CITY OF WASHINGTON.

TUESDAY MORNING, DEC. 7, 1852.

Congress—Monday.

SENATE.—The Senate was called to order at a quarter past twelve, and forty-three members appeared in their seats.

Mr. Bright presented the credentials of Hon. Charles W. Cathcart, of Indiana, who was appointed by the governor to fill the vacancy occasioned by the death of Mr. Whitcomb; and Mr. C. was qualified and took his seat.

Mr. Jones, of Tennessee, presented the credentials of Hon. Archibald Dixon, who was elected by the legislature of Kentucky to fill the vacancy occasioned by the death of Mr. Clay. A long discussion arose as to the question of Mr. Dixon's right to the seat, which was interrupted by the reception of the President's annual message. The reading of the message having been concluded, the Senate adjourned.

HOUSE OF REPRESENTATIVES.—The House met, and one hundred and eighty-two members answered to their names—a few more appearing in the course of the day's session. Seats were drawn for. The annual message was read. In the course of the day's proceedings sundry bills were introduced, and Mr. Weightman addressed the House at length in favor of printing five thousand copies of the President's message in the Spanish language.

We understand that the President and his family receive calls of ceremony every Tuesday from twelve to two o'clock, and that the President receives calls on business each day from ten to twelve.

The Message.

The annual communication of the President to Congress, which we now lay before our readers, whatever may be its faults in other respects, has at least the merit of comparative brevity. Its opening paragraphs recognise the force and significance of the great popular verdict which has ordered a change of administration, and refer in becoming terms to the recent death, during the recess of Congress, of the late Secretary of State.

In describing the condition of the treasury, the message represents the expenditure, for the ordinary expenses of the government during the fiscal year ending on the 30th of June last, to have amounted to about thirty-six millions and a half, exclusive of payments on account of the public debt, which amounted to about nine millions and a half. Before any satisfactory conclusion in regard to the public economy can be arrived at from this statement, it will be necessary to examine the details from which it is made up as required to be presented in the report of the Secretary of the Treasury. The total imports during the last fiscal year, including merchandise and specie, amount to about two hundred and twelve millions and a half. The exports, including domestic productions, foreign merchandise re-exported, and specie, amount during the same period to a little more than two hundred and ten millions. The balance in the treasury on the 30th of June last is stated at near fifteen millions of dollars. Since that period near two and a half millions of that surplus have been applied to the payment of the public debt. The existing balance in the treasury is, notwithstanding, at this day larger than it was on the 30th of June last; and the President announces that the public debt will continue to be reduced by payment as fast as the law, limiting the prices at which the government stocks may be purchased, will allow.

In closing this portion of the message, the President renews his recommendations of last year in favor of higher and specific duties for the purpose of protection. The late election, clearly manifesting the popular determination against such a policy, would seem to render any discussion of it at this time unnecessary.

The message gives a statement somewhat more detailed than usual of the quantity of the public lands which has been appropriated and disposed of for various purposes during the past fiscal year. This will be read with interest. The President also renews a variety of recommendations, principally in regard to the organization of several departments of the public service, which, having been brought to the attention of Congress at the commencement of its last session, have not yet been finally acted on.

In regard to the Mexican boundary commission, the message strikes us as especially unsatisfactory. It states merely in effect that the commission has been broken down by the proviso introduced into the appropriation bill requiring the President, before using any part of the sum appropriated for the commission, to be satisfied that the line adopted by it was in fact the line prescribed by the treaty. It has been understood that the administration, acting through the Department of the Interior, has assumed its full share of the responsibility of adopting the line actually run by the commission; and we cannot but regard it as extraordinary that the President should have failed to set forth in his message the grounds upon which his administration proceeded in so doing, instead of confining himself to an urgent request to Congress to vote a new appropriation for running that undisputed part of the line which lies in the channel of the Rio Grande. The country, we think, will see in such a disposition of the matter by the President only an effort to avoid the responsibility of past errors and existing difficulties.

But that portion of the message which will most attract the public attention is in those passages which relate to the foreign relations and policy of the country. The closing paragraphs consist of a somewhat formal and solemn warning against the danger of *intervention* in the affairs of foreign nations. Admitting the correctness of the positions which the President assumes upon this topic, it is not easy to find, in the present state of the country, or of the public feeling, any special occasion for such a homily. No party in the country, that we know of, proposes or advocates measures of intervention. No such policy is advocated, except so far as in the course of events it may become to us a part of the policy of self-protection and self-preservation.

