TWENTY-NINTH CONGRESS,

FIRST SESSION.

IN SENATE.

MONDAY, December 1, 1845.

The first session of the 29th Congress commenced this day at 12 o'clock, conformably to the constitution of the United States; and the Senate assembled. There were present, from—

Maine.—Messrs. Evans and Fairfield.
New Hampshire.—Messrs. Atherton and Jenness.
Massachusetts.—Mr. Davis.
Vermont.—Messrs. Phelps and Upham.
Rhode Island.—Messrs. Greene and Simmons.
Connecticut.—Messrs. Huntington and Niles.
New York.—Mr. Dix.
New Jersey.—Messrs. Dayton and Miller.
Pennsylvania.—Messrs. Cameron and Sturgeon.
Delaware.—Messrs. Thomas Clayton and J. M. Clayton.
Virginia.—Mr. Archer.
North Carolina.—Messrs. Mangum and Haywood.
South Carolina.—Mr. McDuffie.
Georgia.—Mr. Colquitt.
Kentucky.—Mr. Crittenden.
Tennessee.—Mr. Turney.
Ohio.—Messrs. Allen and Corwin.
Indiana.—Mr. Hannegan.
Louisiana.—Mr. Johnson.
Mississippi.—Messrs. Speight and Chalmers.
Illinois.—Messrs. Breese and Semple.
Alabama.—Messrs. Bagby and Lewis.
Missouri.—Messrs. Atchison and Benton.
Arkansas.—Messrs. Ashley and Sevier.
Michigan.—Mr. Cass.
Florida.—Messrs. Levy and Westcott.

There being a quorum in attendance,

The PRESIDENT, (the Hon. GEORGE M. DALLAS,) at 12 o'clock, m., called the Senate to order; and, after a prayer by the Rev. Mr. S. Tuston,

Mr. SEVEIR presented the credentials of the Hon. HOPKINS L. TURNEY, elected by the legislature of Tennessee for six years—from the 4th of March, 1845, to the 4th of March, 1851.

Mr. SPEIGHT presented the credentials of the Hon. JOSEPH W. CHALMERS, appointed by the governor of Mississippi to fill the vacancy occasioned by the resignation of the Hon. R. J. Walker, and to serve until superseded by an election by the legislature of that State.

Mr. CRITTENDEN presented the evidence of the election, by the legislature of Massachusetts, of the Hon. JOHN DAVIS, to supply the vacancy occasioned by the death of the Hon. Isaac Bates, and to serve for the unexpired term, until the 4th of March, 1847.

Mr. ATHERTON presented the credentials of the Hon. BENJAMIN W. JENNESS, appointed by the governor of New Hampshire to fill the vacancy occasioned by the resignation of the Hon. Levi Woodbury, and to serve until the next meeting of the legislature of that State.

The PRESIDENT presented the credentials of the Hon. DAVID LEVY and the Hon. JAMES D. WESTCOTT, jr., elected by the legislature of Florida to serve from July, 1845, during and until the expiration of such terms as may be determined by the classification of the Senate.

The credentials were severally read; and the oath prescribed by law was administered to the Hon. HOPKINS L. TURNEY, the Hon. JOSEPH W. CHALMERS, the Hon. JOHN DAVIS, the Hon. BENJAMIN W. JENNESS, the Hon. DAVID LEVY, and the Hon. JAMES D. WESTCOTT, jr.

Mr. SEVIER, with a view to the classification of the senators from Florida, submitted the following resolution, viz:

Resolved, That the Senate proceed to ascertain the classes in which the senators from the State of Florida shall be inserted, in conformity to the resolution of the 14th of May, 1789, and as the constitution requires; that the secretary put into the ballot-box two papers of equal size, one of which shall be numbered two, and the other shall be numbered three, and each senator shall draw out one paper; that the senator who shall draw the paper numbered two shall be inserted in the class of senators whose term of service will expire the third day of March, 1849, and the senator who shall draw the paper numbered three shall be inserted in the class of senators whose term of service will expire the third day of March, 1851.

The resolution was adopted; and the Senate were about to proceed to ballot, when

Mr. WESTCOTT observed, that if the mode of allotment indicated in the resolution could be dispensed with, he cheerfully yielded to his friend and colleague the term that expired in 1851, and would be entirely satisfied that the shorter term should be assigned to himself.

Mr. LEVY said he felt grateful to his honorable colleague for the generous proposal just made. He should feel there was greater fitness in the reverse of the proposition, and would readily urge that the concession be permitted upon his part. But, inasmuch as it seemed to be understood that the usual practice of the Senate upon this subject was proper to be observed, it only remained for him to express to his colleague his very cordial thanks for the generosity of his tender.

Mr. SPEIGHT suggested that such mode of assignment of the terms of the senators would be inconsistent with the rules and practice heretofore observed.

Mr. ARCHER observed, that the proper mode of allotment was as indicated in the resolution; but suggested that the resolution should be amended, by directing the secretary to provide an additional ballot for the first class or two-years term.

