THE UNION: WASHINGTON, THURSDAY MORNING, FEBRUARY 2, 1854.

Nebraska bill; for I consider them quite as important as any business before the Senate. So far as the senator from Vermont is concerned, it would be unfair to require him to go on now.

Mr. GWIN, (in his seat.) I do not ask it.

Mr. SHIELDS. He ought to be allowed to hear the argument against his title to his seat before he is required to reply. We have plenty of business, I repeat.

Mr. GWIN. I do not wish to detain the Senate; but I will state to the senator from Illinois [Mr. SHIELDS] that the bills which he proposes to bring up, which I understand to be for the reorganization of the army of the United States, increases it greatly, and probably asks from two to five million dollars additional expenditure in sustaining the army. The question will be very thoroughly discussed before they can pass this body. There is plenty of business before the Senate, but we want business that is matured for action. Here is the Nebraska bill, made the special order a week ago, and every senator should have come here prepared to take up the question and proceed with it, as we should with every special question. Now, I should be very willing that the senator from Vermont or the senator from Delaware should take up the question of the right of the senator from Vermont to a seat here, because that is a question of privilege; but I do not want to force those senators, any more than the senator from Ohio, to proceed. I do not wish to embarrass the Senate by getting other questions before them, which we cannot dispose of when the Nebraska bill comes up.

Mr. FISH asked for the yeas and nays upon the motion to postpone; which were ordered; and being taken, resulted—yeas 36, nays 14—as follows:

YEAS—Messrs. Allen, Atchison, Badger, Bayard, Bell, Benjamin, Brodhead, Brown, Cass, Chase, Clay, Clayton, Dawson, Dixon, Douglas, Everett, Fish, Foot, Hamlin, Jones of Iowa, Jones of Tennessee, Mallory, Pearce, Pettit, Seward, Shields, Smith, Stuart, Sumner, Thomson of New Jersey, Toucey, Wade, Walker, Weller, Williams, and Wright—36.

NAYS—Messrs. Adams, Dodge of Iowa, Evans, Fitzpatrick, Geyer, Gwin, Hunter, Johnson, Norris, Pratt, Sebastian, Slidell, Thompson of Kentucky, and Toombs—14.

SENATOR FROM VERMONT.

Mr. PETTIT. I wish to give notice that I shall to-morrow—I would to-day, but I learn that the senator from Delaware [Mr. BAYARD] is not prepared to proceed—I shall call up in the morning hour, and insist upon proceeding with, the question of privilege before the Senate involving the right of the senator from Vermont [Mr. PHELPS] to a seat upon this floor. It is proper that that question should be decided at an early day.

BILLS PASSED.

The following engrossed bills were then severally read the third time and passed:

Bill for the relief of Rich[a]rd M. Bouton, George Wright, and the widow of Mari[o]n W. Fisher.

Bill for the relief of Ja[c]ob Gideon.

Bill for the relief of the legal representatives of the late Captain Wm. G. Williams.

HOUSE BILL REFERRED.

The bill from the House of Representatives, No. 197, supplemental to an act entitled "An act to ascertain and settle the private land claims in the State of California," approved March 3, 1851, was read twice, and referred to the Committee on Private Land Claims.

RAILROADS IN WISCONSIN.

Mr. WALKER. As my bill was postponed with the expectation that we should proceed with the special order, I now move to reconsider the vote by which its further consideration was postponed until to-morrow, and ask that it be considered at the present time.

The motion to reconsider was agreed to.

The Senate accordingly resumed, as in committee of the whole, the consideration of the bill granting a portion of public lands to the State of Wisconsin, to aid in the construction of a railroad and branch road in said State.

No amendment being offered, the bill was reported to the Senate.

Upon the question of ordering the bill to a third reading,

Mr. DAWSON asked for the yeas and nays; but they were not ordered.

The bill was then ordered to be engrossed for a third reading, and by unanimous consent was read the third time and passed.

PORTS OF DELIVERY.

Mr. MALLORY asked and obtained the unanimous consent of the Senate to introduce a bill of which no previous notice had been given, to constitute Pilatka and Bayport, in the State of Florida, ports of delivery; which was read twice and referred to the Committee on Commerce.

ARMY BILLS.

On motion by Mr. SHIELDS, the Senate proceeded to the consideration of Senate bill No. 120 for a retired list of disabled officers, to which the committee had reported sundry amendments. The bill was read the second time, and considered as in committee of the whole.

Mr. HUNTER. Mr. President, I will suggest to the chairman of the Committee on Military Affairs [Mr. SHIELDS] whether it would not be better to appoint some certain day for the consideration of these bills. They are very important bills, and the Senate is not now ready to consider them. They take us by surprise, none of us being prepared to consider them. I hope that he will give us time. If he will fix upon any day, I will agree to be ready to vote when the time comes. I did not suppose that they would be called up so soon, and I have not examined them sufficiently to enable me to vote upon them properly.

Mr. SHIELDS. The bill now under discussion has passed this body three several times, and has always been lost in the House for the want of time. It is a bill to provide for the retirement of the disabled officers of the army, and it is a bill, I think, for which the honorable senator from Virginia [Mr. HUNTER] has voted upon former occasions. It is printed, and has been lying upon the table since the early part of the session; and it differs in no respect from the bills of this character which have before passed this body. It has been prepared with great care by the War Department in concert with the Military Committee. I know of no measure of more importance to our army at this time than the bill providing for the retirement of disabled officers. I shall very much regret if these bills are postponed. I proposed to take up this one first, because I thought that it would lead to no discussion and to no opposition. If these bills are to be postponed until the privileged question is settled, or until the Nebraska bill is disposed of, I doubt very much whether they will pass this body during this session.

Now, every man at all acquainted with the present condition of the army knows that it is reduced in numbers until it is a mere skeleton; and these bills have been prepared by the War Department principally, and carefully examined and corrected, in concert with the War Department, by the Military Committee. This bill, as I have said, has passed this body again and again. The whole army is anxious that it should now pass, so as to retire those officers who are superannuated and disabled and unfit for duty, and who ought not in fact to be placed at the head of these important departments. I did not expect that it would meet with any opposition, and that is the reason why I called up this bill. There are two other bills which I mean to call up immediately afterwards.

