

late war, had awakened the nation to a just sense of the importance of military science and preparation for a state of hostilities. Who did not shrink from such calamity and disgrace! He remembered them with shame and with horror. He had seen the face of the nation turn pale—the coldness of death had seized upon the extremities of the empire, and was creeping towards the heart—nay, it had reached the heart! It was to prevent the recurrence of such scenes, the repetition of such disasters, that he anxiously wished the passage of this bill.

To excite opposition to this bill, his colleague had poured forth a torrent of indignation against the late war. Mr. H said no one more deeply lamented, nor more sincerely censured, the declaration of that war than he did. He considered it a rash and desperate measure. But the storm had passed over, and it was time to repair the ruins it had made. He had already declared, and he took this opportunity to repeat the declaration, that he respected the message of the President as the harbinger of better times; the measures it recommended, and the spirit of conciliation it displayed, were worthy of the chief magistrate of a great and enlightened people. This Mr. H said was one of the measures so recommended; and he would cheerfully give it his support, because he thought it calculated to promote the best interests and glory of his country.

Mr. JOHNSON said it had been his duty to address the house so frequently on this interesting subject, that it was with reluctance that he now had to answer some remarks which had fallen from two gentlemen from Massachusetts (Messrs. King and Hulbert.) He had been very much pleased with the greater part of the observations of the gentleman last up (Mr. Hulbert.) He said he reciprocated many sentiments which had been expressed, many he admired, and many had a direct tendency to enlighten; in fact strong evidence had been given of a liberal support of the bill, and enlarged views of the beneficial results of military instruction. The same magnanimous course might have induced an omission of expressions calculated to excite party feelings and recrimination. He said he had indulged in a hope that the observations of yesterday would have been verified, viz: that nationality of sentiment prevailed in this house, and that on this occasion there would be an amalgamation of feeling and a union of sentiment; but the strong language of the gentleman today had lessened that hope, for the gentleman is pleased to say that he holds in the greatest abhorrence and detestation the declaration of war against Great Britain—and Mr. Johnson said he must declare with equal sincerity that he recollected with equal abhorrence and detestation the violent opposition to that war, and that disaffection to the constitution which prevailed in many parts of the U. States, and in none to a more criminal extent than that in which the gentleman resided.—It cannot be denied that the want of a proper system of military instruction previous to the war, as proposed by this system, was the cause of some of our difficulties, and this argument in favor of the bill is entitled to consideration; but disunion was the chief cause of those calamities and disasters which afflicted the nation, and to which the gentleman alludes. No necessity existed, if time allowed, to bring to the recollection of the house the example of Spain in her resistance of Imperial France, and the example of France in submitting to the invasion of the allies. The history of the United States would furnish memorable examples of the glorious achievements of a manly, vigorous, and united resistance, and the evils of faction and the division of sentiment which relied upon the magnanimity of a most implacable enemy; it was this mean submitting spirit, united to an incessant opposition to the administration, the object of which was power, that the most of the disasters and evils of the war may be attributed—these facts cannot be disguised; they are known to the people, and they think accordingly. This was not a proper occasion to detain the house upon the subject of the war, but as great anxiety had been manifested to invite a discussion of that subject, whenever the proper time should arrive it would not be improper to examine the conduct and merit of those who declared the war and supported it; and those who opposed it and made use of every exertion in the councils of the nation and out of it to prevent a glorious termination of the war. Such inquiry may be useful in affording the people a better opportunity in the hour of calm reflection to decide the merit of the two parties in the nation. But the same gentleman had made use of another expression which deserved notice; viz: that at a certain period of the war good men of all parties looked pale, and in fact the sleep of death had seized the extremities of the nation. It is not denied that this remark may apply to that part of the Union which that gentleman represents—he may have seen and felt this grips of death, and this may have been the efficient cause why the arm of the government was so feeble in that quarter as to prevent the hardy recovery

of Maine from driving the enemy from Castine.

But Mr. Johnson said he hoped he should be excused in stating that no such alarm existed in the West; no pale faces were seen, nor did the grips of death seize that part of the Union. The people felt indignant, but no alarm nor disappointment at the savage and barbarous conduct of the enemy—those who lived during the revolution or had read its history expected such conduct from Great Britain as soon as war was declared: but this consideration could have no other effect than to unite the friends of liberty and those who loved their country. The declaration of war involved many calamities—this was known to every reflecting mind, and the patriot considered these a lesser evil than farther submission to foreign encroachment. The murder of the wounded soldier, the profanation of the temples of religion, and the destruction of many villages, only proved the greater necessity there was to oppose that nation which threatened our existence as an independent government. On other occasions, Mr. Johnson said, the other gentleman (Mr. King) had indulged in ascribing hidden and ambitious views to the President of the United States. It was not necessary to account for such deadly hostility or personal hatred to a man whose public services had identified him with every wise measure of the government for upwards of 30 years, whose talents had always been the pride of his country, whose integrity could not be impeached, and whose moral character had gained the veneration and respect of all who knew him well; but it may be necessary to say, that on this occasion motives and hidden views had been most unnecessarily brought forward against the committee and also against the President who had publicly recommended this measure. Mr. Johnson said he was convinced that no gentleman upon reflection, who felt the strength of virtue in his own bosom could indulge in—[Here Mr. King explained, and Mr. Johnson declined to say any thing more.]