Mr. SPEIGHT stated that the first or two-years class, as he had understood, was full, and that, in fact, there was an excess of senators of that class; and therefore it was proper the balloting should be confined to the four-years and six-years classes.

Mr. ARCHER said he was not advised of the fact referred to by the honorable senator from Mississippi, and, for the purpose of inquiring respecting it, asked that the further consideration of the subject be postponed till to-morrow; which was agreed to.

Mr. ALLEN moved that the House of Representatives be informed that a quorum of the Senate had assembled, and were ready to proceed with business; and the motion was agreed to.

Mr. ATHERTON moved that the daily hour of meeting be twelve o'clock, noon, until otherwise directed; and, there being no objection, it was so ordered.

Mr. CAMERON submitted a resolution that each senator be supplied with newspapers, as heretofore.

Mr. NILES conceived the resolution to be too indefinite, and therefore proposed to add, "not exceeding three daily papers."

Mr. CAMERON. That has heretofore been done.

Mr. SEVIER. Has the rule been uniform?

Mr. CAMERON. I believe so.

The resolution, as amended, was then agreed to.

Mr. SPEIGHT submitted the following resolution, viz:

Resolved, That a committee be appointed by the Senate, to act with such committee as may be appointed by the House of Representatives, to wait on the President of the United States, and inform him that a quorum of the two Houses have assembled, and that Congress are ready to receive any communication he may be pleased to make them.

Mr. ALLEN, as he could see no necessity for the adoption of the resolution until they had heard of the organization of the House, suggested that it be passed by for the present; and the Senate acquiesced.

Mr. CRITTENDEN gave notice that, to-morrow, he would ask leave to introduce a bill for the purchase, by the United States, of the stock of the Louisville and Portland Canal Company; also, a bill appropriating money to continue the works of improvement in the Missouri, Mississippi, Ohio, and Arkansas rivers.

And the Senate adjourned.

HOUSE OF REPRESENTATIVES.

This day being that set apart by the constitution for the annual meeting of Congress, the representatives elect from the several States, and the delegates from the Territories to the twenty-ninth Congress, assembled in the hall of the House of Representatives. An unusually large number were in attendance.

At precisely 12 o'clock, m., the House was called to order by B. B. FRENCH, esq., clerk of the late House of Representatives.

The Clerk proceeded to call the roll, when the following gentlemen answered to their names:

From Maine.—Messrs. Robert P. Dunlap, Hannibal Hamlin, John D. McCrate, Cullen Sawtelle, John F. Scammon, Luther Severance, and Hezekiah Williams.

From New Hampshire.—Messrs. James H. Johnson, Mace Moulton, and Moses Norris, jr. [One vacancy.]

From Massachusetts.—Messrs. Amos Abbott, John Quincy Adams, George Ashmun, Joseph Grinnell, Charles Hudson, Daniel P. King, Julius Rockwell, Benjamin Thompson, and Robert C. Winthrop. [One vacancy.]

From Rhode Island.—Messrs. Lemuel H. Arnold and Henry Y. Cranston.

From Connecticut.—Messrs. James Dixon, Samuel D. Hubbard, John A. Rockwell, and Truman Smith.

From Vermont.—Messrs. Jacob Collamer, Paul Dillingham, jr., Solomon Foot, and George P. Marsh.

From New York.—Messrs. Joseph H. Anderson, Charles S. Benton, William W. Campbell, John F. Collin, Erastus D. Culver, John De Mott, Samuel S. Ellsworth, Charles Goodyear, Samuel Gordon, Matin Grover, Richard P. Herrick, Elias B. Holmes, William J. Hough, Orville Hungerford, Washington Hunt, Timothy Jenkins, Preston King, Joun W. Lawrence, Abner Lewis, William B. Maclay, William S. Miller, William A. Mosely, Archibald C. Niven, George Rathbun, Joseph Russell, Henry J. Seaman, Albert Smith, Stephen Strong, Horace Wheaton, Hugh White, Thomas M. Woodruff, William W. Woodruff, and Bradford R. Wood.

From New Jersey.—Messrs. Joseph Edsall, James G. Hampton, John Runk, George Sykes, and William Wright.

From Pennsylvania.—Messrs. James Black, James Blanchard, Richard Brodhead, jr., Joseph Buffington, John H. Campbell, Cornelius Darragh, Jacob Erdman, John H. Ewing, Henry D. Foster, William S. Garvin, Charles J. Ingersoll, Joseph R. Ingersoll, Owen D. Leib, Lewis C. Levin, Abraham R. McIlvaine, Moses McClean, James Pollock, Alexander Ramsey, John Ritter, Andrew Stewart, John Strohm, James Thompson, David Wilmot, and Jacob S. Yost.

From Delaware.—Mr. John W. Houston.

From Maryland.—Messrs. John G. Chapman, Albert Constable, William F. Giles, Thomas W. Ligon, Edward H. Long, and Thomas Perry.