Mr. HUNTER. I am only asking for time. It is no doubt true that this bill has heretofore passed the Senate, although I do not know whether I have voted for it or not. I have not had time to examine this bill. Bills are often called up and passed without consideration. I understand that the senator has a series of bills—I have no doubt well considered and well matured—contemplating very great and radical changes in the army; and it seems to me that such measures should be considered by other members of the Senate, and that a day should be fixed for their consideration. That is all I ask of him. If he will fix a day, I will be ready on that day, and will ask no further postponement.

Mr. SHIELDS. Mr. President, I was about do that in relation to the important bills for increasing the army and for increasing the pay of the army; but I took it for granted that a bill that had been over and over again discussed and passed in this body would be again passed without any opposition. If the gentleman sees anything that he thinks to be wrong in the bill, and will point it out, I shall be very glad to explain it to him. I spoke in particular of this bill because I looked upon it as a bill essentially necessary at the present time for the good of the army. Sir, in the case of this most calamitous disaster on board of the San Francisco, the superior officers who were there, from disability, I understand, were compelled to leave their command. That of itself ought to induce us to pass this bill as promptly as possible.

Mr. HUNTER. I am not opposing the senator's bill. I only ask for time in which to consider it. I do not know whether it is right or wrong. I only ask for time to examine it thoroughly.

Mr. GWIN. Mr. President, I propose that all of these bills be made the special order for this day two weeks, and that they be then taken up as a series of measures, and we shall be prepared to act upon them at once.

Mr. WELLER. Mr. President, as one of the members of the Committee on Military Affairs, who reported this bill, I have but this remark to make: I do not see with what propriety the senator from Virginia asks for a postponement. If this was the first time that this question had been presented to the Senate, of providing for a retired list in the army, then with very great propriety the senator might ask for a postponement until he could determine in his own mind whether the public interest required a provision for such a list; but, as my friend, the chairman, [Mr. SHIELDS,] says, this bill has been before the Senate time and again. This bill contains all of those provisions that were included in those bills that have heretofore passed the Senate; and the presumption is, that the attention of so watchful a guardian of the public interest as the senator from Virginia is, has been directed to this subject. If the senator says that he has not determined in his own mind whether the interests of the army require that a retired list shall be provided—if he has not had an opportunity to investigate that question—I would be in favor of giving him time, on account of his other duties, to attend to this subject. But I see no reason, so far as the discussion has yet gone, for delaying this matter longer.

There are other bills reported by the Committee on Military Affairs which will meet with opposition, as they are bills making important changes in the army of the United States. No doubt they will undergo a full discussion; and I am willing to give an opportunity to senators to examine and discuss those questions. But the question presented by the bill which has been taken up on the motion of the senator from Illinois is, in my opinion, one upon which every senator has formed an opinion; and, therefore, I am in favor of having the action of the Senate upon it now.

Mr. BAYARD. I will ask the senator from Illinois whether this bill is identical in all of its provisions with the bill that has previously passed the Senate?

Mr. SHIELDS. I will reply to the honorable senator that there is a change merely in the phraseology of the bill.

Mr. BAYARD. But not in substance. A part of the bill, when it was up for consideration before, seemed to me to be objectionable.

The PRESIDENT. The question before the Senate is to postpone this bill for two weeks, and make it the special order.

Mr. SHIELDS. Mr. President, I think it due to any senator of this body, when he states that he is not prepared to act on any measure, that he should have time to consider it; and, acting upon that principle, I should be very unwilling to require the senator from Virginia [Mr. HUNTER] and the senator from California [Mr. GWIN] to act upon this measure without sufficient time for consideration. But I took it for granted—this being a measure that has passed this body time and again, but has been lost in the House for want of time—that we might pass it at this time—so early in the session that it could not be again lost upon that ground. We have also reported two other important bills: one is to increase the army by adding three regiments to it, and the other is to increase the pay; and I think the better way would be to designate a particular day upon which to consider these bills.

Mr. GWIN. I will give my reasons why I think that all the bills should go together. I have not examined these bills, but I take it for granted that the three bills for the reorganization of the army should be considered as one measure. This bill provides for the retirement of certain officers of the army, and the subsequent bill provides for filling the offices that are to be vacated by the retired list; and hence they properly refer to one subject, and should be considered together. I have considered the reorganization of the navy with some degree of care and attention, which I am required to do as chairman of the Naval Committee, and I believe that the proper way to reorganize the army and the navy is to have a system by which, if you establish a retired list in either branch of the public service, you will at the same time be prepared to fill up the vacuum thus created by the retired list, and for that reason I want the bills to go together. I make no objection at all.

Mr. SHIELDS. If the honorable senator will allow me, I will correct him a little where he has fallen into an error. This bill does not create a vacuum, or increase the number of officers. It applies to the army as it is now, and not to the increase of the army. It has no reference whatever to those two bills. They stand upon a different footing altogether. This bill merely provides, as I thought every person knew, to retire the disabled and superannuated officers upon their pay proper, leaving the other officers to get the emoluments and fill the place, *pro tempore* as it were, when they retire. I am not disposed, however, to enter into any discussion upon this matter, if honorable senators think it better that the bills should be taken up at the same time. This one has no connexion, however, with those other measures.

Mr. GWIN. I hope the Senate will agree to allow them all to be postponed, and made the special order for this day two weeks; and I will be ready then to go through with them.

Mr. SHIELDS. I then move to take up Senate bills 118, 119, and 120, and that they be postponed, and made the special order for this day two weeks.

The motion was agreed to.

JONATHAN KEARSLEY.

Mr. STUART. I ask the Senate to take up and pass a bill authorizing a settlement with the late land officers at Detroit, in the State of Michigan. It simply authorizes the Treasury Department to adjust their accounts. It is a bill which has been passed here twice—I believe three times, but twice certainly.

The bill (S. 156) to provide for the final settlement of the accounts of Jonathan Kearsley, late receiver of public moneys at Detroit, and of John Biddle, late register of the land office at that place, was then read the second time, and considered as in committee of the whole.