In the same manner, and as we think needlessly and unwisely, the President goes out of his way to denounce as injurious to our national interests the acquisition of Cuba, no matter how honorable or peaceful may be the mode of its acquisition. If we understand the President, he means, in behalf of the whig party, to say that if Spain should tender to us the cession of Cuba at a fair price, in order to save the island from seizure by some foreign power, still the United States, in a wise policy, could not accept the cession so tendered. In this opinion we suppose that the people of this country will by no means concur. Yet it seems to be now announced as the opinion of the whig party, or at least of the administration. The President states that he refused to enter in to a *tripartite* treaty with Great Britain and France obligating ourselves jointly with those governments virtually to maintain the Spanish possession of Cuba as it now is. The grave objections to such a treaty lie indeed upon the face of the proposition; but not less ill-judged seems to us the policy on our part which would contemplate the transfer of the island to some other power without resistance from us, by reason of the supposed injury to the United States growing out of its peaceable and honorable acquisition by ourselves. The President, however, unquestionably speaks the general sentiment of the country when he disclaims for our government any disposition to acquire Cuba in any other manner than by fair, and honorable, and peaceful negotiation. It is gratifying in this connexion to observe that, in regard to the late difficulty growing out of the treatment of our mail ships by the Cuban authorities, the administration has taken a tone widely different from that assumed by its organs, and has denied that any plausible or presumptive cause has been given for refusing our mail ships the ordinary privileges and courtesy of the port of Havana. Our readers will remember that this has been from the first the position of this journal. It is satisfactory to find the administration, in spite of its contradictory antecedents, at last maintaining it in its negotiations with Spain.

The Fisheries question appears of late to have engaged much of the attention of the government; and the President announces the intention of concluding, if possible, during the winter, two conventions with Great Britain, which shall involve a fuller and more liberal recognition of our rights in the fishing grounds, and a regulation of our commercial intercourse with British provinces. It is not to be doubted that some such negotiations, if judiciously conducted and brought to a successful result, might be of very considerable public utility.

But we must reserve for another occasion further comments upon the message. There are several topics of interest embraced in it, which we have at this moment neither time nor space to notice. In its literary character it compares, we think, favorably with any of its predecessors during the present whig dynasty; but, as a whole, it certainly presents new and conclusive evidence that the policy of the whig party is wholly inadequate to the due comprehension and maintenance of our national interests.

The Kentucky Contested Election Case.

We publish to-day a very able and well-considered communication touching the issues involved in the contest now pending before the Senate. We do not present our own views on this interesting topic, because we consider the occasion inappropriate; but at a proper time we will lay before our readers the considerations which have led us to the opinion we entertain.

We mentioned in our Sunday's issue, while making an extract from the *National Intelligencer* relative to the question now before the Senate, that we might probably differ with that journal on the points involved in the case. The *National Intelligencer* replies that we are only occupying our usual position—that as soon as we ascertain which side of a question it espouses, we straightway plant ourselves on the opposite side.

We must confess that if we were to adopt such a rule for our guidance on important public questions, we would, judging from the past, adopt a very safe one. In war, such a rule would array us against the public enemy. In matters of diplomacy, it would array us against the unjust demands and insulting pretensions of foreign governments. In matters involving the principles of our institutions, it would array us on the side of the constitution, and against centralization and federal encroachment on the rights of the States. In matters of domestic policy, it would array us on the side of the many, and against the greedy few who are always seeking to prey on the national labor and appropriate an undue share of the national production by means of special privileges and class legislation. The article which we quoted on Sunday from the federal organ did not state which side of the pending controversy it would espouse. But as we had never known it to take any other than a partisan view of a question which admitted of it, we felt confident it would urge the claims of the whig contestant, no matter how strong the case might be against him, and we therefore felt safe in intimating that we would disagree with the federal organ on the merits of the controversy. It seems that we judged rightly; for the *Intelligencer* has now shown its hand by explaining its article of Saturday last. Read by the light of that explanation, its magisterial announcement of Saturday modestly informs the Senate and the country that there is hardly room for doubt, and that the whig should have the seat without demanding any other reason than the opinion of the federal organ.

The Election in Wisconsin.

From the subjoined article from the Milwaukie Daily News, it will be seen that Wisconsin is first among the foremost for Pierce and King.

From the Milwaukie News.

THE OFFICIAL VOTE OF WISCONSIN.

A Challenge to New Hampshire!—Wisconsin Wants the Banner!

We publish to-day the official vote in all the counties of this State at the last election, except eight.

From these returns we are enabled to announce the following splendid victories:

A democratic majority of about eleven thousand five hundred over Scott; a democratic majority of between two and three thousand over both Hale and Scott; an entire democratic delegation in Congress, (in addition to two United States senators,) by about the same aggregate majority; a legislature democratic in both branches by more than two to one. Possibly we may be excelled by another State in some one of these particulars, but we believe upon the whole that Wisconsin presents the "cleanest bill" of any other State in the Union.

We claim that our proportionate majority on the electoral ticket is not equalled by any State, unless it is New Hampshire; that we have the largest majorities in the legislature; that we have the largest aggregate majorities on the congressional delegation; that the third district is the banner congressional district of the Union, having given between five thousand five hundred and six thousand majority for John B. Macy; that the town of Hermann is the banner town of the Union, having cast every vote—one hundred and sixty-two—for Pierce and King; and, to crown all, Scott has not carried a county in the State!

