

HOUSE OF REPRESENTATIVES.

MONDAY, MARCH 5, 1850

~~Documents were presented by~~
Messrs. EVANS, ANDERSON and HOLLAND, of

Maine;

Messrs. BROADHEAD and HUBBARD, of New
Hampshire,

Messrs. CHOATE and ADAMS, of Massachusetts

Messrs. CHOATE and ADAMS, of Massachusetts.

Mr. ADAMS presented the memorial of a large number of citizens of New York setting forth the treaties and laws regulating the relations between the Cherokee Indians and citizens of the United States, and praying for redress *in behalf* of two citizens who were imprisoned in Georgia in consequence of laws passed by that State in derogation of those treaties and laws.

A debate arose upon the reference of this memorial, which began a few minutes past twelve and continued till nearly five o'clock. We are unable, at this time, to give more than a very general sketch of the course of this discussion.

Mr. ADAMS called for the reading of the memorial, and after it was finished, moved its reference to a Select Committee.

M. SPEIGHT moved it be referred to the Standing Committee on Indian Affairs.

Mr. BELL suggested, that the mass of petitions that had heretofore been presented to the House, on this subject, had been referred to the Committee of the Whole on the state of the Union. No grounds had been stated why this memorial should go to a Select Committee. If it was thought this memorial ought not to take the same direction with the others presented, it should go to the Committee on Indian Affairs, which had been organized with a view to subjects of this nature.

Mr. ADAMS would personally have been

Mr. ADAMS would personally have preferred the Committee on Indian Affairs, or the Committee of the Whole on the state of the Union, to a Select Committee—but after the incident that had occurred in another part of the building, within a day or two, he thought it due to the subject, that it be referred to a Select Committee. Mr. A. suggested the resolution of the gentleman from Georgia for a Select Committee on the Bank of the United States, after the report of the Committee of Ways and Means, as an authority for his motion.

Mr. WAYNE thought nothing could be done with propriety on the subject of this memorial, since the occurrence to which the gentleman alluded, until the course adopted by the authorities of Georgia, should be known.

Mr. CLAYTON said, if he had been rightly informed of the grounds of the decision to which reference had been made, this memorial should go to the Committee of Foreign Affairs—the Indians to which it refers, being a foreign nation. There was a clear difference between this case and that of the Bank of the United States, to which it had been compared by the gentleman from Massachusetts, (Mr. Adams.) The resolution respecting the Bank contemplated the Committee for investigation, which had been expressly provided for in the Charter of the Bank. Georgia was entitled to be placed on the same footing with any other State. Why should New York interfere? She has sent her Indians to Green Bay—would it be proper in Georgia to petition on that subject? He probably did injustice to that State. It was only a few pragmatical individuals who made all the noise on the subject. He warned the House that the Southern States were in a state of inflammation on other subjects. Would this House add to this excitement, and place them in the same relation as the Colonies had held to Great Britain? He hoped the House would pause before adopting such measures.

Mr. PENDLETON thought the gentleman from Georgia [Mr. Clayton] had great reason to distrust himself on this important question. He had imagined this memorial to have come from the State of New York; it was from citizens of the United States, in favor of preserving what had been the laws of the land from the earliest period to the present time. Against this uniform law, the State of Georgia has assumed a jurisdiction by which two citizens have been imprisoned. He was not prepared to say what questions might arise on this memorial. But it would be proper to refer it to a Select Committee, which would be organized with reference to this subject.

Mr. THOMPSON, of Georgia, did not rise to discuss the question of Indian relations. There would no doubt, be a proper occasion for that discussion during the session. Why is it proposed to send this memorial to a Select Committee? Is it in order to re-judge the points settled by the tribunal to which legal questions belong? or that a Select Committee may come to a different result from the Committee

on Indian Affairs? The rules adopted by the House are applicable to this subject. Every departure or innovation from those rules, produces difficulty and confusion. As the subject could be presented and brought fairly forward in a different shape, he hoped the House would, at present, lay the memorial on the table. The gentleman from Massachusetts [Mr. Adams] could not wish to promote this premature discussion, and would, he flattered himself, assent to the motion. He moved to lay the memorial on the table.

Mr. ELLSWORTH wished the gentleman to withdraw his motion for a few minutes, that he might make a remark or two.

Mr. THOMPSON said his object in making the motion was to prevent discussion.

Mr. ADAMS rose to answer the appeal that had been made to him by Mr. THOMPSON; but the SPEAKER informed him that debate was not in order pending a motion to lay on the table.

