

CONGRESSIONAL.

HOUSE OF REPRESENTATIVES.

MONDAY, JANUARY 25.

Mr. Jenifer, of Maryland, appeared, was qualified, and took his seat. Petitions and memorials were presented by Messrs. Parks and Smith, of Maine, and Bean and Cushman, of New Hampshire.

Mr. J. Q. Adams presented a petition from sundry ladies, citizens of the district represented by him, praying the abolition of slavery and the slave trade in the District of Columbia.

Mr. Hammond rose to move that the petition be not received.

Mr. Adams. I claim the floor, and shall not yield it. I move, sir, that the petition be referred to a select committee of this House, with instructions to report thereon.

Mr. Glascock rose and asked if the gentleman was in order.

Mr. Adams called the gentlemen to order, and proceeded. I address the House, said he, at this time, on account of the suspension of a decision on my appeal from a decision of the Chair, which appeal I had the honor of making some weeks ago. By that decision it was determined that a motion of reception is debatable.

The Chair stated that the gentleman was not in order to debate a point of order made on a former occasion.

Mr. Adams said, it is not the question of order which it is my purpose to discuss. The Chair has decided that a motion to receive a petition is debatable, and that the 45th rule does not apply to it. Under that decision I claim the floor, and shall proceed to support my motion that the petition be received.

The Chair said the gentleman was in order to discuss that question.

Mr. Glascock moved that the motion to receive the petition be laid on the table.

The Chair decided that the motion was not in order, the gentleman from Massachusetts having possession of the floor.

Mr. Adams resumed. I was aware that a debate on the motion to receive the petition would consume the day, and being unwilling to prevent the presentation of petitions, I consented to the postponement of the question.

Mr. Hardin here rose to a point of order. The regular course of things in this House was, first, a prayer, then the reading of the Journal, and then a speech from the gentleman from Massachusetts. He wanted to know if the gentleman had a right to discuss this motion of reception?

The Chair replied in the affirmative.

Mr. Craig appealed from this decision.

Mr. Adams asked if this was not the identical question made by him?

The Chair said it was of similar import.

Mr. Adams was extremely anxious, he said, to have a decision on that appeal. If the House should interdict him from saying a word on the motion, and decide that the 45th rule does apply to it, he would most cordially assent to the decision, and defer his remarks to another occasion.

The Chair stated the question to be "Shall the decision of the Chair stand as the judgment of the House?"

Mr. Evans asked for the yeas and nays, and they were ordered.

Mr. Cave Johnson moved that the question be postponed till Saturday next.

Mr. Craig opposed the postponement.

Mr. Hardin said a few words against the decision of the Chair.

Mr. Whittlesey moved that the subject be postponed till Monday instead of Saturday. He said that a postponement till Saturday would, in effect, be a decision that no more private business shall be transacted in this House at the present session. He spoke of the great number of private bills before the House, and the obstacles which had been thrown in the way of their consideration. He earnestly appealed to the House to give some attention to the claims of petitioners, whose papers had been presented and examined, over and over again, till they were worn out.

The discussion was continued by Messrs. Reed, Harper, and Johnson, of Tennessee.

Mr. Miller said he thought it important that the question of order should be decided, and it might as well be decided now as any other time. He therefore moved the previous question.

The Chair stated that the main question would be, "Shall the decision of the Chair stand as the judgment of the House?"

The House seconded the motion for the previous question by a vote of 85 to 73.

Mr. Mercer called for the yeas and nays on the question, "Shall the main question be now put?" Refused, 26 to 131.

The main question was ordered to

be put, and, being taken, was determined in the affirmative—Yeas 142, nays 59.

So it was decided that the decision of the Chair should stand as the judgment of the House.

Mr. J. Q. Adams said that it was for the purpose of referring the petition to a select committee that he moved its reception. It came from 106 females, with a request that he would present and support it. His wish was that the petition should be received, and referred to a committee, who should make a report to the House, which should show satisfactorily to the petitioners why the prayer of their petition ought not to be granted.

He looked upon the presentation of any petitions with which he might be entrusted to be an imperative duty, which nothing should induce him to decline.

Mr. Miller moved that the motion of reception be laid on the table.

Mr. McKennan called for the yeas and nays on the question, which were not ordered; and

The motion to lay on the table was agreed to.

Mr. J. Q. Adams presented a petition signed by sundry citizens of Western Pennsylvania, praying the abolition of slavery and the slave trade in the District of Columbia.