From Virginia.—Messrs. Archibald Atkinson, Thomas H. Bayly, Henry Bedinger, William G. Brown, Augustus A. Chapman, George C. Dromgoole, George W. Hopkins, Edmund W. Hubard, Robert M. T. Hunter, Joseph Johnson, Shelton F. Leake, John S. Pendleton, James A. Seddon, William Taylor, and William M. Treadway.

From North Carolina.—Messrs. Daniel M. Barringer, Asa Biggs, Henry S. Clarke, John R. J. Daniel, James C. Dobbin, Alfred Dockery, James Graham, James J. McKay, and David S. Reid.

From South Carolina.—Messrs. James A. Black, Armistead Burt, Isaac E. Holmes, R. Barnwell Rhett, A. D. Sims, Richard F. Simpson, and Joseph A. Woodward.

Georgia.—Messrs. Howell Cobb, Hugh A. Haralson, Seaborn Jones, Thomas Butler King, John H. Lumpkin, Alexander H. Stephens, and Robert Toombs. [One vacancy.]

Kentucky.—Messrs. Joshua F. Bell, Linn Boyd, Garrett Davis, Henry Grider, John P. Martin, John H. McHenry, William P. Thomasson, John W. Tibbatts, Andrew Trumbo, and Bryan R. Young.

Tennessee.—Messrs. Milton Brown, Lucien B. Chase, William M. Cocke, John Crozier, Alvan Cullom, Meredith P. Gentry, Andrew Johnson, George W. Jones, Barclay Martin, and Frederick P. Stanton. [One vacancy.]

Ohio.—Messrs. Jacob Brinkerhoff, John D. Cummins, Francis A. Cunningham, Columbus Delano, James J. Faran, George Fries, Joshua R. Giddings, Alexander Harper, Joseph J. McDowell, Joseph Morris, Isaac Parish, Augustus L. Perrill, Joseph M. Root, William Sawyer, Robert C. Schenck, David A. Starkweather, Henry St. John, Daniel R. Tilden, Joseph Vance, and Samuel F. Vinton.

Louisiana.—Messrs. John H. Harmanson, Isaac E Morse, and Bannon G. Thibodeaux.

Indiana.—Messrs. Charles W. Cathcart, John W. Davis, Thomas J. Henley, Andrew Kennedy, Edward W. McGaughey, Robert Dale Owen, John Pettit, Caleb B. Smith, Thomas Smith, and William W. Wick.

From Mississippi.—Mr. Jacob Thompson.

From Illinois.—Messrs. Edward D. Baker, Stephen A. Douglass, Orlando B. Ficklin, Joseph P. Hoge, John A. McClernand, Robert Smith, and John Wentworth.

From Alabama.—Messrs. Reuben Chapman, Henry W. Hilliard, George S. Houston, Felix G. McConnell, William W. Payne, and William L. Yancey.

From Missouri.—Messrs. James B. Bowlin, Sterling Price, James H. Relfe, and Leonard H. Simms.

From Arkansas.—Mr. Archibald Yell.

From Michigan.—Messrs. John S. Chipman, James B. Hunt, and Robert McClelland.

From Florida.—Mr. E. Carrington Cabell.

From Wisconsin.—Mr. Morgan L. Martin.

From Iowa.—Mr. Augustus C. Dodge.

The call having been concluded—

The Clerk announced that 212 members—a quorum—were present.

[NOTE.—The House is composed of 224 members; so that the small number of 12 members only are absent.]

ELECTION OF SPEAKER.

Mr. HOPKINS, of Virginia, moved that the House do now proceed *viva voce* to the election of Speaker. The motion was unanimously agreed to.

Messrs. ROBERT SMITH, of Illinois, SEVERANCE, of Maine, and COBB, of Georgia, having been nominated as tellers, and having taken their places at the desk of the clerk, the House proceeded to the election.

The tellers reported the vote as follows:

For John W. Davis—Messrs. Stephen Adams, Anderson, Bayly, Bedinger, Benton, James Black, James A. Black, Bowlin, Boyd, Brinkerhoff, Brodhead, Burt, Cabell, John G. Chapman, Augustus A. Chapman, Reuben Chapman, Chase, Chipman, Clarke, Cobb, Collin, Constable, Cullom, Cummins, Cunningham, Daniel, De Mott, Dillingham, Dobbin, Douglass, Dromgoole, Dunlap, Edsall, Ellsworth, Erdman, Faran, Ficklin, Foster, Fries, Garvin, Giles, Goodyear, Gordon, Grider, Hamlin, Haralson, Henley, Hoge, Hopkins, George S. Houston, Edmund S. Hubard, Hungerford, James B. Hunt, Hunter, C. J. Ingersoll, Jenkins, James H. Johnson, Joseph Johnson, Andrew Johnson, George W. Jones, Seaborn Jones, Kennedy, Preston King, Lawrence, Leake, Leib, Ligon, Lumpkin, Maclay, McGaen, McClelland, McClernand, McConnell, McCrate, McDowell, McKay, John P. Martin, Barclay Martin, Morris, Morse, Moulton, Niven, Norris, Owen, Parish, Payne, Perrill, Perry, Pettit, Price, Rathbun, Reid, Relfe, Ritter, Russell, Sawtelle, Sawyer, Scammon, Simms, Thomas Smith, Robert Smith, Stanton, Starkweather, St. John, Strong, Sykes, Taylor, James Thompson, Jacob Thompson, Tibbatts, Treadway, Wentworth, Wheaton, Wick, Williams, Wilmot, Wood, Woodworth, Yell, and Yost—120.