Again we say, Wisconsin wants the banner! We stump New Hampshire—the home of Franklin Pierce—or any other State in the Union, to show such results as these. "The star that never sets" must pale before the brilliancy of the rising star of the young Northwest.

The Vice President Elect.

A meeting of the personal friends and neighbors of the Hon. Wm. R. King was held in the town of Selma, Alabama, for the purpose of tendering to him some public expression of their feelings of regard and confidence. A letter was accordingly sent to him, inviting him to a public dinner, to which he returned the following reply:

PINE HILLS, (Dallas co.,) Nov. 19, 1852.

GENTLEMEN: The invitation from my friends and neighbors of Selma, which you were deputed to place in my hands, has afforded the liveliest gratification; for, as a public man, I have ever considered the approval of my conduct by those whom I had the honor to represent as constituting the highest reward that I could receive for any service which I may have rendered; and now, after having been in the service of the State for more than thirty years, to find that the confidence reposed in me by my constituents has undergone no diminution, is indeed a reward of which any man may well be proud. But, greatly as I appreciate such a manifestation of respect and confidence, still more gratifying is it to know that I possess the warm personal regard of those of both political parties with whom I have long been associated—those who know me best in all the relations of private life. Gladly would I accept of their friendly invitation, and meet them at the festive board; but the infirm state of my health and the very limited time in which I must arrange my private affairs before setting out for Washington, will compel me to deprive myself of that pleasure. You will therefore be pleased, gentlemen, to express to my friends in Selma the regret which I feel in having to decline the acceptance of their kind invitation. To you, gentlemen, I tender my grateful acknowledgments for the very friendly terms in which you have made known the wishes of those you represent, and also your own.

With the highest respect, I am faithfully your obedient servant, WM. R. KING.

At the last meeting of the French Academy of Sciences, at Paris, a letter was read from the American consul, Mr. Goodrich, requesting, in the name of one of his fellow-citizens, information relative to a prize said to have been proposed by the academy for the discovery of perpetual motion. It was unanimously

"*Ordered*, That Mr. Goodrich be informed the academy has not only proposed no such prize, but it has adopted a rule that no communication relative to such a subject be taken into consideration."

Communicated.

Senator elect from Kentucky.

The constitutional right of this gentleman to take his seat in the Senate at its approaching session will necessarily give rise to an interesting point of constitutional law, touching the true organization of the Senate, and worthy of the gravest consideration of that distinguished and co-ordinate branch of our national legislature. The principle involved in it, and the precedent to be established by its settlement, invest its examination with a profound interest, and occasion no little speculation and discussion with the public at large as to its final adjustment. It pervades the bosom of all, because all are interested in the true interpretation of the organic law of the republic, which should be held sacred and inviolable by all; and neither of the contesting claimants can, in a spirit of chivalric generosity, relinquish the seat to the other. He alone can occupy it to whom the constitution awards it, according to its true meaning as expounded by the Senate.

The circumstances of this controversy or difficulty are few, and briefly told: Mr. Clay, a senator from Kentucky, whilst in his seat, and during the last session of the legislature of his State, resigned his seat in the Senate, the resignation to take effect on the first of September last, and the legislature thereupon proceeded to elect Mr. Archibald Dixon to fill the unexpired term of Mr. Clay, commencing on that day when the resignation would create a vacancy in the Senate. The legislature subsequently adjourned. Mr. Clay died after that adjournment, but before the arrival of the first of September, when his resignation was to take effect, and Governor Powell appointed Mr. David Meriwether to fill the vacancy occasioned by Mr. Clay's death, and expressly limited the duration of his appointment to the first of September, on the presumption that Mr. Dixon's term of service would then constitutionally commence.

It must be recollected, in considering these circumstances, that the resignation of Mr. Clay was prospective in its operation—occasioned no actual vacancy at the time of sending it to the legislature, and was intended to occasion none until the first of September succeeding it. Until the arrival of that day the vacancy contemplated and intended by Mr. Clay stood suspended, or remained *in fieri*, having no actual existence as a matter of fact. It was a thing merely in contemplation; and prior to the arrival of the first of September the legislature of Kentucky had adjourned. On the occurrence or happening of the vacancy arising from his act of resignation—in other words, on the first of September, when the vacancy took effect—a recess of the legislature actually existed. The resignation of Mr. Clay was but an act of that day.

With this understanding of the facts, let us see what remedy the constitution has provided to meet a vacancy in the Senate caused by resignation or otherwise.

The constitution, first article and third section, in treating of the organization, powers, and renewal of the Senate, holds the following clear and distinct language: "If vacancies happen, by resignation or otherwise, *during the recess of the legislature* of any State, the executive thereof may make temporary appointments *until the next meeting of the legislature*, which shall then fill such vacancies." According to the true meaning and interpretation of this clause, if the vacancy happen during the recess of the legislature, the State executive is authorized to fill it by a temporary appointment, which is to last until the next meeting of the legislature; and if the vacancy happen during the session of the legislature, they are authorized to fill it. Whenever it occurs, whether in the recess or in the session of the legislature, it is met by an ample provision, leaving us only to ascertain *when* the vacancy has happened, to determine which of the two departments of the State government is to fill it.

