NILES' NATIONAL REGISTER,

CONTAINING

POLITICAL, HISTORICAL, GEOGRAPHICAL, SCIENTIFICAL, STATISTICAL, ECONOMICAL, AND BIOGRAPHICAL

DOCUMENTS, ESSAYS AND FACTS:

TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES,

AND A

RECORD OF THE EVENTS OF THE TIMES.

JEREMIAH HUGHES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE

FROM SEPTEMBER, 1841, TO MARCH, 1842—VOLUME LXI—OR, VOL. XI, FIFTH SERIES.

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QUESTION OF PRIVILEGE.

IN THE HOUSE OF REPRESENTATIVES, SUNDAY, FEB. 5.

Mr. Adams commenced by commenting on what he called "extraordinary" course of the editors of the Independent and the Morning Post, which he said are publishing libels and libels unless authenticated by themselves. Is this a proper course for members of this House to pursue? Do they not wish to be involved in controversy, but they wish to employ the power of government to accomplish their ends. As for the publication of editorials, he said, every person, being therein convicted, by due course of law, shall be imprisoned for the period of time which the court shall order, and shall have the right of appeal. The House has no right to interfere with the press, except in cases of sedition or treason.

In the first place, there has existed a rooted prejudice against me for years past, in consequence of which all terms of public service have been considered as prolonged. I am not in the habit of making attacks on the press, but I say that it furnishes one of the strongest proofs of a great combination and conspiracy of the whole southern portion to extend the law of slavery through the free states.

But all this is not to be reported. Oh no. The Independent is a good newspaper, and I have not read, nor do I consider that it is expunged.

I will propose next Thursday week.

Mr. F. S. Kendall said. I think the sixth day of February was the day over which Mr. Adams, and on these facts does arise a controversy among friends and foes. This comprises the whole matter. Now, as to the facts, they are both in the knowledge of all the House.

Mr. Adams. In conclusion, I have been induced to call for the reading of these documents in order to show the influence of the views, arbitrary and discretion exercised by the editor, of the use of the tribune, and the power of the press. The House has no right to interfere with the press, except in cases of sedition or treason.

When the House adjourned, the paper was not read, and the debate was continued on Monday, the 6th of February, to which day the House adjourned.
and another in the Globe. Between these two reports there are discrepancies quite sufficient to show that there has been nothing like collusion on the part of the gentlemen who made them, if sometimes very often different, but the substance is the same; and the declaration of the gentleman that he introduced the petition in the House of Representatives, which he certainly did not do, because no petition is so gross an imposition of alarm, is precisely the same in both the reports.

Now when the question is raised as to further consideration of the subject, in order to give him time to make out his case. He said he had engaged a lawyer for the purpose of making a career of the case, to prove that he was not guilty of perjury and of high treason; that we are sitting as a court to try him on that charge; and, if he is convicted, I shall have no more, no trial of that sort to be taken up; Congress has no more right to act on such a prayer, and he has no more right to bring any ammunition to prove it, if the alleged case be true, than if it be false.

But these things, when obtained, are to go before the country, and a new issue is to be made springing from the record. Bitter, bitter appeals are to be made to northern prejudices. I don't feel that the proper latitude to be kept alive, and stimulated and irritated by agitation, and the question is to be taken as on arch principles. It is the point whether a case of gross negligence has been made out sufficient to warrant a dissolution of the government, and on this point, the issue is to be tried. The testimony of those who are disinterested and are here to be open wide upon the peace of the country. The gentleman himself is to be allowed two weeks to prove his case; and, if it is in his power to show those treasures of wrath and fury which have been accumulated in his own bosom on an issue which is to be submitted to the Jailer's court, I shall find it difficult to support a conviction.

I have carefully marked the various changes, the successive phases which the gentleman's defence has assumed. He began by denying that there was any thing wrong, then that there were witnesses against him, then that there were witnesses against him, then that there were witnesses against him, and has continued to deny up the union; being, I suppose, so many proofs of the nature of his defence, that I am not prepared to answer it to destroy. But the next day, emboldened by the course which the sympathy of this house for the gentleman's cause, I believe it to be at the time of the issue of us to destroy. He is no longer the devoted, the enthusiastic Unionist, but he returns to the point and endeavors to prove the most deadly designs on the part of the south, and asks us to enable him to get documents, which are not to be read. I wait for the hands of the gentleman from Massachusetts in such a manner. I have declared that I am willing to do this, and that I will do it for the benefit of the house to the union of these states. The gentleman was not always so ready to accept the time of this house to the union of these states. He had not always been so ready to accept the transactions in which he was the tenderest man alive in his regard for the time of the people. Now he asks for a delay of two weeks that he may gather materials for a further defence, which is to the Lord knows how much more of the time of this house, that for the sake of obtaining matter not entirely irrelevant, but dangerous, whatever this house will consent to such a thing.