The committee then rose and reported the bill.

The question being on the number of cadets to be attached to the military academy or corps of engineers—

Mr. Pickering opposed the number of 800, which was proposed by the military committee.

Mr. FORSYTH was opposed to a reduction of the number. He was in favor of making such preparations as if we calculated on the recurrence of war. Was it not known, he asked, that the nation with whom we were lately at war—with whom we should in all probability before very long be again at war—was strengthening its frontier by repairing its old fortifications and building new ones? Was it not known that that nation had more than 14,000 regular troops on the frontier? What could be the object of this preparation? It might be merely defensive; he hoped it was so. Believing it to be the intention of the government of this nation to preserve peace, he trusted we should have it in our power. But the object of the British government may be different, & these preparations may have an offensive object. Our motions should be regulated by theirs; and, if the nature of our institutions forbids a large military establishment, preparations should be made in another way. On all hands it was admitted that the measure proposed by this bill, was the most efficient practicable mode of adding to our military strength; and he hoped the bill would not be limited in its scope to a smaller number than was proposed. In reply to the argument of the gentleman from Penn. that the youth educated at the academy would be fit for nothing but the military service of their country, he said, they would be as well fitted for entering into the walks of civil life, as those who had been educated in a different manner—and gentlemen could not seriously imagine any danger from turning out into the community two or three hundred well educated young men. As their services might be necessary for military purposes, and the knowledge they acquire would not in any event be lost to the country, he hoped the number would not be diminished.

Mr. CALHOUN also opposed the reduction of the number of cadets; because, if the present number were retained, it would afford ample room for a proper selection of officers. In other point of view, he thought it materially necessary to retain the proposed number. The whole population of the United States is composed of men active, vigorous and spirited. With good officers to lead them, you may at any time make out of any portion of them active, good soldiers. What is requisite to make our militia efficient? Military knowledge, only, said Mr. C. The Cadets will many of them return to the body of the people, and become a part of the militia. Suppose a renewal of the struggle between us and the nation with whom we were recently at war; suppose she should put forth her whole strength to crush this young country; we shall then find the use of having men qualified to lead our citizens to meet her invading foe. The whole population of the country becomes an efficient force, because it has among it men properly educated

and qualified to lead an army into the field. Every citizen of a free country, and of course of this country, said Mr. C. has two duties to perform; the duty of defending his country by arms if necessary, and the duty of voting, and thus participating in the management of the affairs of his country. Every young man of ardent feeling will desire to qualify himself for their proper performance. These are duties which every citizen ought zealously to perform, and from which, if the people ever shrink, our nation will not long have existence. Mr. C. appealed to the history of Republics, which had so often lost their liberties from the indisposition of the citizens to perform their share of military duty. It ought to be the object of a wise government to resist a tendency towards apathy in the people; to diffuse military science.—The dependence on regular force merely was a contracted idea, which he hoped this house would not give into. The army, Mr. C. said, was, and ought always to be, a respectable part of the military force of the nation; but a well organized militia is its bulwark; and they are but a rabble without discipline. Hence the necessity for the free diffusion of military science. He hoped, therefore, the largest number of cadets proposed to be authorized, would be agreed to.

[The number was eventually fixed, by a vote of the House, at 600.]

### SENATE.

FRIDAY, JAN. 19.

The consideration of the bill to regulate the commerce between the United States and the territories of Great Britain, according to the convention of commerce, &c. was resumed.

After some further debate, the question on its passage to a third reading was decided as follows:

YEAS—Messrs. Bibb, Condit, La-cock, Macon, Morrow, Roberts, Ruggles, Taylor, Varquim, Wilson—10.

NAYS—Messrs. Barbour, Barry, Brown, Chace, Daggett, Dana, Fro-mentin, Gaillard, Goldsborough, Hor-sey, Howell, Hunter, King, Mason, (N. H.) Talbot, Tait, Thompson, Tich-ener, Turner, Wells, Williams—21.

So the bill was rejected.

In the Senate, the bills for continuing the double duties on imports, the stamp duties, the duties on refined sugar, and the bill for reducing the duties on postage to their old rates, have passed through their first stages.