It is important at this point of the investigation to inquire what is meant by the expression, "if a vacancy happen by resignation." Does it mean a vacancy in fact, or a prospective, potential, or constructive vacancy? Prospective vacancies, in the ordinary acceptation of the term, are of two descriptions. One is a vacancy which occurs intermediately in a senatorial term of service, between its commencement and termination, and cannot be filled by the legislature in anticipation, without an encroachment upon the constitutional authority of the State executive to fill all vacancies which occur, or may occur, in fact, during the recess of the legislature. Such an anticipation, in principle, could be made to comprehend all vacancies, whenever and however occurring, which would effectually annihilate all executive appointments. But interregnums between senatorial terms of service are not within the purview and operation of this clause, as such a vacancy cannot, with any propriety of speech, be said to happen by resignation, when the term of service has not been filled. The legislature may provide prospectively for an interregnum, possessing as they do the sole power to fill it, without an interference or collision with another department in the exercise of its constitutional powers. But not so as to the other class of vacancies. If the legislature exercise the power to anticipate and fill prospective vacancies in the Senate of the first description, or such as may occur in fact during their recess, the authority of the State executive to make temporary appointments in such cases is necessarily and completely annulled—collision at once occurs between the two departments, and the executive power of making temporary appointments, instead of depending on the *contingency* of a vacancy happening in the Senate, as provided by the constitution, is made to depend on the *forbearance* of the legislature to anticipate the occurrence, approach, or existence of such vacancy. Such a rule of interpretation cannot be countenanced. The irreconcileable antagonism and conflict which it practically introduces in reference to vacancies between two departments of the State government, intended to act in harmony, and in the alternative only, one acting where the other could not act conveniently, is an unanswerable argument against it.

But however satisfactory or convincing this view of the subject may appear on general reasoning, it is not without high authority to strengthen and support it. Judge Story, in his Commentaries on the Constitution, uses the following language: "As vacancies might occur in the Senate during the recess of the State legislature, it became indispensable to provide for that exigency. Accordingly the same clause proceeds to declare, 'And if vacancies happen, by resignation or otherwise, during the recess of the legislature, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.' It does not appear that any strong objection was urged against this proposition, although it was not adopted without some opposition. There seem to have been three courses presented for the consideration of the convention: either to leave the vacancies unfilled until the meeting of the State legislature; or *to allow the State legislatures to provide at their pleasure prospectively for the occurrence;* or to confide a temporary appointment to some select State functionary or body. The latter was deemed the most satisfactory and convenient course." And in a note to this paragraph he observes, "In the case of Mr. Lanman, a senator from Connecticut, a question occurred whether the State executive could make an appointment in the recess of the State legislature in *anticipation* of the expiration of the term of office of an *existing senator*. It was decided by the Senate that he could not make such an appointment. The facts were, that Mr. Lanman's term of service as senator expired on the third of March, 1825. The President had convoked the Senate to meet on the fourth of March. The governor of Connecticut, in the recess of the legislature, (whose session would be in May,) on the ninth of the preceding February, appointed Mr. Lanman as senator to sit in the Senate after the third of March. The Senate, by a vote of twenty-three to eighteen, decided that *the appointment could not be constitutionally made until after the vacancy had actually occurred.*"

On the authority of this eminent and profound commentator upon constitutional law, and the argument submitted on general reasoning, it may be safely assumed that the vacancies contemplated and meant in this clause of the constitution are vacancies in fact occurring in the term of service, as contradistinguished from such as are prospective, potential, or constructive; and that the object of the convention in incorporating this clause as an express provision in the constitution, was to negative the authority of the legislature to provide prospectively for the occurrence of a vacancy. The decision of the Senate is in principle to the same effect, although it related to the authority of the executive prospectively to fill an interregnum, instead of a vacancy, in a senatorial term of service. Mr. Lanman, of Connecticut, was appointed by the executive of his State before a vacancy or interregnum had occurred, and in anticipation of its occurrence; but the Senate, on full consideration of the matter, decided that *the appointment could not be constitutionally made until the vacancy had actually occurred.* The contingency which is to create a vacancy must be a contingency in fact, and create or occasion a vacancy in fact; and authority to the legislature to fill vacancies which occur during their session cannot be tortured into authority to fill such as occur in fact during the recess of the legislature. So that this construction seems to rest on the solid foundations of both principle and authority; and no election or appointment to fill a prospective vacancy, which has not occurred in fact, is constitutional and valid. In such cases the contingency on which the authority was to be exercised has not occurred, and whether it is to be exercised by the legislature or State executive is expressly made to depend on the time of its occurrence.

