

PUBLIC LANDS' SALES DISTRIBUTION.
MR. CLAY rose, and addressed the Chair. Although (said he) I find myself born down by the severest affliction with which Providence has been pleased to visit me, I have thought that my private griefs ought not longer to prevent me from attempting, ill as I feel qualified, to discharge my public duties. And I now rise, in pursuance of the notice which has been given, to ask leave to introduce a bill to appropriate, for a limited time, the proceeds of the sales of the Public lands of the United States, and for granting land to certain States.

I feel it incumbent on me to make a brief explanation of the highly important measure which I have now the honor to propose. The bill, which I desire to introduce, provides for the distribution of the proceeds of the public lands in the years 1833, 34 35, 36, and 37, among the twenty-four States of the Union, and conforms substantially to that which passed in 1833. It is therefore of a temporary character; but if it shall be found to have salutary operation, it will be in the power of a future Congress to give it an indefinite continuance; and, if otherwise, it will expire by its own terms. In the event of War unfortunately breaking out with any foreign power, the bill is to cease, and the fund which it distributes is to be applied to the prosecution of the War. The bill directs that ten per cent, of the net proceeds of the public lands, sold within the limits of the seven new States, shall be first set apart for them, in addition to the five per cent, reserved by their several compacts with the United States; and that the residue of the proceeds, whether from sales made in the States or Territories, shall be divided among the twenty-four States in proportion to their respective federal population. In this respect the bill conforms to that which was introduced in 1832. For one, I should have been willing to have allowed the new States 124 instead of ten per cent; but as that was objected to by the President, in his Veto-Message, and has been opposed in other quarters, I thought it best to restrict the allowance to the more moderate sum. The bill also contains large and liberal grants of land to several of the new States, to place them upon an equality with others to which the bounty of Congress has been heretofore extended, and provides that, when other new States shall be admitted into the Union, they shall receive their share of the common fund.

The net amount of the sales of the public lands in the year 1833 was the sum of \$3,967,632 55, in the year 1834 was \$3,847,600 69, and in the year 1835, according to actual receipts in the three first quarters, and an estimate of the fourth, is \$12,222,121 15, making an aggregate for the three years of \$21,047,404 39. This aggregate is what the bill proposes to distribute and pay to the twenty-four States on the first day of May, 1836, upon the principles which I have stated. The difference between the estimate made by the Secretary of the Treasury and that which I have offered of the product of the last quarter of this year, arises from my having taken as the probable sum, one-third of the total amount of the three first quarters, & some he other conjectural sum. Deducting from the \$21,047,404 30 the fifteen per cent, to which the seven new States, according to the bill, will be first entitled, amounting to \$2,612,350 18, there will remain for distribution among the twenty-four States of the Union the sum of \$18,435,054 21. Of this sum the proportion of Kentucky will be \$960,947 41, of Virginia the sum of \$1,581,669 39, of North Carolina \$988,632 43, and of Pennsylvania \$2,083,233 32. The proportion of Indiana, including the fifteen per cent, will be \$855,588 33, of Ohio \$1,677,110 84, and of Mississippi \$958, 945. And the proportions of all the twenty-four States are indicated in a table which I hold in my hand, prepared at my instance in the office of the Secretary of the Senate, and to which any Senator may have access. The grounds on which the extra allowance is made to the new States are, first, their complaint that all lands sold by the Federal Government are five years exempted from State taxation; secondly, that it is to be applied in such manner as will augment the value of the unsold public lands within them; and, lastly, their recent settlement.

It may be recollect that a bill passed both Houses of Congress, in the session which terminated on the 3d March, 1833, for the distribution of the amount received from the public lands, upon the principles of that now offered. The President, in his message at the commencement of the previous session, had specially invited the attention of Congress to the subject of the public lands; had adverted to their liberation from the pledge for the payment of the public debt; and had intimated his readiness to concur in any disposal of them which might appear to Congress conducive to the quiet, harmony, and general interest of the American people.

