

der the present system there would be no end to the postponement of payment—the debt becoming heavier every day by the interest being added to the principal. As to the shortness of time, Mr. B. said he presumed those who had charge of the land offices would hardly proceed to immediate forfeiture, though the law of indulgence should expire before they heard of the renewal of it.

Mr. Ruggles opposed the postponement. If any thing were done by congress on the subject, it was essentially necessary that it should be done now. He regretted much that the other land bill had been postponed. That bill was precisely the same as had passed this house at the last session, by a large majority, and he thought might have been easily acted on to day. But he hoped this bill would not also be postponed, there being no necessary connexion between the two.

Mr. Burrill withdrew his motion for postponement, to oblige the friends of the bill.

Mr. Lowrie felt himself reluctantly obliged to renew the motion to postpone. If the question should now be taken on the bill, he said he must vote against it. It was time, if the present system of disposing of the public lands was to be retained, that it should be made to operate, without continual legislation on it, and procrastination of payment. But, if the bill for cash sales should pass, he said he would go every length to accommodate the present debtors for lands, and give them every reasonable indulgence.

After some remarks by Mr. Edwards, and Mr. King, of N. York, Mr. Trimble moved to lay this bill on the table with a view to a consideration of the postponement of the Cash Sales Bill.

The motion was negatived, 19 to 17.

The question on postponing the indulgence bill to Monday, was then decided in the affirmative, 17 to 14.

#### House of Representatives.

Wednesday, March 1.

Soon after the speaker had taken the chair,

Mr. Quarles, of Kentucky, rose, he said, with feelings which he could not express, and with a melancholy very seldom experienced by him, to announce to the house the distressing intelligence of the death of one of its body: my friend and colleague Major David Walker, with christian fortitude, about eight o'clock this morning, exchanged, said Mr. Quarles, a world of cares, of toils and difficulty, for, I hope, a mansion of bliss.

I offer, said Mr. Q. for consideration, resolutions comporting with the wish of the deceased. While living, my colleague, by profession & practice, in private and public life, was a plain unaffected man. He, from education, had an abhorrence of pomp, and parade. He desired that the body that was clad with mourning should weep with mental distress. He had seen numerous carriages filled with persons attending funerals, at this and other places moving with solemnity to the burial ground, and returning from it with no evidences of sorrow. And to prevent a similar spectacle, connected with his remains, did make the request contained in the resolutions I now offer. The Representatives from Kentucky, the relatives of the deceased, and also those gentlemen who lived with him, and whose kindness was generously

afforded him in his sickness have been consulted with regard to the propriety of the course which is now proposed, and have approved it. I wish that this body will consider the departure from the usual course of proceeding on former occasions of this kind, as arising from none other than the purest motives—the most sincere respect to our colleague—and in this house, a desire to carry into execution the dying wish of one of its body. I hope that I shall have the kind indulgence of my brother members, in permitting the repeated wishes of my colleague to be carried into effect, conformably to the spirit of the resolutions now proposed.

Mr. Q. then submitted the following resolutions:

*Resolved unanimously*, That a com. be appointed to take order for superintending the funeral of D. Walker, dec., late a representative from the state of Ky.

*Resolved*, That the said David Walker having communicated to the speaker of the house, and the Hon. James Barbour, of the senate, shortly before his death, his wish that he might be buried without pomp or parade, attended by a few only of his friends, in compliance with his wish, this house will, on this occasion, not conform to the practice which has heretofore prevailed; of adjourning, to attend the funeral of a deceased member.

*Resolved, further*, That in conformity with the spirit of the same wish of the deceased, members of this house will depart from the usage of wearing crape for one month, with the exception of those who may voluntarily choose to conform to said usage.

Mr. Randolph approved of the purport of the resolutions, and offered some remarks to shew the propriety of conforming to the request of the deceased, in its letter and spirit.

The speaker rose and observed that, as he was referred to in the resolutions, he would ask leave of the house to state what had passed between the deceased and himself on the subject. The speaker then briefly recapitulated the conversations which had taken place between himself and the deceased, which corroborated and supported the statement contained in the resolution.

