

small donations thereof to actual settlers for a fixed rent; and have come to the following resolution thereupon, to wit:

Resolved, That the said petition be received.

Which being twice read, was enacted in.

MR. SPEAKER.—I am directed to inform this house that the senate are now ready by a joint vote with this house, to proceed to the election of a senator, to represent this state in the congress of the United States for the ensuing six years, to commence on the 4th day of March next; and that Messrs. John Adair, John J. Crittenden, and Benjamin Mills, stand on the nomination before the senate for that office.

And then he withdrew.

The further consideration of the orders of the day being dispensed with.

Mr. Robertson was invited to the chair—and Mr. Speaker retired.

Ordered, That Mr. Blackburn, inform the senate, that this house is now ready to proceed by a joint vote with that, to the election of a senator, and that the same gentleman stand on the nomination for that office, as those reported from the senate.

The house then proceeded to the said election, and upon taking the vote, it stood thus:

For Mr. John Adair—Messrs. Barrett, Birney, Booker, Carson, Cotton, Davidson, Duncan, (of Lincoln) Eggleston, Ford, Gilmore, Grundy, Harrison, Helm, Hornbeck, J. Jones, H. Jones, Logan, Love, Marshall, Monroe, M'Coun, Rowan, Rudd, Spillman, S. Stephenson, Stapp, Todd and Yantis.—29.

For Mr. John J. Crittenden—Messrs. Armstrong, Barbour, Bowman, Breckenridge, Coburn, Cooke, Cummins, Cunningham, Dallam, Davis, Doherty, Duncan, (of Daviess) Ewing, Garrison, Given, Goode, Green, Hepson, Hunter, Irvine, Moorman, M'Millan, Parker, Reeves, Rice, T. Stephenson, True, Turner, Underwood, P. White, D. White and Wickliffe.—32.

For Mr. Benjamin Mills—Mr. Speaker, (Robertson) Messrs. Blackburn, Caldwell, Clarke, Cox, Davenport, Fleming, Gaines, Grant, Hart, Hawkins, Hickman, Holman, Jamison, Lackey, Mercer, Metcalfe, Owings, Shepard, Slaughter, South, Trigg, Wall, Ward and Woods.—25.

Messrs. Rowan, Yantis, Parker and Hickman, were then appointed a committee on the part of this house, to meet a committee from the senate, to compare the votes, and report in whose favor a majority should appear.

The said committee then retired, and after a short time returned, when Mr. Rowan reported that the joint vote stood thus:

For Mr. Adair, 41.
For Mr. Crittenden, 45.
For Mr. Mills, 33.

No one on the nomination having obtained a majority of all the votes, the house then proceeded to a second vote, between those standing highest on the first (pursuant to the method agreed on) upon which the vote stood thus:

For Mr. Adair—Messrs. Barrett, Birney, Booker, Caldwell, Carson, Cotton, Davidson, Duncan, (of Lincoln) Eggleston, Ford, Gaither, Gilmore, Grant, Grundy, Harrison, Hawkins, Helm, Hornbeck, J. Jones, H. Jones, Logan, Love, Marshall, Moorman, Monroe, M'Coun, Rowan, Rudd, Slaughter, Spillman, S. Stephenson, Stapp, Todd and Yantis.—34.

For Mr. Crittenden—Mr. Speaker, (Robertson) Messrs. Armstrong, Barbour, Blackburn, Bowman, Breckenridge, Clarke, Coburn, Cooke, Cox, Cummins, Cunningham, Dallam, Davenport, Davis, Doherty, Duncan, (of Daviess) Ewing, Fleming, Gaines, Garrison, Given, Goode, Green, Hart, Hickman, Hopson, Holman, Hunter, Jamison, Irvine, Lackey, Mercer, Metcalfe, M'Millan, Owings, Parker, Reeves, Rice, Shepard, South, T. Stephenson, Trigg, True, Turner, Underwood, Wall, Ward, P. White, D. White, Wickliffe and Woods.—52.

