

## TWENTY-THIRD CONGRESS.

House of Representatives—Jan. 29, 1834.

Mr. HAWES submitted the following resolutions:

*Resolved*, That the Committee on Military Affairs be directed to inquire into the expediency of erecting a public armory on the waters of Green river, in the State of Kentucky.

*Resolved*, That the Committee on Military Affairs be directed to inquire into the expediency of abolishing the military institution at West Point, in the State of New York.

The question being taken on their adoption, the numbers voting were—aye 41, noes 54. (No quorum.)

The reading of the resolutions was then called for. They were read accordingly.

Mr. WARD called for a division of the question.

The first resolution was then agreed to.

Mr. BROWN, of New York, then moved to lay the resolution in relation to the Academy at West Point, on the table.

[The effect of this motion, on a resolution of inquiry only, may be considered equivalent to a rejection.]

Mr. BOULDIN called for the yeas and nays on that motion, which were ordered, and the question to lay the resolution on the table, was put and negative.

Yea 85—nays 102—Mr. Hannegan, of this State, voting in the affirmative, and Messrs. Carr, Kinnard and Lane, in the negative—the others absent.

The question then recurring on the adoption of the resolution,

Mr. J. Q. ADAMS called for the yeas and nays, which were ordered.

Mr. LYTLE offered an amendment, but it was not considered in order.

Mr. HUBBARD proposed to amend the resolution by striking out the words “Committee on Military Affairs,” and insert “a Select Committee to consist of one member from each State.”

Mr. H. remarked that he had voted against the motion to lay the resolution offered by the gentleman from Kentucky upon the table, and he had done so, from settled conviction that the time had arrived when some inquiry into the affairs of this institution ought to be made. It was perfectly manifest, from what had transpired heretofore, and from passing events, that there was an opposition, and an increasing opposition, to the Academy at West Point. The reasons why he could not distinctly tell, but such he believed to be the fact; whether it arises from the manner of administering the affairs of the institution, or whether from the creation of the institution itself, he was unable to say.

From what had come to his knowledge, he believed that the Legislatures of two at least of the States of this Union, have expressly instructed their respective delegations in Congress to oppose all appropriation and every other measure for the benefit of this Academy; and in other parts of the confederacy there were objections to this institution. He therefore was of the opinion, that an inquiry had better be made at once into the propriety of continuing the establishment. Such an inquiry will of course include every thing connected with its affairs. And as it was a subject of very general importance, one in which every part of the United States had most certainly a deep interest—as no other one subject, in his belief, would be likely to engage the attention of Congress, of more importance, he had been induced to propose the amendment to the resolution, so that the committee charged with the subjects of inquiry, should be composed of one member from each State, and he wished it to be understood, in preparing this amendment, he had not done it out of any disrespect to the Committee on Military Affairs, nor had he done it with a view of being placed upon the select committee, as it was his particular wish to be excused from that service.

Mr. SPEIGHT expressed his regret that the original resolution had been opposed, as, if it was adopted, the committee would have it in their power to investigate whether there were any abuses connected with the institution; however, the select committee proposed by the member from New Hampshire, would no doubt do ample justice to the subject.

Mr. HUBBARD said, he was induced to offer his amendment in consequence of the various opinions which were held as to the expediency and utility of the Academy. These opinions had been carried so far as to have produced resolutions from some of the State Legislatures; he therefore thought that if the subject was investigated by a select committee, consisting of one person from the several States in the Union, that it was the only way to come to a proper decision, whether it was to be abolished, or have appropriations made for its support. In taking this course, he begged to be understood as declining being on the committee, if his proposition should be adopted.

Mr. BROWN, of New York, offered another amendment, but it was withdrawn.

Mr. MILLER moved to postpone the further consideration of the subject until Tuesday.

Mr. WILLIAMS called for the yeas and nays on this motion, but subsequently withdrew his call.

Mr. HAWES accepted the amendment offered by Mr. Hubbard, as a modification.