A few remarks were subjoined by Mr. Clark and Mr. Culpepper, in approbation of the wishes of the deceased, when

The question was taken on each resolution separately, (a division of the question having been required by Mr. Walker of N. C.) and they were severally agreed to, *nem con*.

A committee was appointed accordingly, consisting of the entire delegation from Kentucky, with the exception of Mr. Clay, and with the addition of Messrs Barbour, Shaw, Taylor, and Guthbert.

On motion of Mr. Randolph, the house agreed that when it adjourned, it would adjourn to 12 o'clock to-morrow.

Thursday, March 2.

#### MISSOURI BILL.

A message was received from the senate announcing that they had passed the Missouri bill, with an amendment, which amendment was, in substance to strike out the slavery restriction, & insert in lieu thereof the clause (Mr. Thomas' and Mr. Storrs' original proposition) to exclude slavery from all the territory of the United States west of the Mississippi, north of 36 degrees 30 minutes north latitude, except within the proposed state of Missouri.

On motion of Mr. Holmes, this message was laid on the table long enough to give him an opportunity to make a report from the committee of conference.

The report of this committee was, three resolutions, recommending in substance—1st to the Senate to recede from its amendments to the Maine bill; 2ndly, to the two houses to strike out of the Missouri bill, the restriction upon the state; and, 3dly to insert a restriction on all the Territory north of 36 degrees 30 minutes.

A motion was made and carried to lay the report on the table.

Mr. Beecher moved to print the report.

This motion was opposed by Mr. Lowndes, on the ground that it would imply a determination in the house to delay a decision of the subject to-day, which he had hoped the house was fully prepared for.

Some conversation passed on this motion between Mr. Taylor and Mr. Lowndes, on the propriety of proceeding to act in this house on the recommendation of the committee before the senate had given the pledge required of them of first adopting the report by receding from the amendments to the Maine bill, in which Mr. Taylor opposed so proceeding, and Mr. Lowndes was in favor of it; inasmuch as it would be wrong to put in jeopardy a satisfactory settlement of this question, from an adherence to a mere point of etiquette and order: that the house could not fear that the senate would adopt the recommendation to recede from their amendments as the committee of conference was unanimous in their report, with the exception of one member from this house [Mr. Taylor] and became us further, as the disposition of the Senate to admit Maine could not be doubted, they would have no motive to adhere to their amendments if the house should adopt the report, &c.

A long debate took place on the question of printing, or rather on the question whether this house should act on the 2d and 3d propositions of the committee of conference before the senate had acted on the 1st. Those against acting immediately, and in favor of the printing, were Messrs. Taylor, Livermore, and Whitman. Those who opposed the printing were Messrs. Lowndes, Holmes, Kinsey, Storrs, Randolph, Brown, Strother, Campbell, and Parker of Va.

The debate had continued about three hours, when Mr. Beecher withdrew his motion.

The house then resumed the consideration of the amendments of the senate to the Missouri bill.

The question was divided so as first to be taken on striking out the restriction; when several gentleman made some remarks in favor of and against the restriction.

The previous question was then called; and the house having sustained the call by 103 votes:

The main question was put on concurring with the senate in striking out of the bill the slavery restriction on the state of Missouri, and decided in the affirmative, by yeas and nays, as follows:

For concurring 90

Against concurring 87

The question was then stated on the second amendment of the senate; when

Mr. Taylor moved to amend the amendment by striking out the words "thirty-six degrees

30 minutes north latitude," and inserting a line which would exclude slavery from all the territory west of the Mississippi, except Louisiana, Missouri and Arkansas.

The previous question was again demanded, and again sustained by a majority of the house. The effect of the previous question being to exclude the question on the amendment, and to bring it back to the main question—

The main question was taken, on concurring with the senate in inserting in the bill, in lieu of the state restriction, the clause inhibiting slavery in the territory north of 36 degrees 30 minutes north latitude, and was decided in the affirmative, by yeas and nays, as follows:

For inserting the substitute 134

Against it 42

So the house concurred in the amendments of the senate to the bill.

Friday, March 3.

The journal of the proceedings of the house on yesterday being read,

Mr. Randolph rose and intimated an intention now to move the house to reconsider their vote of yesterday, by which they concurred with the senate in striking the restriction from the Missouri bill.

