

this road under their charge. This difficulty will continue as long as appropriations continue to be made by Congress for its repair. Would you relieve Congress from all further attention to it? Give money enough to the States to put it in complete repair, and renounce all jurisdiction over it. Do this, and Pennsylvania will be herself again. The other States will not be backward in doing what is right in regard to it.

As to the amendment offered by a gentleman from Ohio, [MR. VANCE] if he will bring it forward in a separate bill, which shall give some assurance that the practice of the Government, in relation to Internal Improvement, shall be changed for the better, I will not only vote to give to Ohio the whole amount of the two per cent. fund, with interest, and without any deduction on account of what has been expended upon the Cumberland road, but I would most cheerfully vote to give double the amount demanded, if, in doing so, I could be cheered by the prospect of a remedy for the mischiefs which, I am persuaded, must attend an adherence to the present system.

[The Committee then rose.]

WEDNESDAY, FEBRUARY 11, 1829.

AMENDMENT OF THE CONSTITUTION.

Mr. SMYTH'S resolution on the amendment of the Constitution, coming up as the unfinished business of yesterday, and the mover being entitled to the floor, not having concluded his remarks yesterday when the hour expired,

Mr. SMYTH said that, in the hope that the House would be able to come to a decision on the subject of the resolution this day, he should waive his right of farther reply to the gentleman from Pennsylvania, [MR. SERGEANT] and for the purpose, as well of hastening such decisions as of disembarassing his resolution from all amendments, he would ask the previous question. The call for the previous question was not sustained by the House: Whereupon,

Mr. SMYTH moved the postponement of the subject until to-morrow.

Mr. WRIGHT, of Ohio, spoke in opposition to this motion, and in favor of considering and deciding upon the resolution to-day; but having continued his remarks until the expiration of the hour allotted to reports and resolutions, the subject was laid over.

COUNTING OF ELECTORAL VOTES.

It being now twelve o'clock, the SPEAKER announced the special order of the day, which was the opening and counting the votes for President and Vice President of the United States: Whereupon,

Mr. P. P. BARBOUR moved that the Clerk announce to the Senate that the House was ready, on its part, to proceed to that duty.

The motion being agreed to—

The Clerk left the House, and seats having been prepared for the Senate in the vacant space in front of the Clerk's table, they soon after entered the hall, with the VICE PRESIDENT at their head, preceded by the Secretary and Sergeant-at-Arms of the Senate.

When the Senators had taken the seats assigned them, and the VICE PRESIDENT had seated himself at the right hand of the SPEAKER, the tellers, viz: on the part of the Senate, Mr. TAZEWELL, and, on the part of the House, Messrs. P. P. BARBOUR and VAN RENSSELAER, took their places at the Clerk's table.

The VICE PRESIDENT then, having before him the packets received, one copy by express, and one through the post office, from the several States, took up those from the State of Maine, and, announcing to the Senators and Representatives that those packets had been certified, by the Delegation from Maine, to contain the votes of that State for President and Vice President, proceeded to break the seals, and then handed over the packets to the tellers, who opened and read them at length. The same process

was repeated, until all the packets had been opened and read; when,

Mr. TAZEWELL, retiring to some distance from the Chair, read the following report:

No. of Electors appointed in each State.	STATES.	For President.		For Vice President.		
		ANDREW JACKSON, of Tennessee.	JOHN Q. ADAMS, of Massachusetts.	JOHN C. CALHOUN, of South Carolina.	RICHARD RUSH, of Pennsylvania.	WM. SMITH, of South Carolina.
9	Maine, - -	1	8	1	8	-
8	New Hampshire, - -	-	8	-	8	-
15	Massachusetts, - -	-	15	-	15	-
4	Rhode Island - -	-	4	-	4	-
8	Connecticut, - -	-	8	-	8	-
7	Vermont, - -	-	7	-	7	-
36	New York, - -	20	16	20	16	-
8	New Jersey, - -	-	8	-	8	-
28	Pennsylvania, - -	28	-	28	-	-
3	Delaware, - -	-	3	-	3	-
11	Maryland, - -	5	6	5	6	-
24	Virginia, - -	24	-	24	-	-
15	North Carolina, - -	15	-	15	-	-
11	South Carolina, - -	11	-	11	-	-
9	Georgia, - -	9	-	2	-	7
14	Kentucky, - -	14	-	14	-	-
11	Tennessee, - -	11	-	11	-	-
16	Ohio, - -	16	-	16	-	-
5	Louisiana, - -	5	-	5	-	-
5	Indiana, - -	5	-	5	-	-
3	Mississippi, - -	3	-	3	-	-
3	Illinois, - -	3	-	3	-	-
5	Alabama, - -	5	-	5	-	-
3	Missouri, - -	3	-	3	-	-
261		178	83	171	83	7

RECAPITULATION.

For President.

ANDREW JACKSON, of Tennessee, - - 178  
 JOHN QUINCY ADAMS, of Massachusetts, 83

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For Vice President.

JOHN C. CALHOUN, of South Carolina, - 171  
 RICHARD RUSH, of Pennsylvania, - - 83  
 WM. SMITH, of South Carolina, - - - 7

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The result of the election was then again read by the VICE PRESIDENT, who, thereupon, said:

I therefore declare that ANDREW JACKSON is duly elected President of the United States for four years, from the fourth day of March next, and JOHN C. CALHOUN is duly elected Vice President for the same period.

The Senate then retired.

THURSDAY, FEBRUARY 12, 1829.

PRESIDENT ELECT.

Mr. P. P. BARBOUR, from the Joint Committee appointed to ascertain and report a mode of examining and counting the votes for President and Vice President of the

FEB. 13 to 16, 1829.]