Mr. MANN, of New York, was about to address the House, but was prevented by the expiration of the hour allotted to morning business. (So the subject stands over.)

IN SENATE.—Feb. 4.

The following message from the President of the United States was received by Mr. DONELSON, his Private Secretary:

To the Senate and House of Representatives:

I deem it my duty to communicate to Congress the recent conduct of the Bank of the United States, in refusing to deliver the books, papers, and funds, in its possession, relating to the execution of the act of Congress of 7th, 1832, entitled, an act supplementary to the “Act for the relief of certain surviving officers and soldiers of the Revolution.” The correspondence reported by the Secretary of War, and herewith transmitted, will show the grounds assumed by the Bank to justify its refusal to make the transfer directed by the War Department.

It does not profess to claim the privilege of this agency as a right secured to it by contract, nor as a benefit conferred by the Government, but as a burthen from which it is willing to be relieved. It places its refusal upon the extraordinary ground that the corporation has a right to sit in judgment upon the legality of the acts of the constituted authorities, in a matter in which the stockholders are admitted to have no interest, and it impedes and defeats, as far as its power will permit, the execution of a measure of the Administration, because the opinion of the corporation, upon the construction of an act of Congress differs from that of the proper officers of the United States.

The claim of this corporation thus to usurp the functions of the judicial power and to prescribe to the Executive Department the manner in which it shall execute the trust confided to it by law, is without example in the history of our country. It

the acts of the public servants, who are responsible to the people for the manner in which they execute their duty, may thus be checked and controlled by an irresponsible money corporation, then, indeed, the whole frame of our Government is changed, and we have established a power, in the Bank of the United States, above what we derive from the people.

It will be seen, from the accompanying statement, marked A, that according to the latest accounts received at the War Department, the Bank of the United States and its Branches have in their possession near half a million of the public money, received by them under the law of 1832, which they have not yet accounted for, and which they refuse to pay over to the proper agents, for the use of those persons for whose benefit it was withdrawn from the Treasury. It is to be regretted that this attempt on the part of the Bank to guide and direct the Executive upon the construction and execution of an act of Congress, should have been put forward and insisted on in a case where the immediate sufferers from their conduct will be the surviving veterans of the Revolutionary war; for this evil falls exclusively upon the gallant defenders of their country, and delays and embarrasses the payment of the debt which the gratitude of the nation has awarded to them, and which, in many instances, is necessary for their subsistence and comfort in their declining years.

The character of the claim set up by the Bank, and the interest of the parties to be immediately affected by it, make it my duty to submit the whole subject to the consideration of Congress: and I leave it to their wisdom to adopt such measures as the honor of the Government and the just claims of the individuals injured by the proceedings, may be deemed to require.

Having called for the opinion of the Attorney General upon this occasion, with a view to a thorough investigation of the question which has thus been presented for my consideration, I enclose a copy of the report of that officer, and add my entire concurrence in the views he has taken.

ANDREW JACKSON.

[The message having been read, was, after a short debate, referred to the Committee on the Judiciary. In the House of Representatives the same subject, after considerable debate on referring it to the committee on the judiciary, or the committee of Ways and Means, was sent to the latter committee, by a vote of 107 to 103. Pending the reference, Mr. Lane made the following remarks:]

Mr. LANE said that, upon examination, he had found that the question presented by the message was intimately connected with the subjects heretofore referred to the committee of Ways and Means. He understood the 57th rule of the House to devolve this subject expressly upon that committee.

By the 57th rule, it was made the duty of the committee of Ways and Means, “to examine particularly into the laws making appropriations of money, and to report whether the moneys have been disbursed conformably with such laws.”

If this was a controversy whether one or another should disburse the pension fund, it belonged

to the very letter of the rule, to the Committee of Ways and Means.

The 63d rule assigns duties to the Committee on the Judiciary touching all judicial proceedings.