After such a message, the President's disapprobation of the bill could not have been anticipated. It was presented to him on the 2d of March, 1833. It was not returned as the Constitution requires, but was retained by him after the expiration of his official term, and until the next session of Congress, which had no power to act upon it. It was understood and believed that, in anticipation of the passage of the bill, the President had prepared objections to it, which he had intended to return with his negative; but he did not. If the bill had been returned, there is reason to believe that it would have passed notwithstanding those objections. In the House, it had been carried by a majority of more than two-thirds. And, in the Senate, although there was not that majority on its passage, it was supposed that, in consequence of the passage of the Compromise Bill, some of the Senators who had voted against the Land Bill had changed their views, and would have voted for it upon its return, and others had left the Senate.

There are those who believe that the bill was unconstitutionally retained by the President, and is now the law of the land. But whether it be so or not, the General Government holds the public domain in trust for the common benefit of all the States; and it is, therefore, cor potent to provide by law that the trustee shall make distribution of the proceeds of the three past years, as well as future years, among those entitled to the beneficial interest. And it is very remarkable, that the sum which it proposes to distribute is about the gross surplus, or balance, estimated in the Treasury on the 1st of Jan. 1836. When the returns of the last quarter of the year come in, it will probably be found that the surplus is larger than the sum which the bill distributes. But if it should not be, there will remain seven millions held in the Bank of the United States, applicable, as far as it may be received, to the service of the ensuing year.

It would be premature now to enter into a consideration, of the probable revenue of future years, but at the proper time, I think it will not be difficult to show, that, exclusive of what may be received from the public lands, it will be abundantly sufficient for all the economical purposes of Government, in a time of peace. I wish to guard against all misconception by repeating, what I have heretofore several times said, that this bill is not founded upon any notion of a power in Congress to lay and collect taxes and distribute the amount among the several States. I think Congress possesses no such power, and has no right to exercise it until some such amendment as that proposed by the Senator from South Carolina [Mr. CALHOUN] shall be adopted. But the bill rests on the basis of a clear and comprehensive grant of power to Congress over the Territories and property of the United States in the Con-

stitution, and upon express stipulations in the deeds of cession.

Mr. President, I have ever regarded, with feelings of the profoundest regret, the decision which the President of the United States felt himself induced to make on the bill of 1833. If the bill had passed, about twenty millions of dollars would have been during the three last years, in the hands of the several States, applicable by them to the beneficial purposes of Internal Improvement, Education, or Colonization. What immense benefits might not have been diffused throughout the land by the active employment of that large sum! What new channels of commerce and communication might not have been opened! What industry stimulated, what labor rewarded! How many youthful minds might have received the blessings of education and knowledge, and been rescued from ignorance, vice, and ruin? How many descendants of Africa might have been transported from a country where they never can enjoy political or social equality, to the native land of their fathers, where no impediment exists to their attainment of the highest degree of elevation, intellectual, social, and political! Where they might have been successful instruments, in the hands of God, to spread the religion of his Son, and to lay the foundation of civil liberty!

And, sir, when we institute a comparison between

what might have been effected, and what has been in fact done, with that large amount of national treasure, our sensations of regret, on account of the fate of the bill of 1833, are still keener. Instead of its being dedicated to the beneficial uses of the whole people, and our entire country, it has been an object of scrambling amongst local corporations, and locked up in the vaults, or loaned out by the directors of a few of them, who are not under the slightest responsibility to the Government or people of the United States. Instead of liberal, enlightened, and national purposes, it has been partially applied to local limited, and selfish uses. Applied to increase the semi-annual dividends of favorite stockholders in favorite banks! Twenty millions of the national treasure are scattered in parcels among petty corporations; and whilst they are growing over the fragments and greedy for more, the Scrooges are brooding on schemes for squandering the whole.