No amendment being offered, the bill was reported to the Senate, ordered to be engrossed for a third reading, read the third time, and passed.

WITHDRAWAL OF PAPERS.

Mr. ATCHISON asked leave to withdraw from the files of the Senate the papers of L. C. Easton, and that the same be referred to the Committee on Military Affairs; which was agreed to.

PATENT OFFICE REPORT.

The PRESIDENT laid before the Senate the first part of the annual report of the Commissioner of Patents.

On motion by Mr. WELLER, it was laid upon the table, and ordered to be printed.

Mr. WELLER moved to print the number of extra copies which were ordered at the last session; which motion was referred to the Committee on Printing.

PORT OF NEW ORLEANS.

On motion by Mr. BENJAMIN, the Senate took up Senate bill No. 55—being a bill to extend the limits of the port of New Orleans so as to embrace the right bank of the Mississippi river for the same distance up said river bank as it extends up the left bank.

The bill was read a second time, and considered in committee of the whole.

Mr. BENJAMIN stated that the port of New Orleans comprehended both branches of the river, but for different distances on each side, and it was desired to make the termination of the port on both branches of the river the same. That was the only object of the bill.

Mr. BADGER. I hope my friend from Louisiana will strike out that word "river" in the last line. It is very superfluous, and makes the bill read badly.

Mr. BENJAMIN. I accept the amendment.

The word "river" was accordingly stricken out.

The bill was then reported to the Senate as amended, engrossed, read a third time, and passed.

PUBLICATION OF SENATE DEBATES.

Mr. BADGER submitted the following resolution; which lies over, under the rule:

Resolved, That the Secretary of the Senate pay the proprietors of the National Intelligencer, out of the contingent fund, for publishing in that paper the debates and proceedings of the Senate of the last Congress, at the rate of one half the price which was allowed to the Washington Union for the same service.

EXECUTIVE SESSION.

On motion by Mr. HAMLIN, the Senate proceeded to the consideration of executive business; and after some time spent therein, the doors were reopened, and the Senate adjourned.

WEDNESDAY, FEBRUARY 1, 1854.

MEMORIALS, PETITIONS, ETC.

Mr. ALLEN presented the petition of Harriet H. Saunders, widow of Camillus Saunders, an officer of the United States revenue cutter service, who was lost on board the cutter Hamilton, praying a pension; which was referred to the Committee on Pensions.

Mr. STUART presented the memorial of Joseph Smith, assignee of a certain land warrant, asking the right to locate the quantity of land therein described; which was referred to the Committee on Private Land Claims.

Mr. WALKER presented the memorial of the mayor and aldermen of the city of Milwaukie relative to the mode of expending money appropriated for the harbor of that city; which was referred to the Committee on Commerce.

Mr. W. also presented a presentment of the grand jury of the United States for the district of Wisconsin, representing the necessity of providing suitable buildings for the custom-house, post office, and courts in the city of Milwaukie; which was referred to the Committee on the Judiciary.

Mr. THOMSON, of New Jersey, presented a petition of residents of Hackensack, Bergen county, New Jersey, representing that the remains of Brigadier General Enoch Poor, who was a native of the State of New Hampshire, lie deposited in the graveyard of the Reformed Dutch church in that village, beneath a flat stone lying horizontally upon the ground, and praying the erection of a suitable monument commemorative of the services of the deceased, and to mark the spot where his remains are buried; which was referred to the Committee on Military Affairs.

Mr. FISH presented the petition of Ellen Martin, praying that the commutation pay to which Francis Martin was entitled for services during the revolutionary war may be paid to his grand-children or legal representatives; which was referred to the Committee on Revolutionary Claims.

Mr. CLAYTON presented a memorial of citizens of Delaware county, Pennsylvania, praying a modification of the late bounty-land law; which was referred to the Committee on Public Lands.

Mr. SUMNER presented a petition of citizens of Lancaster county, Pennsylvania, praying Congress to pass no law for the extension of slavery into the territory from which it was excluded by the "Missouri Compromise act" of 1820; which was ordered to lie on the table, as the subject was already under consideration by the Senate.

Mr. SEWARD presented the petition of Abraham Boileau, one of the grand-children of Annable Boileau, an officer in the army of the revolution, praying to be allowed commutation; which was referred to the Committee on Revolutionary Claims.

Mr. S. also presented the petition of Sarah S. Hine, widow of E. C. Hine, an officer of the United States revenue cutter service, who was lost on board the cutter Hamilton while in the performance of his duty, praying a pension; which was referred to the Committee of Claims.

PAPERS WITHDRAWN AND REFERRED.

Mr. CLAYTON asked leave to withdraw from the files of the Senate the memorial of Catharine Crosby and the representatives of Thomas D. Anderson, praying for the allowance of his contingent expenses as consul at Tripoli, and that the same be referred to the Committee on Foreign Relations; which was agreed to.

Mr. TOUCEY asked leave to withdraw from the files of the Senate the petition and papers of Ann Dodd, praying a pension, in order that they may be referred in the House of Representatives; which was agreed to.

Mr. STUART asked leave to withdraw from the files of the Senate the petition and papers in relation to claims of Joseph Sansfacon and others to lands in the State of Michigan, and that the same be referred to the Committee on Private Land Claims; which was agreed to.

Mr. Jones, of Iowa, asked leave to withdraw from the files of the Senate the petition of William D. Acken and Julia Acken, representatives of William Yool, master's mate in the navy, praying a pension, and that the same be referred to the Committee on Pensions; which was agreed to.

Mr. PRATT asked leave to withdraw from the files of the Senate the petition and papers of the heirs of Robert Sewall, praying compensation for property destroyed by the enemy during the last war with Great Britain, and that the same be referred to the Committee of Claims; which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, by Mr. Forney, their Clerk, announcing to the Senate that the House have passed a bill to cede to the State of Illinois that part of the Cumberland road lying within said State, in which the concurrence of the Senate is requested.

REPORTS FROM COMMITTEES.