Mr. WHITTLESEY called for the yeas and nays on the motion, which were ordered.

The motion was lost by the following vote:

YEAS—Messrs. Adair, Alexander, Anderson, Angel, Archer, Ashley, J. S. Barbour, Barnwell, Barringer, Beardsley, Bell, Bethune, John Blair, Bouck, Bouldin, Branch, John Brodhead, J. C. Brodhead, Cambreleng, Carr, Carson, Chandler, Chinn, Claiborne, Clay, Clayton, Coke, Connor, Craig, Davenport, Dayan, Dewart, Doubleday, Felder, Fitzgerald, Gaither, Gordon, Griffin, T. H. Hall, W. Hall, Harper, Hawes, Hawkins, Hogan, Holland, Horn, Howard, Hubbard, Isacks, Jarvis, Jewett, R. M. Johnson, C. Johnson, Kavanagh, A. King, J. King, H. King, Lamar, Lansing, Lecompte, Lent, Lewis, Lyon, Mann, Mardis, Mason, W. McCoy, R. McCoy, McDuffie, McIntire, McKay, T. R. Mitchell, Muhlenberg, Newnan, Patton, Pierson, Plummer, Polk, E. C. Reed, Rencher, Soule, Speight, Standifer, Stephens, P. Thomas, W. Thompson, Verplanck, Wardwell, Wayne, Weeks, C. P. White.—91.

NAYS--Messrs. Adams, C. Allan, Allison, Appleton, Armstrong, Arnold, Babcock, Banks, Barstow, I. C. Bates, Briggs, Bucher, Burges, Cahoon, Choate, Collier, L. Condict, S. Condit, E. Cooke, B. Cooke, Cooper, Corwin, Coulter, Crane, Crawford, Creighton, Daniel, J. Davis, W. R. Davis, Dearborn, Denny, Dickson, Doddridge, Drayton, Ellsworth, G. Evans, J. Evans, E. Everett, H. Everett, Grennell, Heister, Hodges, Hughes, Hunt, Huntington, Ihrie, Irvin, Jenifer, Kendall, Kennon, Leavitt, Letcher, Marshall, McCarty, McKennan, Mercer, Milligan, Newton, Nuckolls, Pearce, Pendleton, Pitcher, Potts, Randolph, J. Reed, Root, Russel, W. B. Shepard, A. H. Shepperd, Slade, Smith, Southard, Stanbery, Stewart, Storrs, Taylor, F. Thomas, J. Thomson, Tompkins, Tracy, Vance, Vinton, Washington, Watmough, Wilkin, Wheeler, E. Whittlesey, F. Whittlesey, E. D. White, Wickliffe, Williams, Young.—92.

Mr. BEARDSLEY said the memorial being on a subject of great public interest, and signed by a large number of individuals, and was respectful in its terms--it was entitled to respectful treatment. What is the grievance set forth in this petition which this House is called on to redress? That the State of Georgia had extended its jurisdiction over the Indian territory contrary to certain treaties by which two citizens had been improperly committed to prison. While undergoing the punishment imposed on them, the Supreme Court has recently decided, it is now suggested that the laws of Georgia, so far as they contravene the treaties between the United States and the Indians, are invalid. It may be fit and proper that the Executive arm of the government be appealed to, to carry the mandates of the Court into effect. This House is not called on to express any opinion on that point. We do not set here to give

authority to the Executive—a co-ordinate branch of the government. We have nothing to do with the exercise of Executive power, except collaterally on questions of impeachment. What is now proposed? Are we to make new laws? There is no complaint that the present laws are defective. The memorial states the extension of the laws of Georgia over the Cherokee territory to be illegal. We cannot repeal the laws of Georgia. He had no doubt but the memorial was signed by many honest but mistaken individuals. He could not concur in their views, but it was proper to receive the memorial. They had a right to so much attention—even if no practical action upon it was necessary.

Mr. DODDRI^{NGE} enquired if it was in order to discuss the merits of the question on the motion before the House? ~~He said the object of his remarks~~ appeared to be to show that the memorial was not entitled to any reference whatever.

Mr. BEARDSLEY said he was endeavoring to shew that there was nothing which called for the action of the House in this memorial. It would be proper to permit it to lay on the table to be called up at any future time. He could see no benefit to be attained by reference to any Committee. If the Supreme Court have jurisdiction of the subject, and have given judgment, the subsequent steps belonged to the Executive—not to the Legislative department of the government. If the Supreme Court have no jurisdiction of the subject this House cannot now aid it.—He would not object to send the memorial to either of the Standing Committees of the House—but was unable to perceive what action could take place upon it.

upon it.