The said committee again retired, and after a short time returned, when Mr. Rowan reported that the joint vote stood thus:

For Mr. Adair, 47.
For Mr. Crittenden, 72.

Mr. Crittenden, having a majority of all the votes, was thereupon declared duly elected as a senator to represent this state in the congress of the United States for the ensuing six years, from and after the fourth day of March next.

SPECIE PAYMENTS.

The house resolved itself into a committee of the whole house, Mr. South in the chair; the discussion of the motion for leave to bring in a bill "to correct the bank of Kentucky and Insurance company to pay out specie for their notes when presented for payment." This question brought into discussion the main question.

Grundy, Harrison, Booker, M'Millan and Helm in favor of the measure said, that We ought to place the bank on the same footing as every other debtor. The present distinction does or may give rise to many evils. A man living in the country may be indebted, his creditor may refuse to take the bank notes of the country which are not a legal tender, and where can the poor man get specie? Not from

the country because it is all hoarded up by the banks; not from the banks for they will not pay it. His land may be thus taken and sold for one twentieth of its value. And why is this? To extend an indulgence to the mercantile class for whose use banks are created. Something must be done or the banks will never pay specie. It is their interest either to keep it shut up in their vaults, or to lend it as they do and obtain dividends both on that, and on three or four times its amount in paper. But it is our business to guard the general interest and we ought to fix on some period at which the banks should commence payment. It would entirely do away the mischief of private notes and make legislation on that subject entirely unnecessary. When the United States' bank goes into operation it will be the more necessary as our bank notes will then depreciate.—To fix on a time too near at hand might embarrass the people, as the bank would call in its paper and no loans could be had; and the prosperity of the banks is in some degree interwoven with that of the country. Yet a time ought to be fixed when they should pay out specie. Why should we wait? What information is wanted? What can be had? We ought not to consult the bank but the situation of the country.—The banks are created for the use of the merchants, not for the farmers, and may even be used as a machine against government. The directors can refuse to lend and often do so to the injury of the farmers. If the merchants will carry the specie out of the country let them do it; then we may all sink together. It is said the bank may be sued. Where is the man bold enough to attempt it? To make the bank and the whole mercantile interest his enemies? And when he had obtained a judgment, what could he levy upon? Gentlemen with banks at their doors, say the farmers are growing rich by them. It is then to be hoped the directors will extend the favor and grant a bank to every county in the state.—What does the bank receive for its notes or in payment of its debts? Specie or its own notes. To coerce it then would not be so very frightful.

Messrs. Robertson, Rowan, Rudd, Blackburn, Wood and Marshall, observed that the bank is like all other debtors and may be sued and coerced in the same way. All the specie of the country has been bought up by the United States' bank excepting what is in the vaults of our own banks, and we have paper in its stead. No evils result from this state of things—commerce is flourishing and property sells as high as in metallic days. There is less specie in the country now than in any former days, not enough to buy up one half of this disposable produce.—Should we compel the banks to open their vaults before the banks at the eastward, all the specie which now remains would flow out of the country as naturally as water runs to the ocean.—In fact we should soon have neither specie nor paper. The banks would call in their debts, cease their discounts, refuse to lend on any terms, and we should find ourselves in the same situation as the dog who let go the bone to catch the shadow. Before we adopt this measure we ought to enquire what will be the effects? Produce has not for 30 years borne so high a price as at the present moment. Agriculture is flourishing and the farmers are getting rich. They find themselves able to add field to field, purchase negroes and plantations. There is not specie enough in the whole country to buy up one fourth of the produce of the present year. Bank notes answer all the uses of money, they circulate upon public opinion, and we ought to do nothing to lessen the confidence which the people have in their value. If we take this measure the banks will call on those who owe them, the merchants, those who buy up the produce of the country, and will take in payment no paper but their own; they in their turn will call on the farmers and mechanics who are indebted to them, the banks will not lend, specie cannot be had, the produce of the country must lie on the hands of the farmer for want of money to purchase it, and the whole country be will involved in embarrassment.