The principle of construction being settled, its application to the case of the senator elect from Kentucky is easy. The authority vested in the legislature to fill a vacancy by election depends on the occurrence of the vacancy—in fact, during the session of the legislature. Now, it is palpable no vacancy existed in Mr. Clay's seat during the session of the legislature of Kentucky, in consequence of his resignation, unless the anomalous fact is true that it was vacant whilst he occupied it in the Senate. He continued in his seat for months after the adjournment of the legislature, and no vacancy in fact happened, come to pass, or actually existed, during that session; and it is a solecism in terms and substance—in thought and fact—incomprehensible and embarrassing to the mind—to admit as a practical truth the actual existence of a thing which is yet to come to pass, and to acknowledge that things past and future—things to exist and things existing—are one and the same in substance. His resignation could not authorize them to elect a successor, unless it occasioned an actual and existing vacancy during that session; and it is preposterous to insist that a resignation, to take effect at a future time, creates a vacancy before it takes effect. Such a resignation is an inchoate and incomplete act until consummated by the effluxion of time; and is an unexecuted purpose, which postpones the vacancy to a specified and future period. It is a nonentity until then, and *ex nihilo nihil fit.* If Mr. Clay, under a prospective resignation, could in the intermediate time constitutionally hold his seat, it could not be constitutionally vacant. No vacancy in fact existing at the time of Mr. Dixon's election, and during the session of the legislature, *his election as senator is unconstitutional, null, and void;* but the death of Mr. Clay occasioned a vacancy in fact during the recess of the legislature, which was constitutionally filled by the appointment of Mr. Meriwether. The restriction upon the duration of his appointment in his credentials is void, the constitution having fixed its duration until the next meeting of the legislature, which in Kentucky will not occur until December, 1853; and Mr. Meriwether is still the senator of Kentucky. XIMINES.

OFFICIAL RETURNS OF MARYLAND.—The following is the official returns for electors at the late presidential election:

Robert M. McLane	40,022
Cathel Humphreys	40,028
John Parran	40,024
Richard H. Alvey	40,019
Carroll Spence	40,016
Charles J. M. Gwinn	40,025
Joseph A. Wickes	40 027
Ephriam K. Wilson	40,017
James B. Ricaud	35,077
Thomas F Bowie	35,080
Augustus R. Sollers	35,080
Jacob P. Roman	35,077
John I. B. Dorsey	35,078
Henry W. Davis	35 088
Henry W. Archer	35,077
Henry H. Goldsborough	35,072

The average majority for Pierce and King, 4,945. Hale and Julian received 54 votes.

THE CUBAN CORRESPONDENCE.—Mr. Faulkner, member of Congress from Virginia, writes to the National Intelligencer, explaining how the diplomatic correspondence in relation to Cuba came to be so unreservedly and inopportunely made public. He says that a resolution offered by him was passed on the 4th of February, calling upon the President "to communicate to the House, if not detrimental to the public interests, all the instructions from the Department of State to the diplomatic agents of the United States abroad, not heretofore communicated to Congress, declaratory of or relating to the policy of the government of the United States in relation to the island of Cuba." In accordance with this resolution, the correspondence in question was sent by the President to Congress without comment, and by Congress to the printer without having been read or examined! Mr. Faulkner assigns as a reason for this, that "it was towards the close of a protracted session, and under circumstances that might have caused it to escape the attention of the most vigilant member of that body."

This "explanation" presents the matter in a much worse light than before. Besides the lack of wisdom manifested in exposing our action in regard to Cuba at the time when it could do no good, it now appears that the whole transaction has been conducted with an extraordinary inattention and imprudence. It is a humiliating commentary on the way in which things are done at Washington, that a diplomatic correspondence, involving such great and complicated interests, involving the expenditure of a hundred millions of dollars, and involving perhaps the question of a foreign war, can be heedlessly thrown upon the Clerk's desk, and then transferred to the columns of a daily paper, without a word of caution from the executive department of the government, and without the intention or even the knowledge of Congress!

The resolution provided, as such resolutions always do, that if the communication of the desired information was deemed detrimental to the public interests, it need not be made—leaving it to the discretion of the President either to transmit it without commentary, or to accompany it with a caution as to the nature of its contents, or to withhold it entirely. The former course was adopted.—*Albany Evening Journal, (whig.)*

The Theatre.

The Spanish and French dancers had a brilliant reception last night at the National, and a crowded and fashionable audience testified their approbation of their magnificent, artistic, and striking performances. To the regret of the spectators and managers, much of the wardrobe of the troupe did not arrive in time, and several of those who were advertised could not appear. Soto and Melisse appeared, and made a great impression. Soto is the most splendid figure which has been seen on our stage since Ellsler, and Melisse is a most finished and graceful dancer. To-night we are to have the whole troupe in full costume, and we predict a brilliant audience. Pougaud, Lavigne, and Leeder will complete the attraction of which last evening's performances have given a foretaste.

The voters of Richmond, Virginia, have decided by a majority of 185 in favor of a subscription of $50,000 to the Danville railroad.