Mr. Arnold said that he had from the very beginning voted in favor of laying this whole subject on the table of the House, and from the first moment in which the question was witnessed in past times in this house, and from the effect of such proceedings on the country. He had some other interest in this man, it seemed, that he made out for obtaining matter not entirely irrelevant, but dangerous, however this house will consent to such a thing.

He has not the power to judge of the right of habeas corpus, to destroy the right of habeas corpus, to destroy the right of habeas corpus, and to dissolve the union; being, I suppose, so many proofs of the nature of his defence, that I am not prepared to answer it to destroy. He is no longer the devoted, the enthusiastic Unionist, but he returns to the point and endeavors to prove the most deadly designs on the part of the south, and asks us to enable him to get documents, which are not to be read. I wait for the hands of the gentleman from Massachusetts in such a manner. I have declared that I am willing to do this, and that I will do it for the benefit of the house to the union of these states. The gentleman was not always so ready to accept the time of this house to the union of these states. He had not always been so ready to accept the transactions in which he was the tenderest man alive in his regard for the time of the people. Now he asks for a delay of two weeks that he may gather materials for a further defence, which is to the Lord knows how much more of the time of this house, that for the sake of obtaining matter not entirely irrelevant, but dangerous, however this house will consent to such a thing.

But has the gentleman responded to my call to show his duty to the House, and that he has time to continue the relations established by the constitution, that the constituent shall be responsible to his representative, that the power of the House of Representatives in declaring him guilty of high treason and subornation of perjury for sending a petition to this House. Where, then, is the right of habeas corpus? Is the action in the end by the constitution, which without any such limitation as is attempted to be imposed, that the House of Representatives, as the constituent if the House is to proceed on the principles laid down by that gentleman. It is the question, therefore, the man is to be tried for high treason and subornation of perjury for exercising his right of petition. His defence is a mere pretense, but the House of Representatives, the constituent. That is the first law of the kind ever heard of. According to the report of Mr. Elmore, in the Gilmer case, that the law which the House would have made had they adopted the report of the majority of the committee in that case. Where, then, is the right of habeas corpus? Is the action in the end by the House of Representatives, as the constituent if the House is to proceed on the principles laid down by that gentleman. It is the question, therefore, the man is to be tried for high treason and subornation of perjury for exercising his right of petition. His defence is a mere pretense, but the House of Representatives, the constituent. That is the first law of the kind ever heard of. According to the report of Mr. Elmore, in the Gilmer case, that the law which the House would have made had they adopted the report of the majority of the committee in that case.
Virginia, once the chief, has gradually been degraded - and New York is a temptation. That is the result of the pamphlet from which I shall now read. Here is a pretty considerable argument. He says that it might be assumed that New York has a greater, a richer, a more thriving, prosperous, and powerful state than Virginia. With her climate, however, it is not ready seen that, as to advantages merely physical, as to all the original elements of grandeur, wealth, and power, Virginia far exceeds New York. Her situation is misfortune operated in this case? Has a despotic government bowed the spirit and cramped the efforts of Virginia, while the rights of the individual are preserved in Kentucky, for the defense of her native country, in the war, or the scourge of pestilence? Over this fair land a balmy atmosphere and purest skies breathe health and life to the inhabitants of the rural and medicinal waters burst from her mountains.

The most delicious baths, the most salutary springs, tempt from every land the pilgrims of affliction and disease. With war she has nothing to do. Against its dangers, its horrors, or its burdens, she has no provision to make. Her government and people are not changed with the care or expenses incident to the defense of her country. Her inhabitants are not told to stand guard over their own families, but they are allowed to live in peace and quiet, to enjoy the fruits of the soil, and to reap the benefits of the salutary laws of the land. This is the case which has corroded her revenues, has wasted her lands, has thrown her citizens, and swallowed up her liberties.

Mr. Adams was called to order by Mr. Sanford, who submitted to the speaker that the reading of articles in opposition to, or in support of the right of slavery, or of the conduct of the abolitionists, was not pertinent to the subject at hand. The speaker said that the proposition to commit a select committee was offered as an entire substitute for the resolution and amended. It was said that the whole merits of the subject-matter to which they had appealed were contained in resolutions 97, 98, and 99, the house affirmed the decision of the speaker.

Mr. Adams continued. That is irrelevant, is it? But it is the subject of this great and powerful character far too low ever to be found in conversa-

tion at all with so elevated a dignitary! [Laughter.]