For Samuel F. Vinton—Messrs. J. Q. Adams, Arnold, Ashman, Baker, Barringer, Bell, Blanchard, Milton Brown, Buffington, Cabell, Cocke, Collamer, Cranston, Crozier, Culver, Darragh, Garrett Davis, Delano, Dixon, Dockery, Ewing, Foot, Gentry, Giddings, Grider, Grinnell, Hampton, Harper, Herrick, Hilliard, Elias B. Holmes, John W. Houston, Samuel D. Hubbard, Hudson, Washington Hunt, Joseph R. Ingersoll, Daniel P. King, Thomas Butler King, Lewis, McGaughey, McHenry, McIlvaine, Marsh, Moseley, Pendleton, Pollock, Ramsey, Julius Rockwell, John A. Rockwell, Roid, Runk, Schenck, Severance, Truman Smith, Albert Smith, Caleb B. Smith, Stephens, Stewart, Strohm, Thibodeaux, Thomasson, Benjamin Thompson, Tilden, Toombs, Trumbo, Vance, White, Winthrop, Wright, and Young—72.

For Mr. Moses Norris—Messrs. Brent, Isaac E. Holmes, Rhett, Seddon, A. D. Sims, Simpson, Woodward, Yancey, and Harmanson—10.

For Mr. W. H. Miller—Messrs. W. W. Campbell, J. H. Campbell, Levin, Truman, and Woodruff—5.

For Mr. A. Stewart—John G. Chapman.

For Mr. D. M. Barringer—Mr. Graham.

For Mr. John G. Chapman—Mr. E. H. Long.

For Mr. J. H. Campbell—Mr. William S. Miller.

For Mr. Winthrop—Mr. Vinton.

The Clerk announced that 211 votes had been cast, of which 106 were necessary to a choice.

Mr. JOHN W. DAVIS, of Indiana, having received 120 votes, was declared Speaker elect for the 29th Congress.

The SPEAKER having been conducted to the chair by Messrs. MCKAY, of North Carolina, and (in the absence of his colleague, Mr. VANCE, who was momentarily absent from his seat) by Mr. VINTON, of Ohio, addressed the House as follows:

GENTLEMEN: I tender you my most sincere acknowledgments for the honor you have conferred upon me, in calling me to preside over your deliberations. Distrusting, as I do, my ability to discharge the functions appertaining to the chair appropriately, I shall have to draw, largely and often, upon that kindness and partiality which you have just extended to me with such unhesitating cordiality. I shall endeavor to discharge my duty as your presiding officer faithfully and impartially, strictly enforcing such rules and regulations as you, in your wisdom, may adopt for your government. I indulge the hope that this session will be peaceful and prosperous, and that we shall, in due season, arrive at such legislative enactments as shall subserve the public interest, and promote the welfare, the peace, and the prosperity of the country; and this hope, I am confident, is cordially reciprocated on your part.

Gentlemen, my duties, I know, are as arduous as they are responsible; but I shall endeavor to discharge them with fidelity, knowing no party but the people, and no locality but the country.

The oath of office was then administered to the SPEAKER by Mr. J. Q. ADAMS, the oldest member of the House.

The various delegations were then qualified, by receiving the oath of office, in the order of their respective States.

Mr. McDOWELL, of Ohio, rose and offered the following resolution:

Resolved, That a joint committee be appointed on the part of this House, to join such committee as may be appointed on the part of the Senate, to wait on the President of the United States, and inform him that a quorum of the two Houses is assembled, and that Congress is ready to receive any communication he may be pleased to make.

Mr. RATHBUN, of New York, raised the point of order, that the House had no rules, and were not therefore ready to proceed to business; and, in order to bring up first the question of the adoption of the rules, he moved to lay the resolution of Mr. McDOWELL on the table.

RULES OF THE HOUSE.

Mr. McDOWELL, in order to obviate any difficulty of the kind, suggested by the gentleman from New York, withdrew the foregoing resolution, and offered the following:

Resolved, That the standing rules and orders of the last House of Representatives, as they existed at the close of the last session, be adopted as the rules and orders of the proceedings of this House.

Mr. C. J. INGERSOLL rose, and inquired if this House had received the customary message from the Senate that they were organized and ready to proceed to business.

The SPEAKER. Not to the knowledge of the chair.