If bank notes did not answer the purposes of the people they would sue the banks; but as this is the case, why should we at this time create a distrust in the banks? There have been meetings of bank directors in the eastern states who have resolved to resume specie payments on the first of July next, and the banks of Ohio have determined to adopt the same measure six weeks after. We ought to wait & get information from our bank, what communications have been made to it, and what is its own resolution on the subject. Perhaps, on obtaining this information, legislation would be unnecessary. The United States' bank will go into operation in February next and after that time the United States' collectors are forbidden to take any notes of banks which do not pay specie. Our bank is ready to pay it, whenever the eastern banks set the example, and actually did pay six or eight weeks after they had stopped.

The bank does not, as has been supposed, receive specie for the notes

which they issue. When a man wishes to borrow money from the bank, he deposits there his note for the amount with good indorsers, payable and negotiable at the bank of Kentucky, on a credit of 60 days. For this note the bank gives the man its own bills or the bills of other banks, and nothing remains in their place but the man's note. In payment of this note the bank receives at the end of 60 days specie, its own notes, the notes of seven banks in Ohio, of Philadelphia, &c. or treasury notes.

Mr. Rudd wished a postponement.—He said that in curing the evil a greater one might be brought upon us; that we might possibly have neither specie nor paper; but that a judgment against the directors, &c. would be inefficient; because you could not levy it on money; & most people would prefer the paper even if it be not so good as specie, to the risk of bringing suit.

The further consideration of the question was postponed to the 19th inst.

CONGRESS.

IN SENATE.

Monday, December 2.

This being the day it prescribed by the Constitution for the annual Meeting of the Congress of the United States, at 12 o'clock the President pro tempore of the Senate (Mr. GATTLARD) took the chair, and the roll being called, by the Secretary of the Senate (Mr. CURTIS) it appeared that a quorum was present.

The credentials of the Senators from Indiana (one of whom was present) having been read, some conversation took place respecting them, which resulted in the appointment of a committee to take the subject into consideration, it appearing that the copies of the constitution of the State had not been received in either house, though said to be transmitted as required by law, to the President and Speaker respectively. Mr. Taylor, therefore, though admitted to a seat, was not qualified.

The next business, and the only business besides the usual orders on organizing the Senate, was the proposition, by Mr. VARNUM, of the following resolve:

Resolved, That it is expedient to repeal a Law passed at the last Session of Congress, entitled "An act to change the mode of compensation to the Members of the Senate and House of Representatives and the Delegates from Territories," and that a committee be appointed to prepare and report a bill for that purpose.

The resolution lies on the table of course for one day.

After informing the other House that they were formed, &c. and appointing a committee for the same purpose to wait on the President, the Senate adjourned.

Wednesday, December 4.

The following Senators appeared and took their seats, viz.—from Vermont Mr. Chase; from Rhode-Island Mr. Hunter; from Pennsylvania Mr. Roberts; from Louisiana Mr. Brown; from Kentucky Mr. Hardin.

HOUSE OF REPRESENTATIVES.

Monday, December 2.

At 12 o'clock, the SPEAKER (Mr. CLAY) took the chair, and the roll being called over by the Clerk of the House (Mr. DOUGHERTY) it appeared that a quorum was present.

The usual orders were adopted for supplying the Members with papers, &c. for communicating with the SENATE, and for the appointment of a joint committee to wait on the President.

On motion of Mr. Taylor of N. Y. it was ordered that the House meet at twelve instead of eleven o'clock of each day for the present. [The object of this change is to afford more time for the committees for the first week or two of the Session, whose sittings used to be interrupted, heretofore, almost as soon as commenced, by the meeting of the House.]

And the House adjourned.

President's Message.

December 6, 1816.

This day, at 12 o'clock, the PRESIDENT of the UNITED STATES transmitted to both houses of Congress, the following Message, by Mr. Todd, his Secretary:—

Fellow-Citizens of the Senate, and of the House of Representatives.

