

CONGRESS.

SENATE.

TUESDAY, FEB. 17.

The Senate resumed the consideration of the bill supplementary to the several acts for the adjustment of land titles in the state of Louisiana; and no amendment being offered thereto, the bill was ordered to be engrossed and read a third time.

The Senate then took up the bill from the House of Representatives supplementary to, and to amend, the act of 1799, to regulate the collection of duties on imports and tonnage, together with the amendments recommended by the select committee. These amendments were explained by Mr. Smith, of Md. and were agreed to, and the bill then, having been gone through, was ordered to be read a third time.

The bill from the House of Representatives to revive and continue in force certain acts for the adjustment of land claims in the territory of Michigan, was considered in committee of the whole, and amended; and was then ordered to a third reading.

The Senate then went into the consideration of Executive business, and remained with closed doors until near 4 o'clock; and then adjourned.

TUESDAY, FEB. 18.

The engrossed bill supplementary to the several acts for the adjournment of land claims in the state of Louisiana, and the engrossed bill for the relief of John Buchler, were severally read the third time, passed, and sent to the other House for concurrence.

The bill from the House of Representatives, supplementary to and to amend the act of 1799, to regulate the collection of duties on imports and tonnage, and the bill to revive and continue in force certain acts for the adjustment of land claims in the territory of Michigan, were severally read the third time, as they had been amended by the Senate, passed, and returned to the House of Representatives for concurrence in the amendments.

The Senate took up the resolution offered by Mr. Johnson, of Kentucky, on Friday last; and, after some discussion, having been modified, on the motion of Mr. Mills, to read as follows, it was agreed to, viz:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of collecting and digesting in one bill all the acts of Congress relative to the Courts of the United States, and the administration of justice therein; and to report a mode of effecting such changes, to modifications, and additions, as will, in their opinion, combine most efficiency, promptitude, and economy, in the administration of justice.

The Senate resumed the consideration of the bill to authorise the President of the United States to offer at public sale the salt springs and lead mines of the United States and the public land contiguous thereto.

Mr. Dickerson moved to strike out the first section of the bill, and to insert a substitute, providing, in substance, that the President of the United States be authorised to appoint some fit person, skilled in mineralogy, for the space of three years, for the purpose of examining and reporting, from time to time, on the mines and minerals of the states of Missouri and Illinois, and Territory of Michigan; and allowing him a salary, therefore. After some debate, the bill was laid on the table; and the Senate adjourned.

WEDNESDAY, FEB. 19.

The President of the Senate having left the city, Mr. Gaillard was elected President of the Senate, *pro temp.*

Mr. Stokes, from the Committee on the Post Office and Post Roads, reported a bill providing for clearing, repairing, and improving certain roads, for the purpose of facilitating the transportation of the Mail; which bill was twice read by general consent.

The remainder of the day was occupied on private claims.

THURSDAY, FEB. 20.

The Senate proceeded to the consideration of the bill to provide for the settlement of the accounts of Daniel D. Tompkins, late Governor of the State of New-York.

[This bill authorises—first, that the proper accounting officers of the Treasury adjust and settle the accounts and claims of Daniel D. Tompkins, on principles of equity and justice, subject to the revision and final decision of the President of the United States. Secondly, it enacts, that the provision of the appropriation law of last session, which prohibits the payment of salary to any individual while he shall appear indebted to the United States, shall be repealed so far as it applies to Mr. Tompkins.]

Mr. Eaton was opposed to the second provision (above stated) of the bill; because, however highly he might estimate the services and patriotism of the Vice President, during the late war, he could not reconcile it to himself to extend to any individual a privilege which was denied to all others similarly situated. It would have the appearance of favoritism, and might be so charged, particularly as it related to a person who held a high and respectable office.

Mr. Brown, of Lou. replied to Mr. Eaton in an animated manner. He did not think any such imputation could be made. A jury had passed on this claim, and had rendered a verdict in favor of the Vice President. Committed too, in both Houses of Congress, had examined the case, and had reported in favor of authorising what the bill proposed. There was a wide difference, therefore, between this and other cases of unsettled accounts with the government.

The question was then taken on ordering the bill to a third reading, and was carried, with two or three dissenting voices.