The speaker declared the motion out of order until the ordinary business of the morning, as prescribed by the rules of the house, should be disposed of. From which opinion of the chair, Mr. Randolph appealed.

The question being taken on the correctness of the decision, it was affirmed by the house.

The house then proceeded in receiving and referring petitions; when, petitions being called for from the members from Virginia,

Mr. Randolph moved that the house retain in their possession the Missouri bill, until the period should arrive, when, according to the rules of the house, a motion to reconsider the vote of yesterday on concurring in the first amendment proposed by the senate to the bill aforesaid, should be in order.

The speaker declared this motion out of order, for the reason assigned on the first application of Mr. Randolph on this day.

Mr. Randolph, being in the majority on that question, moved the house now to reconsider their vote of yesterday, in which they concurred in the first amendment proposed by the senate to the Missouri bill, which was to strike out the slavery restriction.

Mr. Archer, of Virginia, seconded the motion.

The Speaker, having ascertained the fact, stated to the house, that the proceedings of the house on that bill yesterday, had been communicated to the senate, by the clerk, and that the bill not being in possession of the house, the motion to reconsider could not be sustained.

Whereupon, Mr. Randolph submitted the following resolution:

*Resolved*, That, in carrying the bill, entitled "An act to authorize the people of the territory of Missouri to form a constitution and state government, and for the admission of such state into the union, on an equal footing with the original states," after a member from Virginia had given notice of his intention to move a re-consideration of the question decided last evening, in which the said member, viz. Mr. Randolph, voted in the majority on one of the amendments of the senate there-to, the clerk is guilty of a

breach of the privileges of a member of this house under the rules thereof.

And the question being put whether the house would now consider the said resolution; it was decided in the negative—ayes 61, noes 71.

Mr. Randolph then submitted the following proposition; which lies on the table.

"That so much of the 37th rule as allows a reconsideration of any question by motion of any member of the majority on such question, on the day succeeding that on which such question betaken, be expunged."

A message was received from the senate, announcing that they had receded from their amendments to the Maine bill; but asking a further conference on the subject of that bill [for the purpose of making a necessary verbal amendment—to insert March "1820," instead of March "next" as the original bill was drafted.]

Mr. Randolph moved that the bill be indefinitely postponed, and proceeded at considerable length to offer his reasons for wishing to prevent its passage; when

Mr. R. was called to order, by Mr. Livermore, for deviating from the question under debate.

The speaker decided that Mr. Randolph was not out of order.

Mr. Livermore, appealed from the decision of the chair; but before the question was put,

Mr. Randolph withdrew his motion for the indefinite postponement of the bill.

The conference was then agreed to; and soon after Mr. Holmes reported the amendment as above stated, which was agreed to by the house, and the bill was thus finally acted on.

Thursday, March 9.

#### RELATIONS WITH SPAIN.

Mr. Lowndes, from the committee on foreign relations, delivered a report accompanied by the following bill:

*Be it enacted*, &c. That the president of the United States be, and he is hereby, authorised and required to take possession of, and occupy, the territories of East and West Florida, and the appendages and appurtenances thereof; and he is hereby authorised, for that purpose, to employ any part of the army and navy of the United States, and the militia of any state, which he may deem necessary.

*Sec. 2. And he is further enacted*, That, until the end of the next session of congress, unless provision for the temporary government of the said territories be sooner made by congress, all the military, civil, and judicial powers exercised by the officers of the existing government of the same territories shall be vested in such person and persons, and shall be exercised in such manner, as the president of U States shall direct, for maintaining the inhabitants of said territories in the free enjoyment of their liberty, property, and religion; and the laws of the United States relative to the collection of the revenue, and the importation of persons of color, shall be extended to the said territories; and the president of the United States shall be, and he is hereby authorised, within the term aforesaid, to establish such districts for the collection of the revenue, and during the recess of congress to appoint such officers, whose commissions shall expire at the end of the next session of congress, to enforce the said laws, as to him shall seem expedient.

*Sec. 3. And be enacted*, That the sum of — dollars is here