Mr. ELLSWORTH wished to make a single remark. This was an application from two citizens of the United States in bondage, who appealed through their friends to know whether they were to be kept in prison. The question is, what is to be done? That did not belong to the Committee on Indian Affairs. Though the gentlemen from New York, (Mr. Beardsley) does not see what can be done, he hoped some mode would be devised to relieve our citizens from bondage. For this purpose it would be most proper to send the memorial to a Select Committee.

Mr. REED said the memorial was from a respectable source, and he was disposed so treat it with respect. The great question is what can be done on the subject to which it refers? It had often been stated as a reason for referring a subject to a select Committee, that it was very important. This was said by the gentleman from Georgia (Mr. Wayne) when the memorial of the U. S. Bank was presented. This subject was of sufficient importance as well as novelty, to go to a select committee. He hoped the House would send it to a select committee. He hoped the House would send it to such a Committee who would give it the attention it deserved.

Mr. FOSTER thought the first enquiry should be, Who are the parties before the House? Every member of this House was willing to redress an actual grievance: Who is to be redressed in this case? Do these memorialists appear here as attorneys in fact for the missionaries who are imprisoned? These men are imprisoned for offence against law: Can this House afford them aid? Can we pass an *ex post facto* law, which will reach their case? All this difficulty arises from not considering that this memorial

was framed some weeks ago, when the recent decision had not taken place. The case has now been adjudged. Shall a Committee of this House bring in a grave report on this subject, after the prisoners have been enlarged under a mandate of the Supreme Court? But, suppose they are not enlarged: What can this House do? Shall we issue a *Habeas Corpus*, to bring these missionaries before us? This House can clothe the mandate of the Court with no additional power. If it is necessary to send this memorial to any Committee, it should go to the Committee on Indian Affairs, the appropriate Committee, by the rules of the House.

Mr. DICKSON thought some action of the House necessary upon this memorial. The argument of the gentleman from Georgia, [Mr. Foster] went to prove that no action of the House was necessary.— Whence has this memorial emanated? From some thousand petitioners in the State of New York. It came from a respectable source, and is entitled to respectful consideration. What does it refer to? To two free white citizens of the United States who are incarcerated in a dungeon in Georgia, by the laws of that State, which are at war with the laws of the United States. The parties are these two citizens and the State of Georgia. No wrong done to the

Indians is set forth—nothing belonging to the Committee on Indian Affairs—but a question of general policy that has for years agitated the nation. By another branch of the government a solemn decision had been lately made on the subject of the laws of Georgia, by which the prisoners were entitled to their liberty. In answer to the question what can we do, it is proper to regard passing events. After writ of error was issued, the subject was brought before the Legislature of Georgia. The last act passed by that body, was a declaration directing that no attention be paid to the order of the Court. Is it not

proper to aid the Executive of the Union in the execution of the laws under such circumstances? If the decisions of the Supreme Court are to be disregarded by the States, the Union is a rope of sand, and our boasted liberties are gone. Whether any measures will be necessary, he would not say, until it was known whether the power of the General Government would be defied. What ought to be done, was a proper subject of enquiry. As Indians are not drawn in question, the Committee of Indian Affairs is not the appropriate Committee. It should rather go to a Select Committee.

Mr. DRAYTON regretted the subject was brought before the House because, to speak in the most moderate terms, the discussion was unnecessary.— Suppose the House had now before it the report of a Select Committee, framed according to the wishes of those gentlemen who support that reference. What would it contain more than that the laws and treaties referred to in the memorial ought to be executed. Wherein would the situation of the House then differ from its present situation? He thought the laws of Georgia were not at variance with the constitution. Other gentlemen profess to think otherwise. * But what subject is there for legislation? Is it the action of the Executive power

upon the decision of the Supreme Court. Can we, by any legislative act enforce the Executive to perform his constitutional duties which he has solemnly sworn to discharge? Have we more right to dictate to him, than he to us? We are equally sworn to discharge our respective duties. Shall we then construe the laws and treaties referred to for the benefit of the Judiciary branch of the government? Not a member would consider that within our duty.— What then are we to do? If we cannot act, where is the benefit of a report? It would be a barren and unprofitable exercise of opinion. It could have no other effect than to madden public opinion, already excited in the highest degree. Is this House convened for such purposes? If we do aught which