The question being on the adoption of the resolution pertaining to the rules of the House—

Mr. JOHN Q. ADAMS rose to inquire if it was not generally the custom of this House, even before the adoption of the rules, to pass a resolution informing the Senate that this House has formed a quorum and elected a Speaker, announcing who that Speaker is, and stating to the Senate that the House is ready to proceed to business; and the adoption of the rules, among other things, was consequent on the returning of the message from the Senate. The adoption of the rules pertaining only to the House was very properly an independent procedure; but there were rules belonging to both Houses, and on which this House could not act separately. He believed, as far as his experience went, that the practice of this House had been, in the first instance, to send the message to the Senate to which he had alluded, and to receive the return message. From this custom, as a member of this House, he did not wish to depart; and if the gentleman would withdraw his resolution, he would move that the House send the message to the Senate.

Mr. THOMPSON, of Mississippi, suggested that there was already a resolution before the House.

The SPEAKER, in reply to Mr. ADAMS, stated that resolutions were frequently received by the House and acted upon previous to the adoption of the rules, and that the House were governed in these circumstances by the general parliamentary law.

Mr. THOMPSON, of Mississippi, asked leave to offer a resolution; which, not being in order at the time, was read for information, and which provided for the sending the usual message to the Senate that the House were organized and ready to proceed to business.

Mr. DROMGOOLE suggested that the resolution should also communicate the fact that the House had elected as Speaker Mr. JOHN W. DAVIS, one of the representatives from Indiana.

The SPEAKER said that the resolution of the gentleman from Ohio with reference to the rules of the House was the first in order before the House.

[A message was here received from the Senate, by the hands of their secretary, informing the House that a quorum of the Senate was assembled, and that the Senate was ready to proceed to business.]

Mr. McDOWELL, on account of objections made to his resolution at this time, withdrew it.

Mr. THOMPSON, of Mississippi, now renewed his resolution, as follows:

Ordered, That a message be sent to the Senate, informing that body that a quorum of the House of Representatives is assembled; that the House has chosen JOHN W. DAVIS, of Indiana, Speaker, and is ready to proceed to business; and that the clerk do go with said message.

The resolution was adopted.

Mr. McDOWELL renewed the resolution which he had before offered, providing for the appointment of a committee on the part of the House, to join the committee of the Senate, to wait on the President of the United States, and inform him that a quorum of both Houses had assembled, and that Congress was ready to receive any communication he might be pleased to make.

The resolution was adopted.

Mr. McDOWELL offered the following resolution:

Resolved, That the standing rules and orders of the last House of Representatives be adopted as the rules and orders of the proceedings of this House.

Mr. WOODWARD, of South Carolina, asked leave to offer a resolution; but it was not received, not being in order at this time.

Mr. HAMLIN proposed to amend the resolution of Mr. McD., so as to adopt the rules of the last session of the last Congress, but, after some conversation, withdrew his amendment.

Mr. H. moved another amendment, to except the 33d rule, commonly known as "the hour rule," from the rules to be adopted.

The question being on the amendment to the resolution—

Mr. PAYNE, of Alabama, said he wished to see the (hour) rule so amended as not to apply in all discussions upon revenue-bills. He was not under the impression that the House was disposed at this time to abolish the hour rule altogether. There might be some necessity existing for the continuance of that rule upon the general subjects of legislation which came before the Congress of the United States; but on bills for the raising of revenue, it seemed to him that it ought not to apply. This was a subject which bore upon the people of this confederacy, and on which we all felt a deep interest. It was the only question on which this House could perpetrate a despotism upon the people of this Union. It was in raising revenue that the people might be oppressed; and it was the only means by which, under our government, the citizen can be oppressed. The right of trial by jury, and all his other rights, appertained to him in his personal capacity, except the right regarding the raising of revenue; and inasmuch as the power of the House was omnipotent on this question, it seemed to him that the greatest latitude of debate should be allowed on all measures introduced here for the purpose of raising revenue. For that reason, he moved the amendment which he had indicated at the commencement of his remarks.

After a remark by Mr. WINTHROP on a point of order,

Mr. McCLERNAND inquired of the Chair whether it was understood that the amendment of the gentleman from Alabama [Mr. PAYNE] embraced in its purview appropriation as well as revenue bills.

Mr. PAYNE responded, that if it did not, he was entirely willing so to extend its provision.

Mr. McCLERNAND continued, that he agreed with his friend from Alabama, that revenue and appropriation bills should be subjected to the closest scrutiny and the fullest debate. The constitution had confided to the House the power to originate bills to raise revenue, and why? Because the representative branch of Congress emanated more directly from the people, and was more immediately responsible to them. The money power was the lever of government; it merged all other powers, and, according to its exercise, became, in the hands of the ruler, the means of great good, or the most fearful and remorseless engine of oppression. Congress was now invested with an unlimited power of taxation as to amount: superadd now to this the power of unlimited taxation as to objects, and the republic becomes a practical despotism. It may retain the forms of freedom, but will in fact sink into the violence, injustice, and wrong of a tyranny. The difference between it and a despotism in form would be, the aggravated evils of a many, instead of a single-headed hydra. There was a wild spirit of internal improvement prevailing in some portions of the country. In his judgment, this mad spirit threatened more danger to the integrity of the constitution, and the stability of our institutions, than any other project agitated by the friends of a strong, rich, and splendid government.