At the request of Mr. Williams, of Ten., the bill was thereupon read the third time, by unanimous consent, was passed, and returned to the House of Representatives.

The Senate then resumed the consideration of the bill from the House of Representatives, for laying out and making a road from the lower Rapids of the Miami of Lake Erie, to the Western boundary of the Connecticut Western Reserve, in the State of Ohio, agreeable to the provisions of the Indian treaty of Brownston.

On this bill a long debate arose, in which its principle and details, its constitutionality and expediency, were thoroughly discussed; in the course of which, the bill was considerably modified.

Finally, it was ordered to a third reading, as amended—*ayes 29.*

Mr. Taylor, of Va. observed, that as the Senate did not usually sit on Saturday, he hoped they would indulge him so far as to meet on Saturday next for the purpose of

discussing his resolution proposing an amendment to the Constitution of the United States, in regard to the election of President of the United States, and with that view he moved that the resolution be made the order for that day; which motion was agreed to.

FRIDAY, FEB. 21.

The amendment to the bill, entitled "An act for laying out and making a road from the Lower Rapids of the Miami of Lake Erie to the Western boundary of the Connecticut Western Reserve, in the State of Ohio, agreeably to the treaty of Brownston," having been reported by the Committee correctly engrossed, the bill was read a 3d time, passed, and sent to the House of Representatives for its concurrence in the amendment.

The bill from the House of Representatives, supplementary to the acts to provide for certain persons engaged in the land and naval service of the United States in the Revolutionary War, was rejected by a vote of 21 in favor, and 24 against it—and then adjourned.

HOUSE OF REPRESENTATIVES.

SATURDAY, FEB. 15.

Mr. Plumer, of N. H. from the Committee on the Judiciary, reported a bill to carry into effect the ninth article of the treaty concluded between the United States and Spain, the 22d day of February, 1819; which was read twice and committed.

The Speaker communicated a letter from the President of the United States, transmitting all the correspondence, in relation to the treaty between the governments of the United States and Great Britain, relative to the Convention of the 20th October, 1818; which letter was read, and the letter and correspondence were ordered to lie on the table.

The House resolved itself into a Committee of the Whole on the state of the Union, the bill making appropriations for the support of government, yesterday under consideration, being the first business before the committee.

The question pending before the Committee was on the motion of Mr. Trimble, to insert an appropriation of 25,000 dollars for the repair and preservation of the Cumberland Road.

Mr. McLane, of Del. suggested to Mr. T. whether it would not be better to allow the committee to proceed through this bill, without pressing this amendment, and then take up the bill from the Senate, making the appropriation of 25,000 dollars for the repair and preservation of the Cumberland Road.

Mr. Trimble yielded to the suggestion of Mr. McLane, and withdrew the motion he had made to insert the appropriation for the Cumberland Road.

The motion was renewed, and occasioned considerable debate, which was not closed when the House adjourned.

MONDAY, FEB. 17.

Mr. Trimble rose, and said, if the motion he was about to make was not in order, or if any gentleman had a motion to make which would take precedence of his own, he hoped it would be waived, as a personal kindness to himself, and that the House would take up the bill providing for the adjustment of the accounts of (the Vice President) Daniel D. Tompkins, late Governor of the State of New York. The question being put,

The House agreed, by unanimous consent, now to consider the bill; and Mr. T. moved that the bill be engrossed and read a third time.

Mr. Floyd, of Va. moved that the bill be amended so as to refer the adjustment of the accounts of Mr. Tompkins to the Secretary of War, instead of the Secretary of the Treasury. He did so, because he conceived the character of this case was extraordinary, and to which he referred, were peculiar; and because he wished, by not referring it to the Ordinary Department for such adjustment, that it should be kept separate and distinct from the great mass of applications of a similar kind, and not form a precedent for others, hereafter, which might possess a pretended analogy to it, &c.

The amendment was opposed by Messrs. Trimble and Hamilton, members of the committee which reported the bill. The committee had given a due attention to the circumstances which had been referred to, and had, from a view of all the circumstances, concluded it best to report the bill in its present shape.