Mr. Glascock made some remarks on the subject in reply to the gentleman from Massachusetts.

Mr. Miller moved to lay the motion of reception on the table.

Mr. Granger called for the yeas and nays, and they were ordered.

The question was taken, and the motion agreed to—Yeas 149, nays 45.

Mr. J. Q. Adams said he had still another petition on the same subject, signed by 400 citizens of Indiana county, Pennsylvania. He supposed that petitions might be presented by members of that House, although they did not come from their immediate constituents. He did not know any of the individuals whose names appeared on this petition, but he would present any petition the language of which he should deem respectful. After a speech of some length, Mr. A. moved that the petition be received.

On motion of Mr. Miller, the motion of reception was laid on the table.

Mr. Cushing presented three petitions from sundry inhabitants of Massachusetts, praying the abolition of slavery and of the slave trade in the District of Columbia, the reception of which he moved, and advocated at some length. He stated that he would make no motion in reference to the time for discussing the question. He would be perfectly content, if the House would assign a day certain for the consideration of the question. He gave notice, however, that, unless the House took this course, he should immediately present another petition, and then join conclusions with the gentleman from Georgia on the question whether the non-reception of a petition was an encroachment on the right of petition.

Mr. Hammond did not rise, he said, to join conclusions with the gentleman, and he should refrain from the debate which the gentleman so warmly challenged. When the House would take up the resolutions of the gentleman from Maine, (Mr. Jarvis) he would do himself the honor fully to present his views on the subject. Until the House decided (said Mr. H.) upon the resolutions, no abolition petition shall be received without a vote of the House. His future course on the subject should be regulated by the course of the House.

On motion of Mr. Hammond, the motion of reception was laid on the table.

Mr. Cushing then presented a petition from sundry inhabitants of Massachusetts, praying the abolition of slavery in the District of Columbia.

Mr. Hammond objected to the reception of the petition.

Mr. Cushing spoke at length in support of the motion to receive the petition, going into an elaborate constitutional view of the right of petition, and maintaining that a refusal to receive petitions was equivalent to a denial of the right of petition.

Mr. Garland, of Virginia, spoke in reply to the remarks of the gentleman from Massachusetts.

On motion of Mr. Hammond, The House then adjourned.

We learn from New Hampshire, says the Boston Journal, that during the three days preceding their late Thanksgiving there were made in that state three hundred and seventy-eight thousand four hundred and ninety-seven Pumpkin Pies.

Salt commanded the extraordinary price of eight dollars per barrel, at Chicago, on the 5th Dec. At Milwaukee, Michigan City, and other places along Lake Michigan, it had been sold for ten.

INDIANA LEGISLATURE.

IN SENATE, MONDAY, JAN. 25.

Mr. Whitcomb, from the judiciary committee, made the following report:

The committee on the judiciary, to which was referred the petition of the President and select council of the town of Lawrenceburgh, praying that the act providing for the location of the seat of justice in the county of Dearborn and for other purposes, approved Feb. 6, 1835, may be repealed or suspended until remedy be provided to indemnify other petitioners and other citizens of said county; also the petition of

and others, citizens of said county, praying that an election may be authorized for taking the sense of the people of said county in relation to the seat of justice in the same, and the remonstrance of

and others, citizens of said county, against said petition with accompanying documents, have according to order, had the same under consideration and a majority of them have directed me to report:

That pursuant to an act of the General Assembly in 1827, certain commissioners therein named, located the seat of justice of said county at Lawrenceburgh, actuated in part that, by the execution of a bond of Samuel C. Vance and 11 others, citizens of said town, conditioned for the construction of a Court House of a certain description in said town, provided that it should thereupon be made the permanent seat of justice pursuant to a clause in the act aforesaid. That the said commissioners designated the said town as the permanent seat of justice and certified the same as required by said act; and the obligors in the bond aforesaid thereupon constructed said court house pursuant to the condition of their bond. That at the last session of the General Assembly an act was passed for the relocation of said seat of justice by certain commissioners without any provision for indemnity to the obligors in said bond. That said commissioners thereupon relocated said seat of justice at Wilmington in said county. That the obligors in said bond apprehensive that the records would be removed from Lawrenceburgh to Wilmington, filed their bill in chancery in the Dearborn circuit court, praying that all persons should be enjoined from removing said records as aforesaid. That said circuit court made a decision adverse to the complainants, by refusing the injunction, but failing to dismiss the bill, an appeal taken by the complainants from said decision, was by the Supreme court at its last session dismissed for want of jurisdiction.