But although we have lost three precious years, the Secretary of the Treasury tells us that the principal is yet safe, and much good may be still achieved with it.—The General Government, by an extraordinary exercise of Executive power, no longer affords aid to any new works of internal improvement. Although it sprung from the Union, and cannot survive the Union, it no longer engaged in any public improvement to perpetuate the existence of the Union.—It is but justice to it to acknowledge that, with the co-operation of the public-spirited State of Maryland, it effects one national road having that tendency. But the spirit of improvement pervades the land, in every variety of form, active, vigorous, and enterprising, wanting pecuniary aid as well as intelligent direction. The States have undertaken what the General Government is prevented from accomplishing. They are strengthening the Union by various lines of communication thrown across and through the mountains. New York has completed one great chain. Pennsylvania another; bolder in conception and far more ambitious in its execution. Virginia has a similar work in progress, worthy of all her enterprise and energy. A fourth, further South where the parts of the Union are too loosely connected, has been projected, and it can certainly be executed with the supplies which bill affords, and perhaps not without them.

This bill passed, and these and other similar undertakings completed, we may indulge the patriotic hope that our Union will be bound by ties and interests that render it indissoluble. As the General Government withholds all direct agency from these truly national works, and from all new objects of internal improvement, ought it not to yield to the States, what is their own, the amount received from the public lands? It would thus but execute faithfully a trust expressly created by the original deeds of cession or resulting from the treatise of acquisition.—With this ample resource, every desirable object of improvement, in every part of our extensive country, may, in due time, be accomplished. Placing this exhaustless fund in the hands of the several members of the Confederacy, their common Federal head may address them in the glowing language of the British bard, and

Bid harbors open, public ways extend,
Bid temples worthy of the God ascend.

Bid the broad acre the dangerous flood contain,

The mole projecting break the roaring main.

Back to his bounds their subject sea command,

And roll obedient rivers through the land.

The affair of the public lands was forced upon me. In the session 1831-2 a motion from a quarter politically unfriendly to me, was made to refer it to the committee of Manufactures, of which I was a member. I strenuously opposed the reference. I remonstrated, I protested, I entreated, I implored. It was in vain that I insisted the committee on the Public Lands was the regular standing committee to which the reference should be made. It was in vain that I contended that the Public Lands and Domestic Manufactures were subjects absolutely incongruous. The unnatural alliance was ordered by the vote of a majority of the Senate. I felt that a personal embarrassment was intended me. I felt that the design was to place in my hands a many-edged instrument, which I could not touch without being wounded. Nevertheless, I subdued all my repugnance, and I engaged assiduously in the task which had been so unkindly assigned me.—This, or a similar bill, was the offspring of my deliberations. When reported, the report accompanying it was referred by the same majority of the Senate to the very committee on the Public Lands, to which I had unsuccessfully sought to have the subject originally assigned, for the avowed purpose of obtaining a countering report. But, in spite of all opposition, it passed the Senate at that session. At the next, both Houses of Congress.

I confess I feel anxious for the fate of this measure, less on account of any agency I have had in promoting it, as I hope and believe, than from a firm, sincere, and through conviction, that no one measure ever presented to the councils of the nation was fraught with so much unmixed good, and could exert such powerful and enduring influence in the preservation of the Union itself, and upon some of its highest interests. If I can be instrumental, in the adoption of it, I shall enjoy, in that retirement into which I hope shortly to enter, a heart-filling satisfaction and a lasting consolation. I shall carry there no regrets, no complaints, no reproaches on my own account. When I look back upon my humble origin, left an orphan too young to have been conscious of a father's smiles and caresses, with a widowed mother, surrounded by a numerous offspring, in the midst of pecuniary embarrassments, without a regular education, without fortune, without friends, without patrons, I have reason to be satisfied. I ought to be thankful for the high places and honors to which I have been called by the favor and partiality of my countrymen, and I am thankful and grateful. And I shall take with me the pleasing consciousness that, in whatever station I have been placed, I have earnestly and honestly labored to justify their confidence by a faithful, fearless and zealous discharge of my public duties. Pardon these personal allusions. I make the motion of which notice has been given.

Leave was then granted, and the bill was introduced, read twice, referred to the Committee on the Public Lands, and ordered to be printed.

The following bold but correct view of the evils of mobocracy deserves an attentive reading.