In reviewing the present state of our country, our attention cannot be withheld from the effect produced by peculiar seasons, which have very generally impaired the annual gifts of the earth, and threaten scarcity in particular districts. Such however, is the variety of soils, of climates, and of products, within our extensive limits, that the aggregate resources for subsistence, are more than sufficient for the aggregate wants. And, as far as an economy of consumption, more than usual, may be necessary, our thankfulness is due to Providence, for what is far more than a compensation, in the remarkable health which has distinguished the present year.

Amidst the advantages which have succeeded the peace of Europe, and that of the U. States with Great Brit-

ain, is a general invigoration of industry among us, and in the extension of our commerce, the value of which is more and more disclosing itself to commercial nations, it is to be regretted that a depression is experienced by particular branches of our manufactures, and by a portion of our navigation. As the first proceeds, in an essential degree, from an excess of imported merchandise, which carries a check in its own tendency, the cause in its present extent, cannot be of very long duration. The evil will not, however, be viewed by Congress, without a recollection, that manufacturing establishments, if suffered to sink too low, or languish too long, may not revive, after the causes shall have ceased; and that, in the vicissitudes of human affairs, situations may recur, in which a dependence on foreign sources, for indispensable supplies, may be among the most serious embarrassments.

The depressed state of our navigation is to be ascribed, in a material degree, to its exclusion from the colonial parts of the nation most extensively connected with us in commerce, and from the indirect operation of that exclusion.

Previous to the late convention at London, between the U. States and Great Britain, the relative state of navigation laws of the two countries, growing out of the treaty of 1794, had given to the British navigation a material advantage over the American, in the intercourse between the American ports and British ports in Europe. The convention of London equalized the laws of the two countries, relating to those ports; leaving the intercourse between our ports and the ports of the British colonies, subject as before, to the respective regulations of the parties. The British government, enforcing, now, regulations which prohibit a trade between the colonies and the U. States, in American vessels, whilst they permit a trade in British vessels the American navigation loses accordingly; and the loss is augmented by the advantage which is given to the British competition over the American, in the navigation between our ports and British ports in Europe, by the circuitous voyages, enjoyed by the one and not enjoyed by the other.

The reasonableness of the rule of reciprocity, applied to one branch of the commercial intercourse, has been pressed on our part, equally applicable to both branches: but it is ascertained, that the British Cabinet declines all negotiation on the subject; with a disavowal, however, of any disposition to view, in an unfriendly light, whatever countervailing regulations the United States may oppose to the regulations of which they complain. The wisdom of the Legislature will decide on the course, which under these circumstances, is prescribed by a joint regard to the amicable relations between the two nations, and to the just interests of the United States.

I have the satisfaction to state, generally, that we remain in amity with foreign powers.

An occurrence has, indeed, taken place in the Gulf of Mexico, which, if sanctioned by the Spanish government, may make an exception as to that power. According to the report of our naval commander, on that station, one of our public armed vessels was attacked by an overpowering force, under a Spanish commander, and the American flag, with the officers and crew, insulted, in a manner calling for prompt reparation. This has been demanded. In the mean time, a frigate and smaller vessel of war have been ordered into that Gulf, for the protection of our commerce. It would be improper to omit, that the representative of his Catholic Majesty, in the United States, lost no time in giving the strongest assurances, that no hostile order could have emanated from his government, and that it will be as ready to do, as to expect, whatever the nature of the case, and the friendly relations of the two countries, shall be found to require.

The posture of our affairs with Algiers, at the present moment, is not known. The Dey, drawing pretexts from circumstances, for which the U. States were not answerable, addressed a letter to this government, declaring the treaty last concluded with him, to have been annulled by our violation of it; and presenting, as the alternative war; or a renewal of the former treaty which stipulated, among other things, an annual tribute. The answer, with an explicit declaration that the United States preferred war to tribute, required his recognition and observance of the treaty last made, which abolishes tribute and the slavery of our captured citizens. The result of the answer has not been received. Should he renew his warfare on our commerce, we rely on the protection it will find on our naval force actually in the Mediterranean.