### Kentucky Legislature.

#### SENATE.

##### FARMER'S BANK.

The bill from the House of Representatives, to incorporate "the Farmer's Bank of Kentucky," was taken up, and after some discussion, the question was taken—"shall the bill be read a second time?" and it was resolved in the negative. The yeas & nays were as follow:

YEAS—Messrs. Bullock, Bartlett, Chaplin, Churchill, Gorin, Helm, Lancaster, Mason, Owens, Sharp, South, Simrall, Thompson, Wickliffe, and Wood—15.

NAYS—Messrs. Bowman, Chambers, R. Ewing, Y. Ewing, Faulkner, Griffin, Garrard, Jones, Perrin, Parks, Ray, Sebree, R. Taylor, H. Taylor, Worthington and Welsh—16.

The bill to lay off the Assistant Judges, and raising the salary of the Circuit Judges, has passed both houses. The salary is fixed at 1200 dollars.

#### HOUSE OF REPRESENTATIVES.

##### NEW BANK BILL.

On Wednesday last leave was asked and obtained by Mr. Harrison to bring in a bill to incorporate two independent Banks. The bill was accordingly introduced. One is to be established at Louisville, with a capital of 500,000 dollars, and one at Lexington, with a capital of the same amount—subscriptions to be made entirely in specie; and when they cease to pay specie for their notes, to forfeit their charters. The yeas and nays were taken on leave, and carried by a considerable majority. The disposition of this branch of the Legislature may be pretty well ascertained from their vote.

Court of Appeals again.—A bill has progressed in the House of Representatives to its third reading, to remove the Court of Appeals from Frankfort to Bardstown. Its passage can hardly be calculated on.

#### TRANSYLVANIA UNIVERSITY REPORT.

The following is the report of the committee, upon which the bill before the House of Representatives is bottomed:

The select committee appointed to enquire into the situation of the Transylvania University, have performed the duty to them assigned, and concur in the following report, to wit:

A letter was addressed by the chairman of the committee to the chairman and board of the trustees of that institution, which drew forth the response returned with this report for the inspection of the house; which letter and response are in the following words; and made a part hereof:

Before the committee a delegation of the board has appeared and answered the enquiries propounded to them.

On the order of the committee the record books have been produced and examined; and witnesses named by one of the professors have given information on the subject of enquiry. Other members of the board were summoned, who did not attend, so that your committee can assure the house; that they have heard testimony from one side, viz. That of a majority of the board alone, and on this they predicate the facts and opinions here suggested. They repeat that they have had before them the evidence of one side only, for with regret they discover that division and party feelings exist in the board. During former years, while the institution was in its infant state, like the country in which it is situated, it promised fair to become the seat of science, and hopes were entertained that it would tower above other Seminaries in the western country.—Till this period its funds have increased with the population and wealth of the state. Its present annual revenue, exclusive of the contingent fund of tuition, is about 3100 dollars, and the funds now existing, if properly managed, could be made to ensure a much larger sum. But the character of the institution and number of students, have lately sunk more rapidly than its wealth has risen. At this time, in the language of the board, "its standing is low, very low." Its number of students is small, compared with that of former years; and is composed chiefly of children, which rival institutions, on private establishments, to the number of two at least, exist in the same town: one of these of considerable magnitude, filled with youth of more mature age; extending from employers a price for tuition about triple the price demanded in the University, eclipse the government School. To the causes of this decline your committee have directed their attention, and are not satisfied with those assigned in the reply of the board. The reduction of the institution by the late war, and increased prices of boarding, your committee views as partial only. Other institutions dependent on private countenance & public opinion alone, having in view the same objects, flourish in the same place, the war and high prices of boarding notwithstanding. A more serious difficult cause exists: an ulcer, cancerous in its nature, which if not thoroughly probed and soundly healed, will not only vitiate, but totally consume the system. The board is divided. Their efforts are not united in favor of one set of men or measures. So marked is this division on their records, that in Legislature order, their names appear on their records by yeas and nays: so that each party may bear their respective portions of responsibility.—In the division, your committee discovers nearly a uniform number of members composing a majority, classed by character on one particular side of politics and religious sentiment.—The minority is respectable, and composed of gentlemen of characters at least equal to those of the majority, and possessing a large share of public confidence. In this division, religion and politics which divide the world, your committee believe, have an influential operation. Here your committee would not be understood to mean, that any member of either the majority or minority is irreligious; or that any of the members wish to favour the appointment of irreligious professors, or are willing to introduce into the institution infidels or atheists. Such a course your committee believe would be as much detested by both parties, as it can be by your committee. But they do not hesitate to assert, that in the majority of the board, there has grown up too strong a predilection for a principal and professors of peculiar and uniform sectarian principles. No permanent President has been appointed for a period of eight or nine years. During that long period, a gentleman has filled the chair by appointment pro tempore, although the board is now able to ensure a salary of upwards of 2000 dollars; a sum, in the opinion of your committee, sufficient to command talents of the first order. This failure to find an individual capable of drawing public confidence to the institution, and reviving its decayed condition, is an error.