Mr. HAMLIN, from the Committee on Commerce, to whom was referred the petition of Charles Morgan, president of the "Accessory Transit Company," praying that that company may be authorized by special enactment to hold title to any steamers or ships that may be necessary to enable it to transport passengers and freight between the ports of the Atlantic and those of the Pacific ocean, reported a bill (S. 180) to authorize the issue of registers to vessels owned by the "Accessory Transit Company;" which was read and passed to a second reading.

Mr. PRATT, from the Committee on the District of Columbia, to whom was referred the memorial of John C. F. Salomon, asking for an act of incorporation for the purpose of supplying the cities of Georgetown and Washington with pure water, asked to be discharged from the further consideration of the same; which was agreed to.

Mr. NORRIS, from the Committee on the District of Columbia, to whom was referred the petition of L. P. Holladay & Co., praying permission to erect a large and commodious hotel on the public grounds on the south side of Pennsylvania avenue, near the Capitol, in the city of Washington, asked to be discharged from the further consideration of the same; which was agreed to.

Mr. BUTLER, from the Committee on the Judiciary, to whom were referred the bill from the House to secure the right of citizenship to children of citizens of the United States born out of the limits thereof, and sundry memorials on the subject, reported the bill back with an amendment, being to strike out one section. He also submitted a report on the subject; which was ordered to be printed.

Mr. HAMLIN, from the Committee on Commerce, to whom was referred the bill to constitute Pilatka and Bayport, in the State of Florida, ports of delivery, respectively, reported it back without amendment, and recommended its passage.

A NATIONAL FOUNDRY.

Mr. BRODHEAD submitted the following resolution, and asked its immediate consideration:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of authorizing the Secretary of War to select a site for a national foundry at some suitable place in the State of Pennsylvania.

Unanimous consent being given that the resolution should be considered,

Mr. B. said: I believe, Mr. President, that the propriety of establishing a national foundry is now conceded, and I am quite convinced that the plan indicated in the resolution for selecting the site is the only practicable one. The Secretary of War will no doubt, as is usual, appoint a board of experienced and disinterested officers to make a personal examination and inspection of the various places recommended, and report to him on the subject. It is the way in which sites for navy-yards, naval and military asylums, marine hospitals, &c., are selected. Congress cannot select the site, because so many members think their own particular localities the best, and hence preconceived opinions and sectional rivalry prevent action.

For the past ten years, Mr. President, I have urged the propriety of establishing a national foundry. On the 27th day of April, 1844, then being a member of the House of Representatives, I submitted a report from a select committee, recommending, for the reasons therein stated, the establishment of a national foundry in the district I then had the honor to represent. Now, for the first time, the Secretary of War has made a similar recommendation, without indicating the place.

By an act passed the 3d of March, 1853, the Secretary of War was "directed to report to Congress whether, in his opinion, it would not be more economical, proper, and advisable to cause all the arms of the United States to be made by contract." The enlightened Secretary, in his recent report, clearly shows that it would not be more economical, proper, and advisable to cause all the *small arms* to be made by contract, and adds—

"It is not known whether, by the use of the term 'all the arms of the United States,' it was intended to include the heavy guns, or cannon. I will, however, remark that all cannon are now made by contract, Congress having made no provision for a national foundry, and will take this occasion to recommend an appropriation for that object. The just admixture of metals, and the casting of bronze pieces, require much mechanical skill and no little scientific attainment. The examination of ores, and the casting of iron into cannon, are subjects which have attracted much consideration from the Ordnance department, and present a wide field for further investigation and experiment. The rigid inspection which such guns now receive has improved, and is still improving, their quality; but it is believed there would be a more rapid advance in knowledge, and a higher standard of excellence attained, if the advantage of a national foundry were possessed."

I presume, Mr. President, in view of many considerations, it will be admitted that if the recommendation of the War Department is adopted, that the foundry should be located at some point in the State I have the honor in part to represent. Pennsylvania is the great iron-producing State of the Union, and has been such since the foundation of the government. She is located between the dividing interests of the North and the South. She has water communication with the Northwest, West, and Southwest, and the Atlantic; while her railroads and canals, constructed without aid from the general government, penetrate every portion of the State.

But there are other reasons why this establishment should be yielded to Pennsylvania. One of the national armories is now located at Springfield, in the State of Massachusetts, and the other at Harper's Ferry, in Virginia. The eastern States will not, therefore, claim it, nor will Virginia. For the last few years New York has been so much favored by the expenditure of public moneys, and the establishment of governmental enterprises within her borders, that I believe that even she, although a rival State, will act worthy of a generous rival, and yield upon this question to Pennsylvania. Again, there is no State north of Mason & Dixon's line that has stood so firmly by the constitutional rights of the South, and hence we look for aid upon this question to our southern brethren.

It is proper that I should add that my opinion remains unchanged in regard to the place that should be selected. I believe the valley of the Lehigh, in Pennsylvania, presents greater advantages than any other place; but as there is a difference of opinion upon this point between my colleagues in the House and myself, and as a difference of opinion is certain to prevent success, I am willing to leave the question to the Secretary of War and a competent board of officers. I am willing that the different points, not only in the valley of the Lehigh, but those also in the valleys of the Schuylkill, Susquehanna, and Juniata, as well as places west of the Alleghany mountains, and elsewhere throughout the State, should be carefully and personally examined.

It seems to me that no fair-minded person can object to this course. I hope, therefore, that the resolution will be adopted, and that the committee will give the subject that consideration which its importance demands.

Mr. PRATT. I move, Mr. President, to strike out the latter clause of the resolution. If a national foundry is to be established, I think the Secretary of War should have the whole country to select the site from. I think that as good a location for this purpose might probably be found in the State of Maryland as in the State of Pennsylvania. I therefore move to strike out the words "in the State of Pennsylvania."

The question being taken, the amendment was agreed to.

The resolution as amended was then agreed to.

SECRECY OF EXECUTIVE PROCEEDINGS.

Mr. SLIDELL submitted the following resolution for consideration:

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency of so amending the rules of the Senate that the injunction of secrecy shall be removed so far as regards the final action of the Senate on any nomination submitted to it for confirmation, maintaining said injunction in relation to any debate, discussion, or remark, which may have occurred in executive session in relation to said nomination.