The necessary public buildings at Wilmington are nearly completed, and before final action can be had on the bill of injunction, the records will in all probability be removed to that place, in the absence of legislative interposition, which removal would at once take away the only ground for the bill of injunction—an apprehended injury. Your committee greatly regret the unfortunate excitement that prevails in that old, wealthy, and respectable county, and which is not lessened by its sectional character and the fact that the citizens are nearly equally divided on the question, they think it important for the repose of the county, that the cause of complaint should as far as possible, be speedily settled beyond the reach of further controversy. The various points made by the contending parties before your committee are mainly resolvable into the constitutionality of the act of last session. If that act be constitutional, the citizens of Lawrenceburgh however hardly it may operate on their interests, being without remedy, or nearly so, will naturally resign their claims in silence and harmoniously co-operate with the county at large in matters pertaining to its general welfare. If on the contrary it be unconstitutional, the sooner it is so decided, the less disappointment will be experienced by the citizens of Wilmington and others who might otherwise incur much useless expense on the contrary supposition.

Your committee in the multiplicity of business confided to their care by this body, have neither the time nor the means to consult authorities and to make out a detailed and satisfactory report touching the merits of this question, and such a report however correct in its views would not carry the same weight of authority that a decision pronounced by a judicial tribunal before which both parties would be fully heard, would properly have. They have therefore, thought it better not to contribute in the remotest degree to the embarrassment of the question, by expressing an opinion in relation to it. To enable those concerned to have this controversy settled by the judiciary, a majority of them recommend the passage of an act suspending the operation of the act of last session until such decision can be had. The next term of the Dearborn circuit court is held on the fourth Monday of March next. The bill in chancery can be formally dismissed at that term, and an appeal can be taken and the cause submitted for a decision at the following term of the Supreme court which will be held on the last Monday of May next. In all probability a final decree will in that case be had by that tribunal at their next November term at farthest. That decision it is to be hoped will more than any legislative action tranquilize the county—and on the supposition that the claims of Wilmington to be the seat of justice are paramount, they would be but temporarily postponed. Entertaining those views therefore your committee herewith report a bill suspending the operation of the act of last session until the first day of January next, entitled a bill in relation to the seat of justice of Dearborn county and for other purposes.

These vessels in operation, (after fitting them out for service,) would occasion an annual increase, in the expense of the Navy, of four hundred and thirty-four thousand dollars. He recommends the establishment of a National Foundry for the casting of cannon. He recommends, also, the enlistment of boys, in conformity with the President's suggestion on the subject. There are three hundred and five pensioners on the Navy list, who receive annually, twenty-four thousand, nine hundred and forty-four dollars: The widows of deceased pensioners receive thirty-two thousand, five hundred and ninety-four dollars,—making a sum annually paid in pensions, of fifty-seven thousand, five hundred and thirty-eight dollars. The Secretary states that a number of experiments have been made, to test the safety of steam engines, without furnishing a satisfactory result. He concludes his report, by recommending an increase in the salaries of some of his clerks, and other officers connected with the Department.

BRICK MACHINES.

We consider it very doubtful, [says the Louisville Advertiser,] whether the wager proffered below will be accepted from any quarter. Sawyer's machine, wherever it is known, is confessedly so superior to all of its class, that no one will be found willing to throw away his money by betting against it.

Sawyer's patent.—The operations of this machine are with dry clay, which, when properly prepared, yield an article equal to the best stock brick, and at an expense, as is estimated, of not more than one half that of manufacturing in the usual way. There being at this time, various machines before the public, the proprietor of the above patent, is induced to invite a comparison of their respective merits; and as incitement, he will stake his patent right for Indiana, (some four or five counties excepted,) against the right for the same territory to any other brick machine now patented; a forfeiture to be made of the one pronounced of the least merit, and a regular, legal deed of the right given. The test to be made by the fair and general operations, and estimated yearly products, in comparison to cost, of two of the best constructed machines—one of each kind—in the United States. The machines and judges to be selected by the patentees. In arriving at a conclusion, the solidity, weight, perfectness of corners and edges, durability, imperviousness to weather, fire and water, as well as the general quality of the brick through the kiln, and the expense of manufacturing, shall be considered. The foregoing will remain open thirty days, for the acceptance of any one disposed to offer.