Would any one say that this was a judicial question—whether money was disbursed by A or B. It was said that the President had sent the papers here, without motive. He was

very happy to hear it acknowledged, for once, that the President had sent documents without any un-

worthy motives. The gentleman from Pennsylvania says that the communication from the President of the Bank is full, clear, and candid. Yes, sir, all that comes from the Bank is pure and unsul-

lied snow.

In Senate—Feb. 6. On motion of Mr. TIRROX.

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of a law authorizing an issue of scrip to Newton Hays, of New York, the legal holder of two certificates for land purchased at Vincennes, in the State of Indiana.

On motion of the same gentleman,

*Resolved*, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing the following Post routes:

1st. A post route from Marion via Huntington, to Turkey Creek Prairie.

2d. A post route from Southbend to Michigan City, on Lake Michigan.

3d. A post route from Tabor's, on the Michigan road, to Laport Court-house.

4th. A post route from Logansport, via Turkey Creek Prairie and Goshen, to White Pigeon, in Michigan Territory.

5th. A post route from Andersontown, via Ste-

phenburg, Stranton, Kirk's Cross Roads, Frank-

fort, and Dayton to Lafayette.

Mr. KANE, on leave given introduced a bill for

the establishment of the Territory of Wisconsin;

which was read, and referred to the select Com-

mittee on the Territories of Michigan and Ar-

kansas.

House of Representatives—Feb. 6.

Mr. BOON reported a bill to remove the United States Land Office from Clinton to Jackson, Ind. Feb. 8. Mr. EWING, of Indiana, submitted the following:

*Resolved*, That the Committee on Military Affairs—in considering the resolutions already referred upon the subject of a national armory on the western waters—be instructed to embrace the Wabash and White rivers, in the State of Indiana.

Mr. SEVIER moved, as an amendment, to ap-

peal the words, “and the waters of the Arkansas

river, in the Territory of Arkansas.”

To this Mr. EWING objected, as he did not per-

ceive the necessity so urgent of extending the bene-

fits contemplated to the Territory of Arkansas, as

there existed to extend them to the waters on the

northwestern frontiers in Indiana.

Mr. SEVIER briefly supported the claims of the

territory which he had the honor to represent, to be

included in the benefits to be derived from the

adoption of the resolution. The gentleman from

Indiana talked of cornstalk-militia; but he believed

if they were to be found at all, they would be rather

found in his own State. Arkansas was entitled

to some attention from the House, for whilst other

States got several hundred thousand acres of land

to enable them to make roads and canals, this Ter-

ritory got nothing but that which she procured for

herself.

Reciprocating the assurances of friendly respect

which your kind communication to me breathes,

but to apprise the House, that this matter was already before the committee for consideration, and that it was unnecessary for further resolutions to be offered, as before the committee would come to any conclusion, they would necessarily take this subject into their consideration.

Mr. MASON remarked that after what had been stated by the preceding member, he would save the time of the House move to lay the resolution on the table; which motion prevailed.

From the *Pennsylvanian*.  
MR. RUSH'S LETTER.

Sydenham, Philadelphia County, January 29, 1834. Wednesday Morning.

GENTLEMEN:—I have just now received your letter of this date, written on behalf of a number of the citizens in the third Congressional District, expressing their wish that I would give my attendance at the meeting to be held this evening at the Commissioners' Hall, N. L., and express my views in relation to the U. S. Bank, the removal of the public deposits, and the constitutional power of the President in the matter, and have to regret my inability, through other engagements, to be present.

But I am flattered at the expression of such a wish on the part of this portion of my fellow citizens, about to assemble in public meeting in a district, of which I am myself a resident and voter; and, unimportant as I should otherwise have supposed my views to be, I will, with your permission, take the liberty of stating them in this form, though I can only do so briefly.

On a call from some of my fellow-citizens last autumn, I expressed my opinions on this same subject, under the several aspects which your letter presents, and nothing has occurred to change it.