Mr. BADGER. If I understand the object of that resolution, it relates to the propriety of removing the injunction of secrecy from certain executive proceedings; and I would submit to the honorable senator from Louisiana that it is not a proper subject of discussion in open session.

Mr. SLIDELL. I will explain very briefly the object of the resolution. A few days since I voted against the motion to lay on the table the resolution introduced by the honorable senator from Ohio, [Mr. CHASE,] repealing altogether the rule which now exists in relation to maintaining secrecy with respect to what has been done in executive session. And I think that our recent experience, particularly with regard to an important nomination which was confirmed the other day, has demonstrated that there is no such thing as secrecy with regard to our action in executive session. I am in favor of still retaining the injunction of secrecy so far as relates to any debate, discussion, or remarks in executive session; but I am decidedly opposed to retaining that injunction in respect to the acts of the Senate. I believe the Committee on the Judiciary is the one to whom this resolution should be appropriately referred; and I think there can be no objection to their taking the matter into consideration.

Mr. BADGER. I heard it very indistinctly when it was read, and I did not understand the object of it. I have no objection to it.

Mr. BUTLER. I am inclined to think that a matter of that kind ought to go to the Committee on Foreign Relations, if it relates at all to treaties.

Mr. SLIDELL. It refers entirely to nominations, and not to treaties, and has reference only to the action of the Senate, and not to what may have been said.

Mr. CLAYTON. Mr. President, I doubt very much whether there is any necessity that the resolution should pass as it now stands. I think that there is a great mistake in the public mind, and even among senators themselves, in reference to this whole subject. There is nothing in the rules of the Senate requiring secrecy with regard to nominations. I may say, that whenever a nomination has been acted on by the Senate, it is considered, and always has been considered, perfectly competent for any member of the Senate to state the result of the vote—whether the nomination has been confirmed or rejected. A matter of this kind is no secret, and never has been a secret. The only matters that have been regarded heretofore as being those upon which the injunction of secrecy rests, are treaties, debates upon nominations, remarks of senators, of a personal nature, with regard to the character or fitness of the nominee, and all papers which the President sends here that are marked "confidential." I suppose nobody wishes to change the rule in this respect; and as it now stands, it is perfectly competent for any senator to state whether a particular nomination has been confirmed or not. In reference to communications from the President which are marked "confidential," I trust that no one desires to remove the injunction of secrecy; and so, also, with regard to treaties, nobody desires to change the rule in that respect. The common idea that everything which is done in executive session is covered by the injunction of secrecy is entirely erroneous. I do not object to the resolution going to the committee, but I can not see how any essential change could be made for the better.

Mr. WELLER. I think, Mr. President, that it would be a very great improvement upon the rules of the Senate if we were to change them in such a way as to allow the official reporters, who are the sworn officers of the Senate, to remain during our executive sessions, when we are acting upon the appointments and nominations that have been made by the President. In that case, whenever we choose to remove the injunction of secrecy, the debate which may have taken place upon a nomination can go out to the country in connexion with the announcement of the vote which we have given. I am desirous that every vote which I may give upon these executive appointments should be known to the country; and I oftentimes desire that the country should also be put in possession of the facts or the reasons why I voted as I may have done. This cannot be done, in my judgment, except by admitting the reporters to be present during the executive sessions; and as they are the sworn officers of the Senate, the same injunction of secrecy which operates upon us would apply to them. Whenever we should see fit to remove that injunction, the debate which may have taken place upon a nomination can go out to the country, and then, sir, the country can determine as to the propriety of our action. Now, it oftentimes happens that great injustice may be done to senators here, because the reasons that operated upon their minds are not submitted to the country along with their votes. I desire that, in all cases, whatever I may say with regard to any executive appointment should be known to the country. I am willing that the people should know the manner in which I vote; and I am equally anxious that they should know the reasons which operate upon my mind in the giving of that vote.

Mr. BADGER. Mr. President, I recollect very well that during one of the executive sessions of the last special session of the Senate a report was read to this body which had been made many years ago in executive session upon this very subject, by Mr. Hayne, of South Carolina; and the Senate directed the injunction of secrecy to be removed from that report, and that it should be printed. I have never seen anything of it since. I do not know where the report is, or whether it has been printed or not. But I will say that I think, if that report were to be found, it would throw a good deal of light upon this subject. I know that it communicated information to me, as well as to other senators. And I would suggest to the honorable senator from Louisiana, having no sort of objection to the adoption of this resolution, whether, under the suggestion thrown out, it would not be better to frame it somewhat in this way: that the Committee on the Judiciary be directed to examine whether any alteration should be made in the rule of the Senate upon the subject of proceedings in executive session; and, if any, what.

Mr. WELLER. I should prefer that.

Mr. SLIDELL. I would accept that amendment with great pleasure. I think, however, that the honorable senator from Delaware does not understand precisely the object of my resolution; and perhaps I am altogether mistaken as to what are supposed to be the obligations of senators. It is very clear that we have a right to say that such a nomination has been confirmed, or that such a one has been rejected. Perhaps we might go still further, and say that it was confirmed or rejected by such and such a vote—so many votes for it and so many votes against it. It is also understood that each individual senator has a right to say how he voted; but I have certainly been laboring under a very great misapprehension if it be the general sense of the Senate that any senator has a right to say in public how any other senator has voted in executive session upon a nomination. That is the point at which I wish to arrive. Experience shows that there is really no secrecy; and I do not choose to be trammelled by obligations which other gentlemen do not observe. We saw the other day, with regard to an appointment, when a great deal of public curiosity was excited as to the result of our proceedings, to which the public attention was very much directed, that the rule had no effect. Why, sir, I met a gentleman the next morning casually in the street, and in conversing with him upon the subject of that nomination, he told me how every senator had voted. I had supposed myself bound to observe strict secrecy in relation to the vote of every other senator but myself. If I am wrong in that impression, then my resolution is useless. If we have a right to say how each person has voted in the Senate, then I am perfectly satisfied with the rule as it stands; but if that be not the case, I think an amendment is imperatively called for.