tends in the remotest degree to lessen the public confidence and general safety, are we not wanting in our duty to the constitution and the laws? Should we not by such measures violate what we are relied on to sustain? The questions raised by this memorial have been submitted to the highest tribunal.— They have been decided. Whether the mandate of the court will be executed, he could not assert, nor deny. Any thing asked for within the power of the general government, had so far been accomplished. Any further discussion upon the matter, could lead to no beneficial result. It could only render reason mute, and lead passion to usurp its office. He would

not dwell upon the effect of such discussions upon a proud and chivalrous State. All the benefits that could be drawn from this memorial had been received. He had voted against laying it on the table from respect to the signers. It had been discussed in a manner indicating no little warmth. In order to its consideration at a period when the feelings of gentlemen might be more calm, he would move its postponement to this day fortnight.

Mr. DAVIS, of Mass. said, in accordance with the suggestion originally made by the Chairman of the Committee on Indian Affairs, (Mr. Bell,) he wished the gentleman would withdraw this motion, to enable him to move the reference of the memorial to the Committee of the Whole on the State of the Union.

Mr, DRAYTON assented.

Mr. DAVIS said if he was sensible of acting under the influence of any undue warmth, he would not address the House at this time. He agreed with the gentleman from New York, (Mr. Beardsley,) that citizens have a right to address their petitions in a respectful form to this House. They should be disposed of in a manner consistent with the character of this body. This memorial is before us. What question can be now raised on it? Upon an alleged violation of certain laws of Georgia, two citizens had been arrested, tried, convicted, and sentenced to punishment. They had applied to the Supreme Court for redress. The judgment had been pronounced illegal and void, after a fair and patient hearing. After all this

has happened, this memorial is presented. —
~~are we called on to interfere in the enforce-~~
ment of the law? Whatever suggestions of
resistance may be made, it becomes this House
to act with intelligence. Why act at all? Do
we desire to anticipate resistance? He would
anticipate no such thing. It was not the
first instance of reversal of judgment un-
der a State law. Such results had been
repeatedly acquiesced in. It was the
proud character of the people of every State
of the Union to respect the laws. The beau-
ty and harmony of our government depends on
the affection of our citizens to the laws, and
not on their adherence to men. Whenever
the power of the laws shall cease, and men

shall rule, our boasted liberties will be prostrate. He would assume no such probability. Every thing was now calm. When the storm rises, it will be ample time to provide for it. He would not distinguish this memorial from the many others that had been presented. Let it follow them. He thought the suggestion of the Chairman of the Committee on Indian Affairs, [Mr. Bell,] on the first presentation of the memorial, indicated the proper course. He therefore moved to refer the memorial to the Committee of the Whole on the state of the Union.

Mr. CLAYTON said, the calm, enlightened course of the gentleman from Massachusetts, (Mr. Davis) would, he hoped, restore equanimity of temper to every person in the House. For himself, he came into the House after the memorial was read, and had been so placed as to hear very little that had fallen from the gentleman from Massachusetts (Mr. Adams) who presented it; but he was informed it was a memorial from the State of New York, on a subject deeply affecting the State he had the honor, in part, to represent. He had been led to believe that it contained allusions of an indecorous character toward that State. He felt it to be his duty not to suffer

such allusions to pass without comment. The State of Georgia was decided on this subject. Her situation with regard to the Cherokee nation, had been but little understood out of the State. As early as 1811, two men travelling through the nation, by the road which is the great thoroughfare between the sea-board and the west, were attacked by the dog of a white man—for the nation is filled with whites. The dog was shot—after an altercation the white man who lived in the nation

was killed. The murderers were apprehended, and brought before the State Courts.— In consequence of the provision in the constitution, that all criminals should be tried in the county in which the offence was committed, they were acquitted. They were afterwards held to answer in the Circuit Court of the United States. They were then discharged for want of jurisdiction. Here a gross and outrageous murder was unpunished for want of jurisdiction in the courts. At the next session of the Legislature, the Cherokee nation was attached to certain adjoining counties for the purpose of criminal jurisdiction.

Mr. MERCER rose to order. He wished to know whether it was competent to go into this general discussion on the question before the House?

The SPEAKER said the range of debate was too wide.