Cumberland Road.—Reprint of Congressional Documents.

[H. OF R.]

United States, and of notifying the persons elected of their election, reported the following resolution:

*Resolved*, That a committee of one member of the Senate be appointed by that body to join a committee of two members of the House of Representatives, to be appointed by that House, to wait on ANDREW JACKSON, of Tennessee, and to notify him that he has been duly elected President of the United States for four years, commencing with the 4th of March next.

A message was then received from the Senate, notifying the agreement of the Senate to the resolution recommended by the Joint Committee.

The resolution was then taken up by the House, and adopted, and Mr. HAMILTON and Mr. BELL were appointed the Committee on the part of the House.

#### CUMBERLAND ROAD.

Mr. LAWRENCE, having obtained leave to offer a resolution, offered the following:

*Resolved*, That the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill for the preservation and repair of the Cumberland road.

Mr. BASSETT moved the question of consideration.

On which question Mr. LEFFLER demanded the yeas and nays.

They were thereupon ordered by the House, and being taken, stood as follows: yeas 101, nays 73.

So the House agreed to consider the resolution.

It was then debated by Messrs. RAMSEY, MERCER, KREMER, and HOFFMAN.

Mr. RAMSEY wished to introduce an amendment to increase the toll by shortening the distance between the gates—insisting that the toll proposed by the bill would be insufficient to keep the road in repair.

Mr. MERCER opposed this view in point of fact, and contended that the toll was sufficiently high.

Mr. KREMER thought it necessary to inform the American People why he should vote differently now from what he had formerly done; which was, that the time had arrived when equal justice ought to be done to all. There was no reason why this road should be the cream of the milk; and Pennsylvania ought to have her share of the plunder. He should withhold his vote for the bill till some of the public money was sent his way along the road to Buffalo, &c.

Mr. HOFFMAN opposed the discharge of the Committee, lest the bill and amendment, coming into the House, the previous question should be moved and carried, and thus the amendment be lost.

The hour having elapsed—

Mr. STANSBERRY moved to suspend the rule; but it was negatived without a division.

The House then went into Committee of the Whole on the state of the Union, and took up the bill for the preservation and repair of the Cumberland road.

Mr. J. S. BARBOUR then took the floor in opposition to the bill, on constitutional ground.

He was followed by

Mr. STORRS, who advocated the bill, and opposed the amendments, as fatal to the system of Internal Improvement.

Mr. P. P. BARBOUR next rose, and replied with great warmth and severity to the several speeches which had been made in favor of the bill, insisting on the ground he had at first taken against its constitutionality.

Mr. BUCHANAN made a general reply to the objections urged in various quarters against the amendment; which he supported with much earnestness.

During a pause in his speech, Mr. KREMER moved for the rising of the Committee, but without success. He followed Mr. B. in some very vehement remarks.

The question was at length taken on Mr. VANCE'S amendment, and decided in the negative, without a count.

Mr. BUCHANAN'S amendment shared the same fate, being rejected by a vote of 76 to 66.

An amendment offered by Mr. RAMSEY was also rejected, without a division.

Mr. GORHAM then offered an amendment, which went to strike out the whole bill after the enacting clause, and substitute a provision to apply one hundred thousand dollars to the repairs of the road; but it was promptly rejected—yeas 50, nays 80.

The Committee then rose and reported the bill.

Whereupon, Mr. BUCHANAN offered in the House the same amendment he had moved in the Committee, and demanded the yeas and nays: which were ordered.

[No further proceedings took place on the bill this day.]

FRIDAY, FEBRUARY 13, 1829.

The House was principally occupied this day in the consideration of private bills.

SATURDAY, FEB. 14, 1829.

#### REPRINT OF CONGRESSIONAL DOCUMENTS.

Mr. BARRINGER obtained leave, and offered the following resolution:

*Resolved*, That the usual number of the documents of the House of Representatives, Executive and Legislative, up to the 13th Congress, inclusive, be printed under the direction of the Clerk of this House.

The resolution gave rise to a desultory conversation, in which Messrs. WICKLIFFE, EVERETT, WEEMS, BARRINGER, and FLOYD, of Virginia, took part, and which terminated in the reference of the resolution to the Committee on the Library, with instructions to report the number of documents intended to be printed, together with the probable expense.

MONDAY, FEB. 16, 1829.

#### CUMBERLAND ROAD BILL.

This bill being again taken up—

Mr. RAMSEY submitted the amendment heretofore offered by him in Committee of the Whole, to double the tolls on the road by placing the gates ten miles apart instead of twenty.

Mr. TAYLOR made a question of order, insisting that as this amendment, which goes to increase a tax, had not been adopted in Committee of the Whole, the House could not now receive it, under the rule on that subject.

The SPEAKER decided differently; and declared it sufficient that the amendment had been offered and voted on in Committee, whether the Committee adopted or rejected it.

Mr. RAMSEY advocated his amendment on the same ground he had taken in the Committee, viz: that the tolls in the bill would not be sufficient to keep the road in a proper state of repair.

Mr. MERCER opposed this view, and contended, that, by halving the distance of the gates, the amendment went to double the expenses of erecting them, and also, of the gate-keeper's salaries, and would not compensate for this by any corresponding benefit to the road.

Mr. STEWART read the statement of a superintendent on that part of the road which lies on this side of Cumberland, and on which tolls are collected, going to show that the tolls in the bill would be amply sufficient.

Mr. RAMSEY deprecated the idea thrown out by Mr. MERCER, that he was unfriendly to the object of the bill. He preferred the amendment, but, if it failed, would vote for the bill.

Mr. RAMSEY'S amendment was rejected.