Mr. BADGER. Mr. President, I have the report now to which I just referred, and which has been printed. It bears date March 24, 1830. According to the view entertained by the committee who made this report, it is very clear, I think, that what has been stated by the honorable senator from Louisiana is correct. I have always understood the rule to be, that although a senator has a right to state his own vote, he has no right to state the vote of any other senator without his consent. The part of the report which refers to it is this:

"So far as this rule embraces 'information' given, or 'remarks' made, there can be no difficulty. But it may be asked whether any injunction of secrecy is imposed by this rule:

"1st. In relation to the fact that an individual has been nominated to any office, before the nomination has been acted on.

"2d. In relation to the confirmation or rejection of such nomination.

"3d. In relation to the state of the vote by which such rejection or confirmation has taken place.

"4th. In relation to the votes of individual members of the Senate on such nomination.

"That the words of the rule do not impose secrecy in any of the three first-named cases can hardly admit of a doubt; and it seems equally clear that they are not embraced within the reason of the rule. The only point that can be considered at all doubtful is, whether the disclosure of the vote of any individual member of the Senate does not come within the reason of the rule which forbids the disclosure of the 'remarks' of any member, touching the character and qualifications of any person nominated by the President. A *vote*, though not strictly speaking a *remark*, is clearly the expression of an opinion; and if the former ought to be kept secret, so ought the latter. On the whole, therefore, the committee are of opinion that, in addition to keeping secret all remarks on the character and qualifications of persons nominated, the votes of individual members must also be kept secret; though they think that this rule ought not to prevent a gentleman from making known his own individual vote on such nomination, taking care to keep secret the votes of others."

Mr. CLAYTON. I have only to say, in regard to that report, that I remember well when it was presented here. I think it was never adopted, or never acted upon. It was a report made by a very able committee; and the principles contained in it have governed the Senate so far as my knowledge of its course extends. The honorable senator from Louisiana is right in saying that it has been understood that a senator is not at liberty to mention the votes of other senators; and that understanding has grown out of that portion of the report which has been read by the honorable senator from North Carolina. It might, however, admit of a doubt whether the construction given in the report to the word "remarks," as applied to senators, be a fair one or not. It is rather a strained interpretation. I must submit to contend that a vote is "remarks," and is therefore to be kept secret under the rule. However, this has been the understanding, and senators have generally conformed to it; and what has been the result? Every senator has related to every man who asked him, as soon as he came out of the Senate chamber, what his own vote was upon a nomination; and consequently it was very easy to ascertain what the votes of all were—so that there has never been in fact any secrecy at all in regard to the votes of senators upon nominations, nor has there been any secret in regard to the votes upon a treaty. Each man being at liberty to say how he voted, it was ascertained very soon how all voted.

I am very willing that this question should go to the Committee on the Judiciary, as the honorable senator from Louisiana desires; and I trust that they will take into consideration the report which was made in 1830; and, if it is necessary to alter the rules of the Senate, that they will make a report to that effect; but I very much doubt whether any essential amendment is required to the rule.

Mr. BUTLER. Mr. President, the report to which the honorable senator from North Carolina has referred, and from which he has read, was before this body, I think, no longer ago than the last session.

Mr. BADGER, (in his seat.) In executive session.

Mr. BUTLER. In executive session last year. I recollect the remarks of senators then upon the subject, and the decision of the Senate. I am perfectly willing that the resolution should go to the Judiciary Committee; but I think that the general opinion was that the subject should not be further discussed or agitated. I know it depends upon each one's sense of propriety as to whether that shall be the case or not. I agree with the senator from Louisiana that I have heretofore regarded myself as under an obligation to keep secret what others have said or how they have voted, although I have felt at liberty to say what I please about my own votes. If the honorable senator insists upon his resolution, let it go to the committee.

Mr. SLIDELL. I prefer that it should go to the committee.

Mr. BADGER. I desire that the senator from Louisiana, who signified his willingness to adopt the suggestion that I made, should hear the amendment read, so as to see whether it meets his approbation. The resolution, as I propose to amend it, will read as follows:

Resolved, That the Committee on the Judiciary be requested to inquire whether any additional rule, or amendment of an existing rule, in relation to the proceedings of the Senate in executive session, be necessary; and if, in their opinion, any such rule or amendment be necessary, to report such rule or amendment to the Senate.

Mr. SLIDELL. As the attention of the committee has been called to the evil which I propose to remedy, I have no objection to the amendment.

The resolution as amended was then agreed to.

GEORGETOWN GAS COMPANY.

Mr. BRIGHT. Mr. President, I now ask the unanimous consent of the Senate to take up the bill providing for the incorporation of the Georgetown Gas Company, which was reported from the Committee on the District of Columbia a day or two since. There is an urgent necessity that the bill should be passed, and I think it will take but a few moments.

The PRESIDENT. The Chair is informed that the bill has not yet been returned from the printer.

Mr. BRIGHT. Does that prevent its consideration?

The PRESIDENT. When we have not got the bill, certainly we cannot consider it.

Mr. BRIGHT. Then, I can only say that I am very sorry that the bill is not here.

[TO BE CONTINUED.]

MONDAY, JANUARY 30, 1854.

HOUSE OF REPRESENTATIVES.

Mr. CHURCHWELL introduced the following bill; which was referred to the Committee on the Post Office and Post Roads:

A bill to authorize and empower the Postmaster General to contract with —— —— for the transportation of the mail between New Orleans and San Francisco.

Be it enacted, &c., That from and after the passage of this act, it shall be the duty of the Postmaster General to negotiate and conclude a contract of agreement for the transportation of the letter and paper mail of the United States from New Orleans, in Louisiana, to San Francisco, in California, and from San Francisco to New Orleans, twice a month each way, with —— ——, of the United States; and to allow and pay, in monthly payments, for the service, the rate, according to time, as per schedule hereto attached, and made a part of this act.

And be it further enacted, That the Postmaster General shall require from the parties so contracting proper evidence of his or their right and authority to transport the mails of the United States through and across any foreign country, State, or Territory; and also a stipulation or agreement to prepare for and actually commence the service, under the contract hereby directed, on or before the expiration of —— months after this act shall become a law.