Mr. PAYNE accepted the modification proposed by Mr. McCLERNAND to his amendment.

Mr. CHIPMAN, of Michigan, made a few remarks from a position in the House rendering impossible the report of anything more than the points to which they were directed. He was opposed, he said, to the hour rule altogether. He did not think any member of this House could do justice to himself, either physically or intellectually, in a straight-jacket.

Some conversation as to the precise state of the question before the House, and the effect of the amendments proposed, took place between Messrs. PAYNE and CHIPMAN.

Mr. PAYNE withdrew his amendment.

The question then recurring on the amendment of Mr. HAMLIN, to except the one-hour rule—

Mr. HOPKINS asked the yeas and nays; which were ordered.

Mr. HOUSTON inquired if it was in order to move to lay the amendment on the table.

The SPEAKER replied: The motion, if agreed to, would carry with it the whole subject of rules.

Mr. H. did not press his motion.

The yeas and nays were then taken on the amendment, and resulted as follows:

YEAS—Messrs. Abbott, J. Q. Adams, Bayly, James Black, Bowlin, Boyd, William G. Brown, Cabell, Chase, Chipman, Cobb, Collamer, Constable, Culver, Daniel, Garrett Davis, Delano, Dockery, Dromgoole, Faran, Ficklin, Fries, Giles, Gordon, Hamlin, Haralson, Harmanson, Hilliard, Hoge, Hough, Hudson, Charles J. Ingersoll, Jenkins, J. H. Johnson, George W. Jones, Leake, Leib, Levin, Maclay, McClernand, McDowell, McHenry, Marsh, Barclay Martin, Moseley, Niven, Norris, Payne, Pendleton, Relfe, Rhett, Root, Schenck, Seddon, Leonard H. Simms, Caleb B. Smith, Robert Smith, Taylor, Toombs, Vance, Vinton, and Wilmot—62.

NAYS—Messrs. Anderson, Arnold, Ashmun, Atkinson, Baker, Barringer, Bedinger, Bell, Benton, James A. Black, Brinkerhoff, Brodhead, Milton Brown, Buffington, Burt, William W. Campbell, John H. Campbell, Cathcart, John G. Chapman, A. A. Chapman, R. Chapman, Clarke, Cocke, Collin, Cranston, Crozier, Cullom, Cummins, Cunningham, Darragh, DeMott, Dillingham, Dixon, Dobbin, Douglass, Dunlap, Edsall, Ellsworth, Erdman, Ewing, Foot, Foster, Garvin, Gentry, Giddings, Goodyear, Graham, Grider, Grinnell, Grover, Hampton, Harper, Henley, Herrick, Isaac E. Holmes, Hopkins, John W. Houston, George S. Houston, Edmund W. Hubard, Samuel D. Hubard, Hungerford, Washington Hunt, James B. Hunt, Hunter, Joseph R. Ingersoll, Joseph Johnson, Andrew Johnson, Seaborn Jones, Kennedy, Daniel P. King, Preston King, Thomas B. King, Lawrence, Lewis, Ligon, Long, Lumpkin, McClean, McClelland, McConnell, McCrate, McGaughey, McIlvaine, McKay, John P. Martin, Morris, Morse, Moulton, Owen, Parish, Perrill, Perry, Pettit, Pollock, Ramsey, Rathbun, Reid, Ritter, Julius Rockwell, J. A. Rockwell, Runk, Russell, Sawtelle, Sawyer, Scammon, Seaman, Severance, A. D. Sims, Simpson, Truman Smith, Albert Smith, Thomas Smith, Stanton, Starkweather, Stephens, Stewart, St. John, Strong, Sykes, Thibodeaux, Thomasson, Benjamin Thompson, James Thompson, Jacob Thompson, Tibbatts, Tilden, Treadway, Trumbo, Wentworth, Wheaton, White, Wick, Williams, Winthrop, Wood, Woodward, Woodworth, Wright, Yell, Young, and Yost—121.

So the amendment was rejected.

The question then recurring on the original proposition of Mr. McDOWELL,

Mr. HOLMES rose, and, with a view to harmonize at one, and to enable them to proceed to business, offered a resolution as an amendment, proposing to strike out all the resolution of Mr. McDOWELL after the word "resolved," and insert the following:

That the rules of the House of Representatives, as they existed at the close of the last session of Congress, be, for the present, adopted as the rules of this House; and that a committee be appointed to revise the rules, and to report to the House such alterations and amendments as may be deemed advisable.

The question being taken, the amendment of Mr. HOLMES was adopted without a division.