We tell the people of the United States, that unless they look well to themselves, the day of their destruction is at hand. They are trying to destroy themselves. We do denounce as a traitor, any man

who encourages, in any shape, or under any pretext, the putting down and abrogating of the laws! We disclaim every man who advises the people to take the law into their own hands, no matter for what cause, no matter for what good reason, no matter to answer what end of justice, no matter how much good may for, once be done thereby. We say that every man who deprives or attempts to deprive the veries: wretch that breathes God's atmosphere, of the right of trial by jury, for any crime, is virtually a traitor—not only to his country, but to his own best rights and dearest interests. Men who unchain the mob, are like men who unchain the plague and the pestilence. It may rid them and their country of their enemies and its scourges; but will also sweep them away in its poisonous career. We should take him to be insane who should sit on the brink of a volcano, and throw into it the inflammable matter to produce an eruption, but we see men advocating mob law and anarchy, on the score of expediency, (as if any expediency can justify overwhelming the law) and we still suffer them to preach on.

Arkansas Advocate.

NEGRO INSURRECTION.

The following account of an attempted insurrection of the Negroes of Fredericksburg, Virginia, is copied from the Baltimore American of the 23d ultimo:—

"FREDERICKSBURG, Va. Nov. 21st 1835.

Messrs. Editors—Allow me, through the medium of your paper, to inform you of a most horrid butchery which our town has just witnessed. Last night there was a general rebellion among the free and slave negroes of this place, but by the help of Providence we have been fortunate enough to quell it so far. About 12 o'clock or thereabouts, Mr. Jenkins, a saddler, was aroused from his midnight slumber by the most horrid & heart-piercing screams from his daughter's apartment, adjoining his own. He and his wife immediately sprang from their bed and ran to ascertain the cause of the screams. When he went in, he discovered his daughter vainly defending herself from the ferocious thrusts of a servant man, who was armed with a large carving knife. He immediately ran to his daughter's assistance, but was instantly felled to the ground by another negro, armed with an axe. His wife saved herself by jumping from the second story window, but with the loss of both legs broken. The negroes in the meantime, supposing their work of death was done, left the premises, and went in search of Mrs. Jenkins, who was taken into a neighbor's house by a person passing by at the time of the screams. Mr. Jenkins had his left arm broken, but was not seriously hurt in any other place. He immediately issued forth and gave the alarm just in time to save the whole town from being butchered, there was a large party coming from Stafford county to reinforce the town negroes, but a number of young men coming promptly with arms even at that late hour of the night, marched out and cut off the country negroes and coming unaware upon them, fired a volley of balls into them and killed seven, wounded twelve, and took twenty-eight prisoners all of whom were led to jail in time to await their trial.

P. S. I have just time to say that the two negroes have been taken, who murdered Mr. Jenkins' daughter, and attempted his own life, and were promptly lynched.

The following is from the N. Orleans Union, of the 21st ult. We see no intimation in the other New Orleans papers of any hostile movements on the part of the Mexicans, and we trust, that the apprehensions of the Editor of the Union will prove unfounded.

If it be true that the Mexican Government has prohibited the entry of American vessels into their ports, and evil has been inflicted upon the whole country—and especially upon the city of New Orleans—the most serious character. The trade between this place and Mexico alone, is eight millions a year—and at one blow this has been stopped at a moment when increased quantities of goods especially adopted to the markets of Mexico, are now in the possession of many of our merchants, independent of the many millions of American goods, which must at this time be looked up in the Mexican port.

The Government of Mexico has taken a most effectual way to arouse the United States Government and those interested in the prosperity of New Orleans, to the impropriety of permitting the fitting out of expeditions within our borders, to aid the conflicting parties in any province or State of Mexico. It may be said we can force open the Mexican ports: suppose we do; if the government seize American goods and produce when landed, what does our success avail us? We should be obliged to have an army to accompany the goods to effect a sale, or obtain payment. But is it not probable, if matters proceed to further extremities, will not the Mexican Government grant commissions to privateers, and sweep the American commerce from the Gulf? We think so: they have no commerce to lose; we have,—and there are many bold and desperate men to act as captains of privateers, and reap a rich harvest from the seizure of our merchant ships.