And be it further enacted, That the Postmaster General is not authorized or empowered to make any advance of the funds or credit of the government in furtherance or aid of the undertaking, or for the use and benefit of the parties so contracting.

And be it further enacted, That the parties so contracting shall, in no event, receive from government increased compensation.

And be it further enacted, That the contract hereby directed shall be for the term of —— years.

SCHEDULE FOR EACH TRIP FROM PORT TO PORT PER ANNUM.

In 25 days, $100,000; in 24 days, $100,000; in 23 days, $200,000; in 22 days, $300,000; in 21 days, $350,000; in 20 days, $450,000; in 19 days, $500,000; in 18 days, $600,000; in 17 days, $720,000; in 16 days, $850,000; in 15 days, $1,000,000; in 14 days, $1,200,000; in 13 days, $1,450,000; in 12 days, $1,700,000; in 11 days, $2,000,000; in 10 days, $2,500,000.

PUBLIC LANDS—COMMON SCHOOLS.

Mr. CHURCHWELL also introduced the following bill; which was referred to the Committee on Public Lands:

A bill granting public lands to the several States of the Union for the establishment of a permanent and efficient system of common schools.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of promoting an efficient system of common school education, there be granted to the several States one hundred millions of acres of the public lands to which the Indian title has been extinguished, and which are subject to private entry, to be apportioned, under the direction of the President of the United States, to the several States, according to the relative number of children therein, male and female, under the age of fifteen, as shown by the census returns of eighteen hundred and fifty; and in apportioning the same, the lands shall be divided and subdivided into sections and fractions of sections; and the lands apportioned to the several States shall be by them held as a fund for purposes of common school education, on the terms and conditions herein stated: *Provided*, That whenever there are public lands of suitable quality in a State, the quantity to which such State is entitled shall be selected from such lands; and the quantity apportioned to any State in which there are no public lands shall be located in the territories as aforesaid.

SEC. 2. *And be it further enacted*, That as soon as the apportionments aforesaid are made, grants shall issue to the States respectively for their portion, and it shall be the duty of the States to provide as soon as practicable for their sale; but the said lands are not to be sold at a less price than the minimum per acre of the public lands, and to be subject to the right of pre-emption until sold by the States: *Provided*, That the States shall have the entire control and management of said lands as soon as the grants are issued; and all the expenses attending the same shall be paid by the States out of their respective treasuries.

SEC. 3. *And be it further enacted*, That all moneys derived from the sales of the lands by the States shall constitute common-school funds for the States respectively, which shall never be diminished, and the interest of which shall be invariably applied to common-school purposes, in pursuance of the laws of the several States respectively, for the effective promotion of common schools.

WEDNESDAY, FEBRUARY 1, 1854.

The House met at 12 o'clock, m.

Prayer by the chaplain of the Senate.

The journal of yesterday was read and approved.

The SPEAKER laid before the House a communication from the Commissioner of Patents, transmitting his annual report; which was referred to the Committee on Printing, with instructions to consider whether 100,000 or 50,000 copies be printed.

PROTECTION OF THE UNITED STATES MAILS.

Mr. JONES, of New York, moved to reconsider the vote of yesterday by which the bill making obstruction to the mails on railroads a misdemeanor was referred to the Committee of the Whole on the state of the Union.

Mr. OLDS said that the Erie difficulties had given rise to the introduction of the bill at the present time, and it appeared to him that affairs now existing at Erie, Pennsylvania, demanded that the House should take some action for the safe transmission of the United States mails through that town. He wished to explain that, in case of an obstruction arising out of an order from a court in Pennsylvania, the persons causing such obstruction on such authority would not be punished, notwithstanding the passage of this bill.

After considerable debate on points of order, and some excitement,

Mr. O. said that, since the vote of yesterday, a telegraphic despatch had been received, dated January 31, as follows:

"Men commenced clearing away platform to connect tracks. Bell was rung, and a thousand people rushed up and destroyed our track on Sassafras street."

The despatch was examined by

Mr. FLORENCE, who said he did not know the name of the party on whose authority the despatch had been sent.

Mr. OLDS said he had no feeling, either against the people of Pennsylvania or of Erie, in what he was doing. He was simply doing his duty as a member of the Committee on the Post Office and Post Roads, and beyond that he had no feeling whatever in the matter. Mr. O. then proceeded to read a letter published in a New York newspaper, stating that New York newspapers had been received at Detroit twenty-four hours earlier via Camden than by the usual route via Erie. He asked whether it was not the duty of Congress to protect the mails, so as to prevent the necessity of communications intended for any portion of the United States being sent through a foreign country.

Mr. JONES, of Tennessee, asked whether the bill did not provide especially for the difficulties at Erie, as there was no other point to be provided for but that?

Mr. OLDS explained that the bill provided for the protection of the mails throughout the United States.

Mr. JONES wished to know of the chairman of the Committee on the Post Office and Post Roads whether something could not be done to make the railroad company charged with conducting the mails between New York and this city to keep their proper time.

Mr. RITCHIE said this was a long bill, and it was doubtful whether it did not exceed the jurisdiction of the House. He contended that the object of the bill was, under pretence of protecting the mails, to give certain advantages to railroad companies over individual and State rights. Laws were already in existence to punish the obstruction of the United States mails, and also the wilful stoppage of railroad cars. The road on which the track had been taken up, to which the telegraphic despatch referred, was the one on the western side, the company of which the supreme court of Pennsylvania had decided to be the fraudulent one; and the United States circuit court had also decided it to be fraudulent, and refused to issue an injunction to prevent the people from taking up the line. He moved the previous question.

Mr. CAMPBELL, of Ohio, appealed to the gentleman to withdraw his motion for a time. After considerable debate and confusion,

Mr. RITCHIE withdrew his motion.