Supreme Court of the United States.

MONDAY, December 6, 1852

Present: The Hon. Roger B Taney, Chief Justice; John McLean, James M. Wayne, John Catron, Peter V. Daniel, Samuel Nelson, Robert C. Grier, and Benjamin R. Curtis, associate justices.

John H. Clifford, esq., of Massachusetts, and Lucius C. Duncan, esq., of Louisiana, were admitted attorneys and counsellors of this court.

The Chief Justice announced to the bar that the court would commence the call of the docket to-morrow, under the 36th rule.

No. 4. Commonwealth of Massachusetts, complainants, vs. the State of Rhode Island. On the motion of Mr Clifford, of counsel for the complainant, the court granted leave to file the bill in this case, and awarded a subpœna.

Adjourned until to-morrow at 11 o'clock.

FOR RENT—A new and beautiful Brick House, three-stories high, containing ten rooms, with double porches, an elegant dry cellar under the dining room and kitchen, and a well of excellent water in the yard. This property is situated on 10th street west, between K street and Massachusetts avenue, within a few minutes' walk of the Post Office and Treasury Department. Possession given immediately.
Apply to J. T. FERRY, on the premises Dec 7—eotw*

BY TELEGRAPH.

Late and Important from Mexico.

NEW ORLEANS, Dec. 4.—The schooner Mary Ellen has arrived here from Tampico, with dates to the 26th ultimo. The captain reports the greatest excitement as prevailing in Tampico in consequence of a most formidable revolution having broken out in the interior of the State of Tamaulipas, and the city of Victoria, the capital of the State, having fallen into the hands of the revolutionists. The victorious force was also marching upon Tampico, and an attack was hourly expected. Preparations were making to repel the attack; but the citizens seemed not very confident of success.

Southern Items.

BALTIMORE, Dec. 5.—Four New Orleans mails were received this evening, bringing the dates from that city up to the 27th ult.

The damage to the southern railroads by the late freshets have been repaired so as to allow a partial resumption of travel.

The official vote of Louisiana is as follows: Pierce, 5,588; Scott, 4,114—Pierce's majority, 1,392.

The boilers of the steam mill at Sumpterville, South Carolina, exploded on Monday last, and killed three negro hands and injured four others. The mill was entirely destroyed by the explosion.

The North Carolina legislature had two additional ballots for senator on Thursday, without effecting a choice.

Shocking Steamboat Explosion —Loss of Life.

ST. LOUIS, (Mo.,) Dec. 4—Last night, as the Keokuk steam-packet Geneva was taking in wood, about twenty miles above this city, both of her boilers burst, shattering the boat to fragments, and instantly killing, or severely scalding, a number of persons on board. Captain Charles Dean, the commander of the boat, was killed; and a Capt Perry was also mortally wounded. Several others were killed, but their names have not yet been ascertained.

Baltimore Affairs.

BALTIMORE, Dec. 5.—The rumored resignation of Mayor Hollins proves to have been unfounded. No disturbances have occurred for several days, and the alarm which pervaded all classes is subsiding. The mayor and police express a determination to check the rowdy spirit by most efficient action. Many statements recently published in our papers have on inquiry proved to be much exaggerated.

North Carolina Free Suffrage Bill.—The Electoral Vote.

BALTIMORE, Dec. 4.—We have no mail to-night south of Wilmington, North Carolina.

The senate of North Carolina rejected the free suffrage bill; but afterwards reconsidered the vote.

The electoral college of the State met on the 1st, and cast ten votes for Pierce and King.

Arrival of the Empire City.

NEW YORK, Dec. 5.—The steamship Empire City, from New Orleans via Havana, arrived this afternoon, at 4 o'clock, bringing dates from Havana to the 28th ult., but no news of importance, as her advices, have been anticipated by the Isabel at Charleston.

The *Diario de la Marina*, of the 27th ult., published the affidavit of Purser Smith, and styles it a humiliating retraction.

The U. S. steamer Fulton and sloop-of-war Cyane were in port waiting orders.

From Boston.

BOSTON, Dec. 4.—A severe storm has prevailed here today, and the weather is very thick.

The indications are that our municipal election will be warmly contested. For the office of mayor the regular whigs and the opponents of the liquor law will support Mayor Seaver; the democrats will support Jos. Smith; and Dr. J. V. C. Smith stands as the independent candidate.

British Ship John S. De Wolfe Wrecked.

DARIEN, (Ga.,) Dec. 2.—The British ship John S. De Wolfe, from Liverpool for Savannah, with salt and coal, recently went ashore near Black Beard island, and is a total loss. The passengers and crew were all saved.

☞ Young Men's Christian Association.—A meeting of the standing committee to nominate officers for the association for the ensuing year, and to transact other important business, will be held on Tuesday evening, December 7th, at the 4½ street Presbyterian church, at 7 o'clock.