Mr. CLAYTON said his remarks had a precise application to the subject before the House. No person had a higher opinion of Indian rights than himself. He had sacrifi-

ced himself, by conscientiously upholding those rights in the discharge of official duty. A short time since a white man had hired a horse of an Indian to go to a certain place. When he arrived there, the person he wished to see had gone four or five miles from home and he followed him in order to transact his business. On his return he stated the necessity he had been under to go further, upon which he was taken by the Indians as a horsethief—tried in the woods—and 50 lashes inflicted on him. Such has been the treatment of the citizens of Georgia. If

the State cannot exercise jurisdiction over this territory it must inevitably become a den of thieves and murderers—of out-laws among whom no white man can pass but at the hazard of his life. Will the State permit its citizens to be scourged by savages? That would be worse than the enormities of Verres. Many other grievances might be related. Other States have managed their Indians as they have pleased—they have appointed guardians over them to manage their concerns—Georgia is the only State from whom all power on this subject is to be taken. Will this

House erect itself into a court of inquisition to enquire into the conduct of the States? Is this case to afford a precedent of the supervision of Congress over the legislation of the States? Such a power was proposed in the convention which formed the Constitution of the United States, but was rejected. Shall Georgia be deprived of the right secured to all the other States in the Union? He begged gentlemen to reflect on the consequences. He thought the memorial should be laid on the table.

Mr. CAMBRELENG hoped the motion of the gentleman from Massachusetts [Mr. Davis] would be agreed to. He had voted to lay the memorial on the table. He should not have risen but from the remarks of the gentleman from South Carolina [Mr. Drayton] as to the motives of his vote against that proposition. He had too much respect for the ninety one members of the House who voted in favor of the proposition to suppose any disrespect to the signers of the memorial was intended. It was signed under a different state of things than that which now existed. The

decision of the Supreme Court had not then been made. The effect of referring it to the Committee of the Whole on the state of the Union was the same as laying it on the table. He could not imagine how this House could act on it without interfering with the Judiciary and executive departments of the government.

Mr. DODDRIDGE said he should vote in favor of the proposition of the gentleman from Massachusetts, [Mr. Davis.] In the course of three weeks we should learn whether the mandate of the Supreme Court would be obeyed. It would then be in the power of the House take to up the subject at any time.

Mr. CLAY said the memorial was on its face directed against the State of Georgia.— It was due to the House, and to candor, to state, that the State of Alabama was as much involved in this matter as Georgia,—as was also the State of Mississippi. Why was this House called on at all? Have we officers who are appointed to carry laws into effect? Why is this memorial presented on the first business day, after the decision of the Supreme Court, which has been so triumphantly alluded to by the gentleman from Massachusetts [Mr. Adams]. Is Congress the proper department of the government to carry laws

and treating into generation. As stated by the gentleman from Georgia [Mr. Clayton] of the necessity of exercising jurisdiction over the Indian territory, he had personally witnessed the discharge of a murderer and a thief, at the same term of the Court, for want of jurisdiction. To prevent that territory from being a harbor for out-laws, Alabama was compelled to adopt similar measures to those of Georgia.

Mr. DODDRIDGE enquired whether it was in order to go into this general range of debate?

The **SPEAKER** said the question was debatable, and gentlemen had been cautioned to keep within the range prescribed by the question before the House.

Mr. CLAY said, he did not intend now to go into the general merits of the case. He could not excuse himself from stating the application of the views that had been thrown out to the State of Alabama. Her Courts had convicted a white man for the murder of an Indian, in consequence of her laws which assumed jurisdiction over the Indian territory, and he had expiated his offence on the gallows. Gentlemen coming from distant quarters of the Union cannot appreciate the state of things that exists in those States having Indian territories placed without the pale of the law.

Mr. **BURGES** went at length into the consideration of the relations between Georgia and the United States, from the revolution to the present time, in which he expatiated on the obligations that State was under to the United States, of which he said her citizens could never be insensible. No citizen, much less a State, could treat the opinions of the Supreme Court with contempt. A Bedouin on the sands of Arabia would treat the opinion of such a tribunal with deference. He hoped the memorial might go to the Committee of the Whole on the State of the Union.

Mr. STEWART did not rise to protract a discussion which was calculated not only to excite improper feelings here, but out of the House. To prevent further debate, he moved the previous question.

Mr. WICKLIFFE enquired what the main question would be, if the previous question was sustained.

The SPEAKER replied, it would be whether the memorial should be referred to the Committee of the Whole on the state of the Union.

Mr. STEWART withdrew his motion at the request of

Mr. ADAMS, who wished to express his regret that it was not in his power to accede to the motion of his colleague [Mr. Davis.] He had not sought the presentation of the memorial. Why it had not been sent to one of the three gentlemen who represented the city of New York on this floor, was probably, not from any disrespect to them, but on the other hand to relieve them from a task which was thought to be unpleasant to their feelings.