The Government is imperatively called upon to protect the commerce of this part of our country.

The Vicksburg gamblers have shown themselves in great strength at New Orleans.—They frequent the gambling houses, and are constantly on the look out for victims. Recently they recognized a gentleman at the theatre, a member of Mississippi Legislature, who had taken an active part in expelling them from that state. They immediately set upon him and would have killed him on the spot, had not a number of gentlemen come to his assistance. They seemed resolved to carry their intentions into execution, and threatened to do the worst. The Vicksburg rioters took the law into their own hands, the gamblers by a party of reasoning, thought they had a right to do the same thing.

Orleans Bee.

THE "DOER DONE." An Irish Hawker recently called upon a witty-Jew in Hull, and offered what appeared to be a splendid set of chins for sale, for £10s 6d. Moses, who saw through Paddy's intentions, resolved to be even with him, and producing a gilt watch from his fob, with a common steel chain, expressed his desire to exchange, observing, at the same time, that the watch cost some six guineas, but as he liked the Irishman's countenance, he would readily give him credit for the difference. Pat snapped at the bait, pocketed the watch, threw the basket into the bargain, and, promising to pay as soon as he was able, departed. A few weeks elapsed, and they met again. In the meantime, the Irishman had discovered that all is not gold that glitters; but, imagining that he had still the best of it, he thus addressed the descendant of Abraham: "By the powers, master Jew, the best part of the chins I sold you was the basket."

Leave was then granted, and the bill was introduced, read twice, referred to the Committee on the Public Lands, and ordered to be printed.

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LIST OF LETTERS

REMAINING in the Post Office at Lawrenceburg, Dearborn County, Indiana, which if not taken out before the 1st day of April will be sent to the Gen. Post Office as dead letters.

Ashford John	Murphy William
Aldieu James J	M'Clister James
Alden Isaac	Miller John
Abbott Samuel	Morrison Rev. N. Y.
Abbott Eliza	M'Toish John
Alexander Simon	Marshal Jos. G.
Bald John	Miller Sam'l. H.
Baldethomew Samuel	Mahony John
Bald William	Meeker Jos. or William
Byran Jane & Sarah	Neil John
Cheek William	Newtown Henry
Chapman Joseph	Prutsman Isaac
Cox William or Eliza	Pullin I.
Calvin Philip 2	Robinson Israel G.
Dunn Elias	Robins Henry F.
Ferneding Rev. Joseph	Rovenscroft Hanson G.
Funkson John D.	Shane Mary Ann
French Mrs. Mary	Sanks Warren
Green Isaac	Switzer Eliza
Gilbert Cordelia	St. John Abram
Gillispie Robert	Stimpson Enos
Gilbert James	Sisk Elizabeth
Howes Samuel	Shook Loyd
Hinman N. O.	Small Eleazer
Hudson Waller	Williams Mrs
Jones James	Wood Sam'l B
James William	Worley Francis
Jenne William F. 2	Woodbury Caroline Miss
James Thomas I.	Witcomb John
Johnston Isaac	Witten E. Robt. or Wm.
Loudonbaugh Milton	White Zephaniah
Lundbeck Mary	Write Rebecca
Mc Carter David	Whaley Miss Mary
Moore Marcus	Williamson William
	J. HUNT, P. M.

Dec. 31, 1835.

THE STATE OF INDIANA, November Term
SUPREME COURT. 1835.

Thursday December 17, 1835.
George H. Dunn, In error to the Dearborn Circuit Court.

A T this time comes the plaintiff and it appears to the satisfaction of the Court that the defendant, Sarah Loder, is not an inhabitant of this State. It is, therefore, ordered that the said defendant be and appear before the Judges of our Supreme Court, at our Court to be held at the Court House in Indianapolis, on the last Monday in May next, and answer the plaintiff's error filed herein, or they will be proceeded upon in his absence, and it is further ordered, that a copy of this order be published in the Indiana Palladium, a newspaper, printed at Lawrenceburg for three weeks successively.

A True Copy

H. P. COBURN, C. S. C.

STATE OF INDIANA, DEARBORN COUNTY.