The members of the association belonging to the congregations represented in the standing committee are r equired by the constitution to elect their representatives "annually, at least one week previous to the election of officers," and it is requested that their names shall be sent to the recording secretary as soon as possible.

The annual meeting of the association to elect officers, revise the constitution, &c., will be held on Tuesday evening, December 14th, at the 4½ street Presbyterian Church.

WILLIAM J. RHEES, Recording Secretary.
Dec 4—d2t

NATIONAL THEATRE.

E. A. MARSHALL.....Sole Lessee.

Second night of Niblo's Grand Troupe of FRENCH AND SPANISH DANCERS.

TUESDAY EVENING, December 7,

The entertainments will commence with the farce of THE ROUGH DIAMOND.

After which, a GRAND BALLET DIVERTISEMENT.

To be followed by the farce of the DEAD SHOT.

The performance to conclude with a BALLET DIVERTISEMENT.

Prices of admission: Private boxes, $5; dress circle and parquette, 50 cents; children under 10 years, half price; reserved seats 75 cents; orchestra seats, 75 cents; family circle, 25 cents; third tier, 50 cents; colored gallery, 25 cents.

Doors open at 6½ o'clock; the curtain will be raised at 7. The box office will be open daily, from 10 o'clock, a. m., to 4 o'clock, p. m.
Dec 7

LOST—A calf-skin pocket-book, containing papers of value to the owner. Whoever will return it to the owner, at No. 14½ Brown's Hotel, shall be liberally rewarded. No questions asked.
Dec 7—2t

HANDSOME Cloak Cloths, Velvets, and Dress goods.—WM. M. SHUSTER & CO., 7th street, near Pennsylvania avenue, would respectfully inform members of Congress and all strangers visiting the city that they have on hand a splendid stock of the above-named goods, which they will offer at New York prices or less. We would name, in part, the following, which we have just received:
10 pieces super French twilled cloths for ladies' cloaks, comprising all the most desirable colors
100 long and square shawls
10 pieces colored and black silk velvets, in blue, green, purple, garnet, and black
Also, a splendid stock of printed mousselines of the most choice colors and styles we have ever offered for sale, which we shall offer at extremely low prices, as we do not wish to carry over any of them this winter.
Also, just opened and on hand a splendid stock of silks, comprising everything that is new and desirable; some very handsome light colors for evening.
With a splendid stock of rich high-lustred black gros de Rhines, all of which we will over very cheap.
WM. M. SHUSTER & CO.
Dec 7—eo6tf 7th street, west side, near Penn. avenue.

READY-MADE Clothing of First Quality.—WALL & STEPHENS, Pennsylvania avenue, between 9th and 10th streets, first door east of Iron Hall, would respectfully invite members of Congress, citizens, and strangers wishing to provide themselves with clothing for the present season, of first quality, at moderate prices, to call and examine our large and extensive assortment, which will be found to embrace the most fashionable and elegant goods ever offered in Washington.
Gentlemen preferring to have their clothing made to order, in superior style of elegance and finish, can do so by giving us a call and selecting their cloths, cassimeres, and vesting from our stock, on the most moderate terms, and satisfaction guaranted in all cases.
Dec 7—3t

ORIGINAL Boys' Clothing and Outfitting Establishment.—WALL & STEPHENS, Pennsylvania avenue, between Ninth and Tenth streets, first door east of Iron Hall, have now on hand a large and beautiful assortment of boys' ready-made clothing for the present season, consisting of overcoats, jackets, vests, pantaloons, shirts, drawers, hats, caps, and shoes, of all styles and qualities, to which we would respectfully invite parents and guardians before making their selections.
Boys' clothing made to order in the most fashionable and durable manner at short notice. Dec 7—3t

FURNISHED ROOMS FOR RENT—A large front parlor and two bed chambers, handsomely furnished, well located, near the President's House, with or without board. Apply at B. Jost's Wine Store, Pennsylvania avenue, between 17th and 18th streets.
Dec 7—d3t*

NO. 333 Broadway, corner of Anthony street, New York.—GEORGE F. FOX, tailor, United States army and United States navy; Inventeur de modes; maker of perfect-fitting coats, vests, pantaloons, and every conceivable garment in the department of tailoring; author of the first series of the philosophy of modern dress and fashion; inventor and sole manufacturer of the Webster k'haban, the Oriental k'haban, clerical k'haban, and other new styles, &c. Standard overcoats, designed in many various approved styles, cloth, color, or fabric, to suit the age, station, taste, or requirements of the wearer, made suitable to be worn in any climate. Price according to quality—$25 to $100. The k'haban supersedes the old forms of overcoats, combines all the comfort of a coat, together with the independence of the cloak, and can be forwarded by express, on lowest cash terms, with bill for collection, on receipt of letter, giving the height, weight, age, and general description of the customer.
N. B. A tailor's measure not wanted. Dec 7—eod14d

BARRY CORNWALL'S Essays and Tales in prose; 2 vols, 12mo.
English Tales and Sketches; by Mrs. Crosland.
Romance of Student Life Abroad; by Kimball, author of "St. Leger," &c.
Pictures from St. Petersburg, (No. 29 of Putnam's 25-cent library.)
For sale at TAYLOR & MAURY'S
Dec 7 Bookstore, near 9th st.