STEAM BOAT ACCIDENT.—At 7 o'clock, P. M., on the evening of the 6th of January, 1836, the Steam Boat Otto, in crossing the head of the Regoleiz, was run foul of by the steamer Jas. Monroe, and sunk in about fifteen minutes, in five fathoms water. The crew and passengers, with part of their baggage and furniture of the boat, saved. Every possible assistance was rendered by the Monroe. There can be no blame, it is said, attached to the officers of either of the boats, it being an unavoidable accident. Boat and cargo an entire loss. N. O. Com. Bulletin, Jan. 8.

MORE LYNCHING.—By the New Orleans Observer, we learn that the citizens of Jackson, La., have been thrown into a panic by an apprehended rising of the slaves. The Rev. Mr. Hinckley, late of Kentucky, gives the account. He says, two men, one white and the other black, were arrested, tried, condemned, and hung by a committee of the citizens. If any man deserves a double death it is he, who would excite the slaves of the South to engage in a work of indiscriminate slaughter, but still justice requires that the accused should have a fair trial in a court of law.—Cincinnati Journal.

Red river has been cleared of raft timber, which entirely obstructed its navigation, for the distance of eighty-eight miles. A million of acres of land, it is estimated, will be reclaimed in Louisiana, by the removal of these obstructions.

A note of hand of 57 dollars, in favor of the Ocean Insurance Company, was blown during the fire from a store in South st. N. York, to a garden at Flatbush, Long Island, five miles.

Gov. Marcy of New York, refuses to deliver up R. J. Williams, publisher of the Emancipator, in compliance with the requisition of the Governor of Alabama.

The foreign debt of Ohio amounts to \$4,400,000; the interest on which is \$260,000 per annum.

THE NAVY.

The Secretary of the Navy says, that this arm of our national defence has fulfilled its design, during the past year, in the protection of our commerce. He strongly recommends the construction of two frigates, three sloops of war, and four steam vessels. The keeping of

Yesterday's mail brought news, by way of New Orleans, (which place it had reached by water,) of the surprise and massacre, by the Seminole Indians, of two whole companies of United States' troops, consisting of 112 men, under the command of Major Dade.

Major Dade had set out with his troops from Tampa bay to Camp King, to join General Clinch, when on the morning of the 28th December, at 3 or 9 o'clock, being the third or fourth day of their march, they were surrounded by a large body of Indians, supposed to number from 300 to 1000, and were cut to pieces. Only three men of the 112 escaped, badly wounded to recount the lamentable history of the butchery of their fellow-soldiers.

Major Dade was shot off his horse on the commencement of the attack. Captains Gardner and Fraser soon after fell mortally wounded, and their scalps were taken by the savages. Lieutenants Bassinger, Henderson, Mudge, and Kean, and Dr. Gatlin, Surgeon to the detachment, were all slain. Lieutenant Bassinger was wounded on the onset, and was discovered by a negro in the party of savages, crawling off to a place of concealment, and tomahawked. So little were those troops aware of their danger, that they did not see an Indian until many shots had been fired. They were caught in an ambush, and dearly paid the penalty of insufficient precaution against surprise.

Colonel Twiggs, of the United States army, chartered the steamboat Merchant, and started with four companies of troops from New Orleans to Tampa bay. Major Belton was at Tampa bay with the force under his command.

The public sympathy will be deeply excited by this news, even here, at a distance from the scene. It may be readily imagined, therefore, that the People of the parts of the country adjacent will come, as strongly as they can, to the aid of the troops and people, now in imminent danger, in Florida. For this purpose, a public meeting was to be held at Mobile on the 12th instant.

The above Massacre took place, the reader will see on the 28th of December. The battle between General Clinch and the Indians took place on the 30th. The distance between the two scenes of action being not greater than could have been traveled in the intervening time, there is reason to believe that the Indians whom General Clinch was engaged with were those which destroyed the command of Major Dade. National Intelligencer.

UNITED STATES AND MEXICO.

The principal officer charged with the dispatches of the ministry of foreign relations of the Mexican Government, has addressed a communication to the Secretary of State of the United States on two subjects. The first is, as he alleges, in relation to the co-operation of a great number of the citizens of Louisiana with the colonists of Texas, against the Mexicans. He calls for the action of our government to prevent it. The second subject is concerning the capture and detention of the Mexican schooner of war, the Correo de Mexico, Captain Thompson. He demands a restitution of the ship as national property, and a liberation of Captain Thompson and the other prisoners, detained at New Orleans under a charge of piracy; and that our government should make Capt. Hurd responsible for all the damages occasioned by the capture. The address is dated Mexico, November 19, 1835.

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