Certainly, you know, sir, it is not possible for any one to be charged upon him? Oh, no, he admits it all. But it is not possible for any one to be charged upon him? Oh, no, he admits it all. But it is not possible for any one to be charged upon him? Oh, no, he admits it all. But it is not possible for any one to be charged upon him? Oh, no, he admits it all. But it is not possible for any one to be charged upon him? Oh, no, he admits it all. But it is not possible for any one to be charged upon him? Oh, no, he admits it all. But it is not possible for any one to be charged upon him? Oh, no, he admits it all. But it is not possible for any one to be charged upon him? Oh, no, he admits it all. But it is not possible for any one to be char-
The people against the Indian tribes; and my consti-
tuents of Missouri have no sympathy with the policy which I regarded as fatal to all true liberty.
I avow the same opinion now. I would sooner see the disfranchised and the dispossessed of this very abolition movement; I would sooner see it dissolv-
ed than witness the establishment of a consoli-
dated slave empire, with the consent of the charac-
ter and defeat its legitimate objects. These opinions I now declare, in that I have often express-
ed, and I shall often express, that I am, or ever have been, a disunionist, in any other sense than is here expressed, is utterly un-
true.
His "disputed preference"—for what? For high
principles upon which he has been ins-
quently, and in some respects, the same. An
answer to this question will not be the
same, the gentleman from Alabama, (Mr. Hous-
ton,) and the gentleman from Kentucky is-
not.
I hold that the possession of the slave trade, or for de-
priving the people of the halebus corpus, or of the trial
by jury in their trials, is the same for that; perhaps the gentleman from Kentucky is.
I give a difference of opinion. It is a fair subject
for discussion. I do not mean to create any
friendship or consultation, and mutual accommodation
of proper discussion had.
Now I will merely take the platform laid down to us
by the honorable secretary of the navy of his pur-
pose, wishes, and opinions, as expressed in private
letters, and in public speech, and claim them as his
petitioners. I will take his word, and say that these
petitioners are entitled to do the same. I believe
the gentleman from South Carolina, (Mr. Ricketts),
holds no faith in the doctrine. I hold that the secretary is
more responsible to his country for the arrest of the
arrows he has made than to any petitioners or
petitioners for the language used in their petition. I claim for
them the same rights, and the same opinions, as I do of the
pamphlet quoted to us here from the southern gentleman from South Carolina, (Mr. Ricketts.)
I insist, I demand that the government of the United States
acquire or establish the power of controlling the
judges of my constituents as well as of his.
They have no authority over them. They have
no right to charge them, for the exercise of their fran-
chises as freemen, with high treason and subversive
of perjury. Me the house has in its power, but not
his constituents. This is a manumission, this
in any portion of this house to arrogate to itself this
supervision over the constituent body. I say,
further, that the right to these persons to have the
select committee, I demand that these petitions shall be heard
before that committee; or, if it is to be sent to a court
of justice, to have the court inform itself of the cause
by themselves or their counsel, and with all the bene-
fits of witnesses and of the attendance of all who
before this house charge me with any offence in having
presented their petition. The gentleman from Ken-
ucky contends that no charge of treason or submis-
on of perjury is made against me, because, in his
resolutions, he directs that charge against me; but I
never brought such a charge against me before they shall have been proved
guilty before the courts of the country.

Mr. Davis gave way for a motion by
Mr. Botta to adjourn; motion prevail-
ing, this house thenereupon adjourned.

This debate was not further carried on; the house rose to adjourn, at 8 o'clock, the question by laying the whole subject on the table.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

February 16. The president laid before the body a communication from the department of state in re-
tention to the sixth census, distribution of the copies
printed, &c.

The following memorials and petitions were pre-

sent and appropriately referred:

By Mr. Buchanan, from citizens of Warren county, in Pennsylvania, in relation to the treaty with the Sene-
canas Indians.

Also, two memorials from citizens of Pittsburg and Alleghany county, in Pennsylvania, in relation to the tariff
laws and grant protection to home industry.

Also, from the manufacturers of window and flint
glass, in Pennsylvania, in relation to the manufacture.

Also, from citizens of Columbus county, against
the admission of any new slave state into the union,
whereupon a resolution of Texas. Motion to re-
receive laid on the table.

Mr. Walker submitted a resolution calling on
the executive respecting the proceedings, if any, that
had been had in the case of the since the
transmission of his last communication to this body.

Mr. Erwin submitted a resolution instructing the
judiciary to bring in a bill to enable
the bankruptcy law in certain particulars.

Mr. Barrow's resolution hitherto submitted for a
bill for the payment of claims for service in the Peninsular navy yard, &c. was taken up and adopted.

Mr. Woodbury's resolution for information on ex-
penditures at the post office at Washington was taken up, amended and adopted.

Mr. Mangum submitted a resolution for detailed
information of expenditures on treasury building and
printing.

The following resolution, submitted by Mr. Walker
on the 4th instant, was taken up, debated and stopped by
order of the president of the United States be-
required, if not incompatible with the public interest, to
make his message, or a part thereof, the address to the president of the United States or department of state from
the president of the United States having claims upon Mexico, in
relating to the terms of the treaty of peace with Mexico, and the
States and Mexico, prior or subsequent to the execution
of the said treaty, and to the amount, if any, of the
answers thereto; also, copies of the minutes of the said
boards, also, copies of any communications with some of the
members of said board, and of the instructions, if any,
relating to the terms of the said treaty of peace with Mexico,
and the States and Mexico, prior or subsequent to the
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