With the other Barbary states, our affairs have undergone no change.

The Indian tribes within our limits appear, also, disposed to remain at peace. From several of them purchases of lands have been made, particularly favorable to the wishes and security of our frontier settlements; as well as to the general interests of the nation. In some instances, the titles,

though not supported by due title, and clashing those of one tribe with the claims of another, have been extinguished by double purchases; the benevolent policy of the United States, preferring the augmented expense of the hazard of doing injustice; or the enforcement of justice, against a feeble and untutored people; by means involving or threatening an effusion of blood. I am happy to add, that the tranquility which has been restored among the tribes themselves, as well as between them and our own population, will favor the resumption of the work of civilization, which had made an encouraging progress among some tribes; and that the facility is increasing, for extending that divided and individual ownership, which exists now in movable property only, to the soil itself; and thus establishing in the culture and improvement of it, the true foundation for a transit from the habits of the savage to the arts and comforts of social life.

As a subject of the highest importance to the national welfare, I must again, earnestly recommend to the consideration of Congress, a re-organization of the Militia, on a plan which will form it into classes, according to the periods of life more and less adapted to military services. An efficient militia is authorized and contemplated by the constitution, and required by the spirit and safety of free government. The present organization of our militia is universally regarded as less efficient than it ought to be made; and no organization can be better calculated to give to its due force, than a classification which will assign the foremost place in the defence of the country, to that portion of its citizens, whose activity and animation best enable them to rally to its standard. Besides the consideration that a time of peace is the time when the change can be made with most convenience and equity, it will now be aided by the experience of a recent war, in which the militia bore so interesting a part.

Congress will call to mind, that no adequate provision has yet been made for the uniformity of weights and measures, also contemplated by the constitution. The great utility of a standard, fixed in its nature, and founded on the easy rule of decimal proportions, is sufficiently obvious. It led the government, at an early stage, to preparatory steps for introducing it; and a completion of the work will be a just title to the public gratitude.

The importance which I have attached to the establishment of a University within this district, on a scale and for objects worthy of the American nation, induces me to renew my recommendation of it, to the favorable consideration of Congress: And I particularly invite again their attention to the expediency of exercising their existing powers, and where necessary, of resorting to the prescribed mode of enlarging them, in order to effectuate a comprehensive system of roads and canals, such as will have the effect of drawing more closely together every part of our country, by promoting intercourse and improvements, and by increasing the share of every part in the common stock of national prosperity.

Occurrences having taken place which show that the statutory provisions for the dispensation of criminal justice, are deficient in relation both to places and to persons under the exclusive cognizance of the national authority; an amendment of the law, embracing such cases, will merit the earliest attention of the legislature. It will be a seasonable occasion, also, for inquiring how far legislative interposition may be further requisite in providing penalties for offences designated in the constitution or in the statutes, and to which either no penalties are annexed, or none with sufficient certainty. And I submit to the wisdom of Congress, whether a more enlarged revision of the criminal code be not expedient, for the purpose of mitigating, in certain cases, penalties which were adopted into it antecedent to experiments and examples which justify and recommend a more lenient policy.

The U. States having been the first to abolish within the extent of their authority, the transportation of the natives of Africa into slavery, by prohibiting the introduction of slaves, and by punishing their citizens participating in the traffic, cannot but be gratified at the progress made by concurrent efforts of other nations, towards a general suppression of so great an evil. They must feel at the same time, the greater solicitude, to give the fullest efficacy to their own regulations. With that view, the interposition of Congress appears to be required, by the violations and evasions which, it is suggested are chargeable on unworthy citizens who mingle in the slave trade under foreign flags, and with foreign parts; and by collusive importations of slaves into the U. States, through adjoining ports and territories. I present the subject to Congress, with a full assurance of their disposition to apply all the remedy which can be afforded by an amendment of the law. The regulations which were intended to guard against abuses of a kindred character, in the trade between the several states, ought also to be rendered more effectual for their humane object.

To these recommendations, I add for the consideration of Congress, the