regulate and control the industry and population of the States, or of keep ing in subjection and dependence the States, or of the Legislature or Executive of the Union the people of any portion of the Union, the task will be comparatively easy of striking out a plan for the final adjustment of the land question on and Means, reported a bill to reduce the duties just and equitable principles. Perhaps, sir, the lands ought not to be entirely relinquished to committed to the committee of the whole House any State until she shall have made considerable advances in population and settlement. Ohio sow the seeds of dissolution to produce jealou. has probably already reached that condition sy among the different portions of the Union. The relinquishment may be made by a sale to and finally to sap the very foundations of the the State, at a fixed price, which I will not say ald be nominal; but certainly I should not be disposed to fix the amount so high as to keep the States for any length of time in debt to the United States. In short, Mr. President, our whole policy in relation to the public lands may perhaps be summed up in the declaration with which I set out, that they ought not to be kept and retained for ever as a great treasure, but that they should be administered chiefly with a view to the creation, within reasonable periods, of great and flourishing communities, to be for med into free and independent States—to be invested in due season with the control of all the lands within their respective limits.

(Mr. Webster's Reply in our next.).

Tuesday, February 2.
The Hon. John Tyler, from the State of ginia, appeared and took his seat.

Mr. Dickerson gave notice that he would be morrow ask leave to bring in a bill to author. he Secretary of the Treasury, to pay to Gooper, the amount of a fine paid by him

conviction, under the sedition act.

Mr. Ruggles presented a memorial of the s ciety of Friends, praying that Congress would pass some law protecting the southern Indian A number of bills from the House of Represent atives were read a second time and referred the appropriate committees. Mr. Foo's resolution tion was then taken up, and Mr. Benton continued his remarks upon Mr. Webster's last speed upon the questions of the Tariff and Internal in provements. After Mr. Benton concluded, he sprague commenced his reply, but gave vi for a motion to adjourn.

Wednesday, Feb. S.

Mr. Hendricks reported a bill to authorize subscription to the stock of the Louisville and Portland Canal Company, After an hour spe in the consideration of Executive business, he Foot's resolution was taken up, and Mr. Spragu concluded his remarks in reply to Messrs. Be ton and Hayne.

Thursday, February 4. The Hon- L. W. Tazewell from the State Virginia, appeared and took his seat.

The Senate resumed the consideration of motion of Mr. Pout, in relation to further se veys and sales of the public lands.

Mr. Howan rose and a dressed the Senate for about two hours; and then the Senate adjudge

Friday, Feb. 5.

The Vice President laid before the Senate letter from Wm. Willis, inventor of a new important improvement in the Mechanic And consisting of a rotatory motion adapted to Steam Engines, making a free gitt of the use there o the U. States; which was read and laid the table.

The Senate resumed the consideration of sotion submitted by Mr. Grundy, on the hist. " to postpone the subscription on the p of the Senate to the compilation of the Pun Documents, proposed to be printed by Gales Seaton, until an appropriation shall be made -And

On motion of Mr. Woodbury it to the Committee on the Library of Congress. Mr. Chambers presented a letter from tiales! Seuton, in relation to the price of printing the last mentioned documents, which was referre to the last mentioned committee.

On motion of Mr. Woodbury, it was ordered that the proposals heretofore presented from Duff Green, Davis & De Krafft, and Win. Green with their respective proposals for printing th last mentioned documents, be referred to the same committee.

HOUSE OF REPRESENTATIVES

Tuesday, February 2.

Mr. Howard, from the committee on Com merce, reported a bill for the relief of sunday owners of vessels sunk in the defence of Balt-more. The several resolutions offered on the preceding day were taken up and adopted; a several new resolutions were adepted. On motion of Mr. Conner to consider a resolution offered by him some time since, relative to an duction of the duty on salt, and on the reference of some reso utions of the Legislature of North Carolina, instructing the Senators and reques ing the Representatives from that State to yo for such a reduction, some discussion took place but as the hour expired before the discussion had proceeded very far, the debute was suspended. The House then went into the consideration of the report of the committee on elections on the petition of Ruel Washburn of Maine; or which some discussion took place. Messrs. Coke of Virginia, Goodenow of Chio, and Spencer New York, speaking in favor of the petitione and against the report of the committee on elections, and Mr. P P. Barbone taking the opposite side. After which, Mr. Miller asked for the previous question; and the demand being se

Wednesday, Feb. 3.

The resolutions of the Legislature of North Carolina, on the subject of the reduction of the duty on Balt, were, after a brief discussion, lair on the table, Mr. McDuffie having stated that the committee of Ways and Means would to-day Committee of the Whole on the State of the Union, sundry amendments were made, after which the committee rose and reported progress, and the House then adjourned.

Thursday, Feb. 4.

Mr. Buchanan, from the committee on the Indiciary, to which the subject was referred on the 26th of January ult, on motion of Mr. Bar ringer, reported a bill supplementary to the act entitled " An act to incorporate the subscribers to the Bank of the United States;" which was twice read and committed for Thursday, the

The House again resolved itself into a committee of the whole House on the bill to provide for taking the 5th census, or enumeration of the inhabitants of the United States, Mr. Buchwan in the Chair. The committee of the whole was engaged nearly four hours in discussing the made and quantum of compensation to be allowed to the Marshals for taking the census and other details in which a large number of members participated. Several amendments were agreed to in the course of the sitting, which the commutee reported to the House; and the bill and amendments having been ordered to be printed, On motion of Mr. Storrs, of New York, the further consideration of the bill was postponed until Monday next.

Mr. McDuffie, from the committee of Ways on Coffee and Teas; which was twice read and on the State of the Union.

PROPOSED REDUCTION OF THE TARIFF. Mr. McDuffie, from the Committee of Ways and Means, reported a bill to reduce and modif the duties upon certain imported articles, and to allow a drawback on Spirits distilled from fo

This bill having received its first reading, Mr. Ramsay of Pennsylvania, from a decided objection to the introduction of the discussion of such a bill, at this session, objected to its being read a second time.

According to the Rules of the House, in case of such objection, the question was stated " Shall the bill be auszoren !" And on this question, the Year and Nays were

ordered to be taken.

Mr. Thompson, of Georgia, wishing to have a full house on this question, moved a call of the House ; which was agreed to.