Sales To-Day.

By J. C. McGUIRE, Auctioneer.

FURNITURE AND HOUSEHOLD EFFECTS AT AUCTION.—On Tuesday morning, December 7, at 10 o'clock, in front of the auction rooms, I shall sell, by order of the orphans' court, a good assortment of household and kitchen furniture, consisting of—
Mahogany spring-seat sofa
Do marble top centre table
Bureaus, wardrobes, washstands
Three-ply and ingrain carpeting
Venetian blinds, painted window shades
Feather bed, hair, and shuck mattresses
Mahogany and cherry tables
Looking-glasses, toilet sets
Crockery, glassware, clocks
Stoves, kitchen utensils, &c.
Trunks, wearing apparel
Wheelbarrow, garden tools, glass case
Platform scales, &c.
Terms cash. JAMES C. McGUIRE,
Dec 7—1t Auctioneer.

By E. N. STRATTON, Auctioneer.

VALUABLE UNIMPROVED LOTS AT AUCTION.—On Tuesday, December 7th, at 4 o'clock, on the premises, I shall sell lot No. 13, in square No. 761, fronting fifty-five feet on A street north, with a depth of one hundred and thirty-six feet one inch to a thirty-feet alley, between Second and Third streets east.
Immediately after the sale of the above I shall sell lots 20, 21, and 22, in square 795, each lot having a front of twenty-five feet on 4th street east, and a depth of one hundred and sixty feet, between south G street and South Carolina avenue.
Terms: One-half cash; the residue in six and twelve months, with interest, satisfactorily secured.
Title indisputable. Conveyances at the expense of the purchaser.
Dec 5—2t

By J. C. McGUIRE, Auctioneer.

FURNITURE AND HOUSEHOLD EFFECTS AT AUCTION.—On Tuesday morning, December 7th, at 10 o'clock, in front of the auction rooms, I shall sell, by order of the orphan's court, a good assortment of household and kitchen furniture, consisting of—
Mahogany spring seat sofa
Do marble-top centre table
Bureaus, wardrobes, washstands
Three-ply and ingrain carpeting
Venetian blinds, painted window shades
Feather bed, hair and shuck mattresses
Mahogany and cherry tables
Looking-glasses, toilet sets
Crockery, glassware, clocks
Stoves, kitchen utensils, &c.
Wheelbarrow, garden tools, glass case
Terms cash. J. C. McGUIRE,
Dec 2—d Auctioneer.

UNCLE TOM'S CABIN.—A life-like daguerreotype of Mrs. Stowe, author of "Uncle Tom's Cabin," is on exhibition at Whitehurst's Gallery, Pennsylvania avenue, near 4½ street, together with a portrait of Sontag, the famous "Queen of Song."
Dec 7—dtf

LOS Codigos, Españoles, Concordados y Anotados; 12 vols. Madrid, 1851.
Febrero Novismo, o Libreria de Jueces, Abogados, y Escribanos; per Don Eugenio de Tapia, Abogado de los Reales Consejos; nueva edicion; 6 vols. 1850.
Diccionario Razonado de Legislacion y Jurisprudencia; por Don Joaquin Escriche, Magistrado Honorario de la Audencia de Madrid; 3d edicion, corregida y aumentada; 3 vols. Madrid, 1851.
Elementos del Derecho Espanol, por Don Joaquin Escriche; 3d edicion; 1 vol. 1840.
Biblioteca de Legislacion Ultramarina; por don Jose Maria Zamora y Coronado, Ministro Tagado Honorario del Suprimido consejo de Haciendo, Cesantedel Tribunal Mayor de Cuentas, de la Habana; 6 vols. Madrid, 1849.
Just imported by FRANCK TAYLOR.
Dec 7

FOR RENT.—The large store-room and basement, fitted for a sales-room, next to the corner store occupied by Messrs. Yerby & Miller, at the corner of 7th street west, and fronting south on Pennsylvania avenue. This store is built in the most modern style, with large show-windows, a fine skylight in the rear, and lighted with gas. Also, the store-room and cellar, twenty-four feet eight inches by eighty-five feet deep, fronting on 7th street west, and in the rear of and next to the corner store of Messrs. Yerby & Miller. Immediate possession given.
Also, for rent the upper, or dwelling portion, of this very large building over those stores. It is five stories high, with a handsome private entrance on 7th street, and is one of the best planned houses, with the most complete fixtures, of every modern convenience, for an extensive boarding house or hotel. It contains between sixty and seventy rooms, all well lighted, ventilated, and with high ceilings—having no attic or garret rooms—and only six back rooms but what have a fine view, from its being an extensive corner building; the dining room is twenty-four feet eight inches wide by eighty-five feet deep; the two