Last spring Doct. Romaine, of New York, was appointed President; he declined accepting it as the board's alleege. Sometime after, Doct. Holley, of Boston, was chosen. Both of these appointments seem to have been made without previously consulting the appointees. A committee of the board was directed to correspond with Doct. Holley, and solicit his acceptance. Before the committee had performed their duty, a board was convened, and the authority of that committee suspended; not because the capacity or talents of Doct. Holley were doubted, his moral conduct reproachable, or his christian department called in question, but merely because it was reported that he had adopted some sentiments formerly entertained by the celebrated orator Priestly, which did not exactly quadrate with Calvinistic orthodoxy. This decision in favor of sectarian tenets, your committee cannot admire.

The board appears to regret what

they are pleased to term unwarrantable attacks on their principal, by the publications and verbal assertions which assign this as one of the causes of decline of the institution. These attacks your committee are sensible have been made, but whether justly or they will not undertake to determine. It is certain that that gentleman did possess the undivided confidence of the public when last appointed. Of the minority of the board appointed have been sensible, and tendered a resolution declaring it inexpedient to appoint him as professor. This resolution was laid on the table by the majority without any direct determination, and the same gentleman immediately appointed professor for five years. This drew forth a protest from the faculty, calculated still more to weaken the tottering public confidence reposed in that reverend professor. Since that period the duties of the student have been again assigned, and now exercised by that gentleman. Your committee cannot close their report without alleging that the position taught in the institution, have been pure. Unlike to our government, its acts, have been discovered by the faculty in the presence of the student even to irritability. The British institution has been represented as possessed of beauty and elegance, beauty and elegance have been portrayed and recommended to the students in lectures and dissertations, while our own structure of government was wholly neglected. With that Britain never once, in the hearing of the witnesses, was our constitution trusted; or its super-excellence, the topic of discussion. Lessons of nature impressed on the youthful minds of your committee conceive have a tendency. The youth of the day, the hope of the entering age, and the future destinies of the nation must be wielded by the boys of the present time. Their minds, therefore, ought to be kept pure and uncontaminated by harrangues and dissertations delivered with perceptive authority, which lead them to admire the political maxims of foreigners, more than our own. Your committee have turned their eyes to the remedy for these evils; and have been led to recommend not a reduction of the board in number, but a new appointment of members, and that the term of service be shortened to two years, and that future elections of members be made by the legislature. They therefore recommend to the house the adoption of the following resolution, to wit:

Resolved, That a law ought to be passed appointing new trustees in the Transylvania University, to hold their offices for two years, and that biennial elections to supply the board shall be made by a joint vote of both branches of the general assembly.

[REPORTED FOR THE PALLADIUM.]

TUESDAY, JAN. 30.

The senate have passed a bill to prevent gambling.

Mr. Marshall reported a bill for the classification of tobacco—after considerable discussion on the merits of the bill, it was passed by yeas and nays a second reading—64 to 6.

WEDNESDAY, JAN. 31.

Mr. Marshall reported a bill in conformity with the petition of A. Street and L. Munsel, granting them the relief they required to enable them to complete their map of the state.

THURSDAY, FEB. 1.

#### TRANSYLVANIA UNIVERSITY.

The bill further to regulate the Transylvania University was read a second time. A motion was made to strike out eleven, as the number of trustees hereafter, and to insert thirteen, which was adopted. A list of thirteen names was then offered by Mr. F. Johnson, as the trustees now to be appointed.—They were, Messrs. Bradford, Clay, Bibb, Breckenridge, Mason, Hawkins, Cloud, Ward, R. Trimble, H. Taylor, N. Hart, P. Dudley, and T. Crittenden.

Mr. Rowan moved to lay the bill on the table for the present. He thought if the institution were touched at all, if the legislature should alter the charter for the purpose of reform, that removal from Lexington should take place. He wanted time to prepare an amendment to the bill, that he would have the amendment ready in the morning. Danville was the place, to which he proposed to remove it.—At Lexington it would be under in proper influence, from which he wished to have it freed. He also objected to its continuing in a town so large as that, on account of the many means of corruption, the morals of youth, which existed so large a place.

Mr. Todd replied. He thought the situation of a part of the property belonging to the University, was such, as would induce the house to vote against a removal. He said the lot on which the institution was located, had been given the institution on such conditions, that by a removal it would be forfeited and revert to the former owners. The board of trustees had proposed to remove it and sell the ground; but one of the former proprietors had notified them of his claim in case they removed the institution; and on inquiry into the situation of the case, they had abandoned the project. The lot was worth from 15 to 20 thousand dollars, and the