Mr. CAMPBELL said he did not participate in any feelings which arose out of local interests, because he was fortunate enough to represent a district that was not deeply interested in the Erie question, or the speedy transmission of the mail. But a few weeks ago he had attended a meeting of the merchants of Cincinnati, at which there was great complaint made of the serious inconvenience they had sustained in consequence of the delay of the mails. On his return, he had presented a resolution calling upon the President to give the House official information in relation to these obstructions of the mails, in order that the House and the country might have information upon which the House could act. The honorable gentleman from South Carolina [Mr. ORR] had moved to lay the motion on the table. It was advocated that the general government had no right to pass a law to affect the transmission of the mails. He contended that if the government had power to erect custom houses, it had power to punish any attempt of an incendiary to destroy them; and if the government have power to establish mails, it had also the power to protect them. He referred to the clause of the bill which made an exception for cases where a legal right to obstruct was obtained from a court of the State, which would make each case a question for the consideration of a judicial tribunal. After some interruption on the part of

Mr. STRAUB, who put several questions relative to whether the constitution would not be violated by the bill,

Mr. CAMPBELL said there was nothing in the bill which was calculated to violate State-rights, as the subject would be invariably referred to the judicial authorities of the land. There was danger in delay. The people of the great commercial interests of the West as well as of the Atlantic were waiting with deep anxiety for national legislation on the subject. If they refused to protect an interest like that, or were staved off by having the bill sunk into that grand vortex, the Committee of the Whole, he was not prepared to say, if they were tardy, and refused to legislate upon that subject, that there would not arise up a power there that would make an effort to protect its interests without asking them.

After some further interruption,

Mr. C. asked the chairman of the Committee on the Post Office and Post Roads whether petitions had not been referred to that committee on the subject.

Mr. OLDS said that, not only had petitions been referred to the committee, but the House had passed a resolution directing the attention of the committee to the subject, and it was on that resolution that the committee had reported the present bill.

Mr. HAMILTON moved that the motion to reconsider the bill be laid on the table; and demanded the yeas and nays thereon.

The question was then taken and negatived—yeas 82, nays 102.

So the House refused to lay the motion on the table.

Mr. JONES, Tennessee, moved that the rules be suspended, and that the House resolve itself into Committee of the Whole on the state of the Union; and upon this he demanded the yeas and nays.

The question was taken and negatived—yeas 92, nays 93; so the House refused to go into Committee of the Whole on the state of the Union.

After considerable debate on points of order, and much excitement,

Mr. GROW moved that the House go into the Committee of the Whole on the state of the Union; and demanded tellers.

Tellers were ordered, and reported—ayes 82, noes 82.

The yeas and nays were then demanded; and the question being taken, the motion was adopted—yeas 96, nays 95; so the House then resolved itself into Committee of the Whole on the state of the Union, and proceeded (Mr. SEYMOUR in the chair) to the further consideration of the deficiency bill.

Several amendments were proposed in reference to the appropriations for the custom-house at Wilmington, Delaware, on which debate, under the five-minutes rule, ensued.

No resolution had been come to when the committee rose, and the House adjourned at a quarter to four o'clock.

PETITIONS, ETC., UNDER THE RULE.

By Mr. ROBBINS: A memorial, signed by Samuel Meyargee and thirty-eight other citizens of Philadelphia county, Pennsylvania, remonstrating against the renewal or extension of the Woodworth patent for planing boards, &c., for reasons therein stated. Also, a memorial, signed by Joseph G. Mitchell and twenty-nine other citizens of the city and county of Philadelphia, Pennsylvania, asking Congress to authorize the erection, on an eligible site, of a building, so contrived, architecturally and otherwise, as to accommodate the post office and courts of the United States for this district, for reasons therein stated.

By Mr. MILLER, of Missouri: The petition of sundry citizens of Howard county, Missouri, praying the establishment of a mail-route from Booneville to Glasgow, via Boon's Lick.

By Mr. MACDONALD: The petition of Joseph Calif and others, asking for improvements in the Saco river, Maine. Also, the petition of the Board of Trade of Portland, Maine, asking for a light-boat on Alden reef.

By Mr. MILLSON: The petition of the civil watchmen and laborers at the Gosport navy-yard, asking an increase of pay.

BELLS! BELLS! BELLS!—The subscribers manufacture and keep constantly on hand all sizes of church, factory, steamboat, ferry, locomotive, school-house, and plantation bells. These bells are hung with the patent iron yokes with moveable arms. They can be turned around so that the clapper will strike in a new place, which is desirable after a bell has been rung a few years. Springs are affixed in a new way to prevent the clapper from resting on the bell, thereby prolonging the sound. These bells are manufactured from the best stock, and are cast in iron castings. At this foundry these were first used, and are found to be a great improvement. We give a written warranty that if church bells break within one year from date of purchase, with fair usage, we will recast without charge. The tone of all bells is warranted. Nearly 9,000 bells have been cast and sold from this foundry, which is the best evidence of their superiority. We have fifteen gold and silver medals, awarded from the various fairs, "for the best bells for sonorousness and purity of tone." We pay particular attention to getting up peals or chimes, and can refer to those furnished by us. Our foundry is within a few rods of the Hudson river, Erie canal, and railroads running in every direction. As this is the largest establishment of the kind in the United States, and has the largest assortment of bells, orders can be filled with great despatch. We can refer to bells in any of the States. Old bells taken in exchange for new ones. Levels, compasses, &c., constantly on hand. Address

A. MENEELY'S SONS,
West Troy, N. Y.

May 21—1y&cp

O. K. CHAMBERLIN'S Commercial College, located No. 127 Baltimore street, Baltimore, Maryland. The ostensible object of this institution is to place in the reach of individuals proper facilities for obtaining a thorough and practical mercantile education. A young man can here obtain a more correct knowledge of general business matters in a few weeks than can be acquired in as many years in any one counting-house.

The course of study embraces double-entry book-keeping, and its adaptation to various departments of commerce and trade. Mercantile calculations taught according to the most approved methods. Practical penmanship, combining rapidity of execution with beauty of construction. Lectures on mercantile law, upon various important mercantile subjects, beside many other points necessary for a book-keeper or business man to understand. The time necessary for a student to complete the course varies from five to eight weeks. There being no vacation, applicants can enter at any time and attend both day and evening. Examinations are held at stated periods, and diplomas awarded to those who graduate. For terms, &c., and have a circular forwarded by mail.

Nov 13—1y&cp