Mr. Hamilton, among other remarks, said, that while the bill guarded the pecuniary rights and interests of the United States, it conported with the obligation to discharge the debt of gratitude which the nation owed to the distinguished individual who had, with such a manly devotion, stepped forth and offered every sacrifice and every hazard in the service and defence of his country in the hour of danger. He had no fear that a similar case would ever present itself again. It must at least be long before such a case could occur, for it was not to be expected that the Treasury of the nation would again become bankrupt; that its credit would be prostrated and invasion threatened; and it could only then occur that an example like that of Governor Tompkins could again happen.

Mr. Floyd, in the course of his remarks, said he hoped, indeed, it might be long before such another case should occur—before it should be necessary to have such a man to expend the money of the nation under similar circumstances; when the treasury was exhausted, the country in danger; when blue lights were along our coast, and the enemy on our borders. He entertained the deepest sense of the services of Gov. Tompkins; he would be glad, indeed, to reward the signal patriotism of that man, and, if it were constitutional to do so, would make him an ample donation for his public service. That, however, being out of the power of Congress, he would provide at least for the equitable adjustment of his accounts, &c. &c.

The amendment offered by Mr. Floyd was negative; and then the bill was ordered to be engrossed and read a third time *nem. con.*

Mr. Johnston, of Lou. offered the following resolution, which he hoped to lie on the table one day.

Resolved, That the Committee on Naval Affairs be instructed to provide two Steam Batteries for the defence of the Mississippi River.

The House then again resolved itself into

a committee of the whole, on the bill to make appropriations, in part, for the support of the government—a motion pending to strike out the proposed appropriation of \$10,000 for continuing the location of the western national road from Wheeling to the Mississippi, which was carried.

The amendments having been made, and the details of the bill gone through with—

The Committee took up the bill making appropriations for the support of the Navy of the U. States for 1823.

An item of \$50,000 was proposed to the bill, for the purpose of constructing docks and wharves at the Navy Yard, in Washington, connected with Rodgers' Marine Rail Way, or Inclined Plane, on which a discussion took place; Messrs. Fuller, Williams, of N. C. Floyd, Bassett, Hamilton, Colden and Wright, engaged, considering the utility of the invention, and the propriety of making the appropriation. On agreeing thereto, it was decided in the affirmative—*ayes 87.*

Having gone through the details of this bill—the committee rose, and reported it as amended. The House then agreed, without a dissenting voice, to all the amendments made in the Committee, excepting two items; but, before taking the question to agree with the committee on these two excepted items, a motion was made to adjourn.

At the request of Mr. Trimble, of Ky. the motion to adjourn was withdrawn, for the purpose of considering the bill for the adjustment of the accounts of D. D. Tompkins, Vice President of the U. States. The bill, as engrossed, was then taken up, read a third time, *nem. con.* and sent to the Senate for its concurrence.

TUESDAY, FEB. 18.

Mr. Newton, from the Committee on Commerce, reported a bill to authorize the building of light houses, and for erecting beacons thereon mentioned, and for other purposes, which was read twice and committed.

Mr. Kent, from the Committee on the District of Columbia, to which was referred the bill from the Senate "to amend the charter of the Mechanics' Bank of Alexandria, in the District of Columbia," reported the same without amendment; and

A motion to pass it to its third reading having been made by Mr. Kent—

Mr. McCoy, thinking a bill of this character ought not to be precipitately acted upon, but take the usual course of bills, moved its reference to a Committee of the Whole House.

After some debate, the question on referring, was decided in the negative, 73 votes to 56.

The question was then taken on ordering the bill to a third reading, and decided in the affirmative, 66 to 56.

The business yesterday before the House, immediately preceding its adjournment, was an exception made by Mr. Whipple, to that item of the bill making appropriations for the support of the government of the United States, which makes a provision of 197,000 dollars, for the surveys of the Public Lands.

Mr. W. having satisfied himself, during the interval since the adjournment of yesterday, of the correctness of this appropriation, withdrew his exception to it.

Another exception taken by Mr. Chambers, of Ohio, to the various amendments made by the Committee to the above bill, was to that amendment by which the item of appropriation of 10,000 dollars for continuing the location of the western road, was likewise withdrawn by Mr. C. he having received information that a bill on the subject was before the Senate, which would probably prove less objectionable than the appropriation in this shape.