On the contrary, further and careful examination have strengthened me in all its grounds. I stood at that time, chiefly upon the evidence brought to light by the President, of the Bank having employed and paid the press large sums to work out its own ends, the money being in part taken from the public coffers; an abuse that I hold to have been the most unwarrantable in its way, of any ever before known to our annals. What have we from the corporation since? Truly its own confession of the act, and that it glories in it! The President's constitutional veto it likens, in effect, to an attack upon its character resembling that which counterfeiter's make upon its notes, and claims to strike back with a weapon bought up with the public money, in the one case, as it would frame indictments and carry on the prosecution in the other!

Gentlemen, there is an enormity in the whole course of the Bank on this single point, apart from all others, upon which I am not now disposed to expatiate, though it is alive with the thoughts that are of deep public concern.

There are, I know, orators & statesmen among us—high and famous men; who turn from it in real or assumed disdain, as something too small for notice; but to my mind it is big with principles and results transcending in immediate and permanent importance the currency question, or any other to which the removal of the deposits, or non-renewal of the charter, has given rise.

I must ask you for your excuse for the allusion, my principles requiring it; but if, notwithstanding the many pure and honorable high minded masons that there are in the world, I sincerely believe the masonic institution to be productive of public mischief, and in nothing more than its power over the press—what am I to think of a monied corporation, yielding funds larger than the revenues of this nation, that tells the nation to its face that it will spend as much as it pleases on the press, and deal with Presidents as it would deal with felons? I have barely time to say, go on in your patriotic work of extirpating such a corporation. Show it no quarter that honorable hostility does not demand. In such a warfare with it, I am with your heart and hand.

The greater its operation upon the interests of the community, the greater the necessity, under the proved abuses of its power, for its overthrow. Should it get the upper hand now, it will become a perpetual adjunct to the nation, ready to renew its worst usurpations. No matter what the present evils of its downfall, endure, court them all, before coming under such a master.

Copy the sixth resolution of the public spirited citizens of Southwark, adopted in public meeting last week; it is in the true tone; treasury notes—continental money—anything rather than let the Bank get its foot upon your neck in this conflict. That the President has the full constitutional power to act as he has done in removing the deposits, I have never had the slightest doubt; but breathe out your exhortations to the House of Representatives. Your

great hope at this moment lies in firmness there. From the Senate, you have nothing to hope. And what was there to hope from the same body in the memorable seasons of President Madison's administration?—Nothing. The war itself, even for so terrible an outrage as impressment, would not have been waged, or its glories secured, but for the popular impulse that encouraged and sustained him, against the open opposition or secret embarrassments which that branch of Congress was disposed to throw in his way. The people, the House of Representatives, and I trust, he will now.

“Madison's War,” that “wicked war,” was more fiercely assailed at that day, than the removal of the deposits at this: some of his opponents were for sending him to Elba to share Bonaparte's prison—others would have brought him to the block; all raised the cry of infamy to the country, in frightful amount and in every way—public and individual distress—ruin—desolation.—Such were the unceasing and confident predictions. Those who survived the passionate exaggerations of the one epoch, may hope to do as the other; even to reap a harvest not less abundant in ultimate advantage. This, gentlemen, I am sure, must be your hope, as it is mine; and, as far as I can see into the future, it is a hope resting upon rational and solid foundations. There is in our history, now and then, a close analogy to the history of the late Reform question in England, when the people, the House of Commons, and the King, were on opposite sides to the House of Peers; and the general movement in both cases being against that branch of the legislature remote from popular responsibility, in the one hereditary tenure, in the other by tenure for six years.

The report of the Committee is adopted except as to the third District.

Messrs. NORRIS and FLETCHER are appointed a committee to inquire into the practicability of making a personal examination into the relative claims of the different points at which the location of a Branch could be made in the 3d District.

Said Committee reported in writing at length, and recommended a Resolution, that it is impracticable to make the personal examinations referred to, without causing a delay of proceedings in all the Branches. Which Resolution is unanimously adopted, and the report of the