The question recurring on the resolution of Mr. McDOWELL, as amended,

Mr. PAYNE offered an amendment, providing that the hour rule should not apply to discussions on any bills for the raising of revenue either in committee or in the House.

Mr. HAMLIN raised a question of order against the amendment; which being sustained by the Speaker, the amendment was not received.

The resolution of Mr. McDOWELL, as amended by Mr. HOLMES, was then agreed to.

So the rules of the last Congress, as existing at the close of its last session, were adopted for the temporary government of the House.

HOUR OF MEETING.

On motion of Mr. BRODHEAD,

Ordered, That the daily hour of meeting of this House be twelve o'clock, m., until otherwise ordered.

SEATS OF MEMBERS.

Mr. COBB offered the following resolution:

Resolved, That the clerk of this House, immediately after the passage of this resolution, place in a box the name of each member of the House of Representatives, upon a separate piece of paper; and that he then proceed, in the presence of the House, to draw from said box, one at a time, the said pieces of paper; and, as each is drawn, he shall announce the name of the member upon it, who shall then choose his seat for the present session.

Mr. C. remarked that a good deal of confusion already existed in the selection of seats by members; and he was informed that there were seats contested by different members of this House. Different modes, as to the selection, had heretofore prevailed. His object, in offering this resolution, was to settle the practice both now and hereafter. All that could be required of members under the mode which he proposed, in order to stand an equal chance, would be, that they be present on the first day of the session, and then the seats would be distributed on principles of equality and justice.

He begged leave to remark that he was perfectly satisfied with the seat which he himself had; but because he believed the resolution would afford a more just mode of distribution, he offered it.

Pending this question,

On motion of Mr. PAYNE,

The House adjourned.

BOARDING HOUSE.—Mrs. D. GALVIN, on C, between 3d and 4½ streets, is prepared to accommodate a mess of members of Congress with boarding on moderate terms. dec 1—iftf

NORTH CAROLINA DRESSED FLOORING. ONE HUNDRED THOUSAND FEET North Carolina dressed flooring, prime quality, just received, and for sale, by
JAMES GREEN, Alexandria,
who has for rent a commodious dwelling-house, near the corner of C and 10th streets, containing two parlors, with sliding doors, dining room and kitchen on the lower floor, and six chambers on the 2d floor. Inquire of E. Green, corner of 11th street and Pennsylvania avenue, or of
JAMES GREEN, Alexandria.
Dec. 1—6t*

WINTER MILLINERY JUST OPENED.
MISS MORLEY would invite the attention of those wishing to purchase to her assortment of bonnets, of various materials,
Artificial flowers,
Feathers, blondes,
Caps, scarfs,
and many other articles, all of which are of the latest style and superior quality.
Dec. 1—d1w.

VALUABLE IMPROVED PROPERTY IN MONTGOMERY COUNTY (MD.) FOR SALE AT PUBLIC AUCTION.—Under authority of a deed of trust, executed on the 17th August, 1842, by John Poole and Ann R. Poole, his wife, duly recorded in Liber B. S., No. 11, folios 262 and 266, one of the land records of Montgomery county, Maryland, the subscriber will offer for sale, on the premises, near to Colesville, Maryland, the valuable improved lands described in said deed, or so much thereof as may be necessary to cover the debt therein provided for. These lands consist of a part of a tract called "Peach's Lot," being part of a tract called "Beaver Dam," and part of a tract called "Snowden's Manor enlarged," containing fifty-four acres, two roods, and thirty-four perches, more or less. Also, all that tract of land called "Fine Meadows," it being part of two tracts of land, one called "Saint Winoxberg," and the other "Poplar Point," containing thirty-four acres sixteen perches, more or less. Also, all that tract or parcel of land called "Addition," being part of a tract called "Good Luck," containing three acres one rood and seventeen perches, more or less. Also, part of the "Second Addition to Culver's Chance;" formerly the property of Milberne Semmes, containing one hundred acres, more or less; together with the buildings and improvements on the said several tracts; reserving, however, to Edward Dawes, his heirs and assigns forever, all the rights and privileges to a mill-race as described in a certain deed from Richard Smith and others to John Poole, dated the 15th day of August, 1842.

The sale will take place on Thursday, the 27th day of November instant, at 12 o'clock m., and the terms will be as follows, viz: Fifteen hundred dollars to be paid in hand; and the residue in six, twelve, eighteen, and twenty-four months, with interest from the day of sale; the purchaser to give notes satisfactorily endorsed, and a deed of trust, to secure the payment of said notes; and on compliance with these terms, the subscriber will convey to the purchasers all the right and title given in the aforesaid deed. The right is reserved to resell the property, at the risk and expense of the first purchasers, on a failure to comply with the terms in ten days. RD. SMITH, Trustee.

At the request of those interested, the sale of the abovenamed property has been postponed to Thursday, the 11th of December inst., then to take place at the hour and place above designated. The terms will be so far modified as to allow 1, 2, and 3 years, with interest for the deferred payments.
Dec 1—td RD. SMITH, Trustee.