These two amendments of the Committee were then concurred in by the House, and the bill was ordered to be engrossed for a third reading.

The House then took up the bill providing for the support of the Navy of the United States, for 1823, together with the amendments reported to it by the Committee of the Whole.

These amendments were collectively agreed to.

Mr. Floyd, of Virginia, then rose to move an amendment, which was, to strike out the item providing an appropriation for wharves, &c. connected with the Marine Rail-Way at the Navy Yard, in this city, and inserting, in lieu thereof, an appropriation of \$90,000, for building a Dry Dock at such place in Hampton Roads as should be thought most expedient for this object.

This motion not being in order, because the House had just concurred in that amendment (being included in the others) Mr. Floyd moved to re-consider the vote of concurrence in that amendment.

On this motion there arose a debate of two hours, turning not so much on the actual merits which may belong to this invention, as upon the question whether the experiment has been conclusive. Although this was the nature of the Debate, it appeared, in the course of it, that this appropriation is asked, to defray the expense of excavating a dry dock in the rear of the rail-way, on the margin of the river, into which vessels are to be drawn by the same machinery as is employed to place them on the upper part of the rail-way.

On the question being taken, 55 voted in favor of re-consideration, and 76 against it.

The bill was then ordered to be engrossed and read a third time to-morrow.

WEDNESDAY, FEB. 19.

On motion of Mr. Baylies, it was

Resolved, That the Committee of Commerce be instructed to inquire into the expediency of increasing the duties on tallow, soap, and tallow candles, imported from foreign countries.

Mr. Sloane, of Ohio, offered the following resolution, which, from its nature, will of course lie one day.

Resolved, That the President of the U. States be requested to inform this House of the amount of money paid from the Treasury, since the organization of the present government, for the following objects, viz: building light houses, including the purchase of land on which they are situated, together with the lighting and superintending the same; erecting beacons, building, lighting and superintending vessels stationed as lights in harbors, or on the coast; building wharves, piers and sea walls, removing obstructions to navigation in rivers or harbors; placing and superintending buoys; relief of distressed, sick, and disabled seamen; and for support of Consuls and commercial Agents abroad; the expenditure under each head to be stated separately.

The amendment offered by Mr. Floyd was negative; and then the bill was ordered to be engrossed and read a third time *nem. con.*

Mr. Johnston, of Lou. offered the following resolution, which he hoped to lie on the table one day.

Resolved, That the Committee on Naval Affairs be instructed to provide two Steam Batteries for the defence of the Mississippi River.

The House then again resolved itself into

the District Court for the Alabama District, do certify that they are well acquainted with the general character of Edwin Lewis; that it is bad, and that they consider him unworthy to be admitted as a member of the said Bar.

WM. CRAWFORD, District Attorney.

HENRY HITCHCOCK, Attorney Gen.

of Alabama.

W. H. PATTEN.

A. G. RUFFIN.

A. V. BAGLEY.

Mobile, Alabama, Jan. 15, 1823."

Mr. Moore, of Alabama, was very much surprised by this document being brought forward, and was at a loss to know the motive for introducing it. He considered the character of this individual as not being before the House. And, if a precedent was to be established such as the reception of this paper would constitute, he hoped it would be when some solid and substantial reasons could be produced in favor of it. He hoped the gentleman would re-consider the matter, and withdraw that document. I profess not to know that individual, said Mr. M. but he ought to have justice at least, which like this is not calculated to allow him.

Mr. Nelson, of Md. asked if the Committee on the Judiciary had not made a report upon the charges preferred by Edwin Lewis against Judge Tait, and, if so, was not that report now lying on the table?

[Being answered in the affirmative, Mr. N. proceeded.]

Then, said he, it appears obviously proper, that, where it is made a matter of grave charge against a Judge of the United States, that he has refused to admit the accuser to practice as an Attorney in his Court, and a report upon this charge is lying on the table, testimony of the character of the individual refused to be admitted, being directly relevant, ought to be received.

Mr. Kent, from the Committee on the District of Columbia, to which was referred the bill from the Senate "to amend the charter of the Mechanics' Bank of Alexandria, in the District of Columbia," reported the same without amendment; and

A motion to pass it to its third reading having been made by Mr. Kent—

Mr. McCoy, thinking a bill of