It was not an agreeable one to himself. But being called on without previous communication of his views—for though a letter had been addressed to him, he had not found time to answer it—he felt it his duty to give the memorial a direction which he thought most agreeable to the signers, by moving its reference to a Select Committee. He thought the circumstances stated in the memorial required action on the part of the House. The

gentleman from Georgia, (Mr. Clayton,) had referred to the Roman tyrant whose enormities, had called forth the splendid efforts of the Roman orator. The exclamation of the sufferer, in the case stated by Cicero, was, "I am a Roman citizen." Are not these persons who are incarcerated by Georgia, equally entitled to say, "We are citizens of the United States?" Are not this House the guardians of the freedom of the citizens of the Union? He could not assent to the motion, because it was substantially the same as laying it upon the table.

Mr. WARDWELL said, his views on this subject were somewhat different from those he heard expressed from any quarter. He had regarded this matter with intense interest. He had witnessed the excitement that prevailed in many parts of the country, both in and out of the pulpit, in relation to the Missionaries who had been convicted of a violation of the laws of Georgia. They had been offered a pardon—this they refused—they preferred an appeal to the Supreme Court. High excitement had been created by public meetings.

Their friends had got up this memorial with some view to the action of this House. But had the decision of the Supreme Court been then known, he felt confident that many names that were now upon it, would never have been signed. Every thing necessary, has been now done. Why should this memorial go to a Select Committee? no steps can now be taken, and it ought now to be laid on the table. As such a motion would not be in order, he should vote to send it to the Committee of the Whole on the state of the Union.— It would then rest until it should be specially called up.

The previous question was then put and sustained—Ayes, 90—Noes, 64.

Mr. WICKLIFFE called for a division of the main question.

The first branch of the main question—Shall the memorial be committed?—was then put.

Mr. ADAMS called for the Ayes and Nays on this question, which were ordered, and were as follows:

YEAS—Messrs. Adams, C. Allan, Allison, Appleton, Armstrong, Arnold, Babcock, Banks, N. Barber, Barringer, Barstow, I. C. Bates, J. Briggs, Bucher, Bullard, Burd, Burges, Cahoon, Chandler, Choate, Collier, L. Condict, S. Condit, E. Cooke, B. Cooke, Cooper, Corwin Coulter, Crane, Crawford, Creighton, Daniel, J. Davis, W. R. Davis, Dearborn, Denny, Dickson Doddridge, Drayton, Duncan, Ellsworth, G. Evans, J. Evans, E. Everett, H. Everett, Fitzgerald, W. Hall, Heister, Hodges, Hogan, Hughes, Hunt, Huntington, Ihrie, Irvin, Jenifer, Kerr, Leavitt, Letcher, Marshall, Maxwell, McCarty, R. McCoy, McKennan, Mercer, Milligan, Newton, Pearce, Pendleton, Pitcher, Potts, Randolph, J. Reed, Russel, Shepperd, Slade, Smith, Southard, Stanbery, Stewart, Storrs, Taylor, J. Thomson, Tompkins, Tracy, Vance, Verplanck Vinton, Washington, Watmough, Wilkin, Wheeler, E. Whittlesey, F. Whittlesey, E. White, Wickliffe, Williams, Young—96.

NAYS—Messrs. Adair, R. Allen, Anderson, Angel, Archer, Ashley, J. S. Barbour, Barnwell, J. Bates, Beardsley, Bell, Bethune James Blair, John Blair, Boon, Bouck, Bouldin, Branch, John Brodhead, John C. Brodhead Cambreleng, Carr, Carson, Chinn, Claiborne, Clay, Clayton, Coke, Connor, Davenport, Dayan, Dewart, Doubleday, Felder, Foster, Gaither, Gordon, Griffin, Harper, Hawes, Hawkins, Holland, Horn, Howard, Isacks, Jarvis, Jewett, R. M. Johnson, Cave Johnson, C. C. Johnston, Kavanagh A. King, J. King, H. King, Lamar, Lansing, Lecompte, Lent, Lewis, Lyon, Mann, Mardis, Mason, W. McCoy, McDuffie, McIntire, McKay, T. R. Mitchell, Muhlenberg, Newnan, Nuckolls, Patton, Pierson, Polk, E. C. Reed, Rencher, Roane, Root, Scule, Speight, Standifer, Stephens, F. Thomas, Wardwell, Wayne, Weeks, C. P. White,—93.

The question to refer the memorial to the Committee of the Whole on the state of the Union, was then carried without a count.

The House then adjourned.