For the Union.

THE STATUES OF WASHINGTON AND JACKSON.

PROJECT OF THE PUBLIC GARDENER.

It is asked, perhaps every day in the year, respecting the colossal statue of Washington by Greenough, now confined in the octagonal smokehouse-looking shanty in the east Capitol square, "Is it intended that it shall stay here?" We think not—everybody thinks not—but that yet another removal is reserved for this unfortunate *chef-d'œuvre* of Mr. Greenough. Never was statue so hard to please as this. In the rotundo, the central light did not suit it—it fell too plumb on the crown of the head; backed up against the main entrance, its position was still worse; and its present location and confinement is unquestionably the worst of all. The eight-sided wooden box in which the "stately" is incarcerated—the pepper-and-salt pine-board pedestal upon which it is erected, seem to have been constructed and adapted to the express idea of leading the spectator irresistibly to the impression that the whole thing is a caric ture, out-and-out. And, with few exceptions, such an impression has been uniformly produced. The Roman throne, with its mythological basso-relievos; the Roman sandals, the Roman sword, the gladiatorial mock-heroic attitude and proportions of the figure,—are rather the impersonation and accessories of a Spartacus, than of a Washington. The very Indian at a corner of the throne appears to hang his head, as in shame at the desecration of Washington, in the heathenish transformation to which he has been subjected by an American artist.

Had the design been worthy of the skill displayed in the mechanical execution of the work, the artist might have stayed his chisel; for his fame would have been complete. Yet there is something redeeming in the figure, after all. The head of the statue is sublime. It is the head, it is the face, it is the countenance of the great hero—our beloved "Pater Patriæ," in his serene and impressive moral grandeur. Upon this recommendation alone, the statue may be transmitted to posterity, without a label of its title and its object. It will speak for itself.

Now the question arises, What shall we do with this statue? It has cost too much money to be exposed as a caricature. Justice to the artist, who, under the blue skies of Italy, forgot, for an unlucky moment, the associations and characteristics of his own land, in designing this great work—justice demands that he should have the fairest and most deliberate trial. Mr. Pratt, of the House committee on the subject at the last session, proposed simply the removal of the wooden box from the figure as it now stands, and the substitution of an iron railing around it—leaving the statue, as statues are generally of the magnitude of this, exposed to the open air. But the elevation of the figure is not sufficient to its proportions. It should stand at least fifty feet from the ground; for, although the principal embellishments about it will be lost to the eye at such an altitude, the asperities, the angles, the harsh nakedness, the physical display, will be softened down into harmony of proportion and comparative sublimity in the *tout ensemble*.

We come now to the plan of the public gardener, Mr. James Maher. He proposes to erect a triumphal arch at the entrance to the Capitol grounds on the west, of the whole breadth of the avenue, with a smaller arch upon either side, corresponding in width, and in a direct line, with the side-walks. Upon the summit of the grand central arch, at an elevation of fifty feet from the ground, Mr. Maher proposes to place Greenough's statue of Washington, looking toward the President's House. At the other extreme of the avenue, the public gardener proposes the erection of a corresponding arch, with corresponding side-arches, opening in a line from the avenue and its side-ways into the President's gardens. Upon this central arch, Mr. Maher proposes to erect the contemplated equestrian statue to Jackson. In front of each of these triumphal arches, it is further proposed to have an open semi-circle, with the chord to the street side, and a fountain in the centre of the area, to be fenced in by an iron railing, with a sufficient space for a carriage-way around the circle, leading through the main arch.

The beauty, the impressiveness, the real magnificence of this design is apparent at a glance; and in detailing it to the writer, with all its minutiæ at length, we were struck with the closing remark of the indefatigable and patriotic projector, to wit: that the British would never, after the erection upon this plan of these statues, dare to enter the city again; for, while the protecting arm of Washington would be held aloft, from the eastward, over the main portion of the metropolis to the west, the sword and the war-horse of Jackson would guard the opposite extreme of the great avenue against the entrance of the foe, and

"His foul footsteps' pollution."

We respectfully submit, without further remark, this design of the public gardener to all persons having authority or interest in the perpetuation of the glory of Washington, and the fame of Jackson, and the embellishing of the federal metropolis of our blessed Union. G. B. W.

Washington, Nov. 28, 1845.

For the Union.

CANADA—JOHN BULL.

The Canadians are "coming it strong" over John Bull. The first of the annexed articles shows that the old gentleman has been induced this year to expend $2,000,000 in deepening and widening canals, &c.; and that these improvements are but begun. The second shows an appeal to his pride, for the purpose of inducing him to build a line of telegraph and a railroad from one end of Canada to the other. These improvements, at the expense of the British isles, will be of vast importance to the "republic of Canada," when, like a "ripe pear," she drops from the old tree, perchance to "annex" herself to a younger stock. Whatever may be the object or the end of all this, we certainly have no objection to the rich old fellow's expending a hundred millions in improving his possessions on our borders, or even in building useless forts.