A. O. P. NICHOLSON & J. W. FORNEY,
EDITORS AND PROPRIETORS.

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The Daily Union.

VOLUME V. "LIBERTY, THE UNION, AND THE CONSTITUTION." NUMBER 272.

CITY OF WASHINGTON, THURSDAY MORNING, MARCH 6, 1856.

TO OUR SUBSCRIBERS.

The name of no person will be entered upon our books, unless the payment of the subscription be made in advance.

Distant subscribers may forward us money by letter, the postage of which will be paid by us, and all risk assumed by ourselves in its safe transmission.

The COUNTRY PAPER is published tri-weekly during the sessions of Congress, and semi-weekly during the recess.

Subscriptions for a period less than a year will be received on terms proportioned to the above annual rates.

☞ POSTMASTERS are authorized to act as our agents; and by sending us FIVE DAILY subscribers, with $50 enclosed; or FIVE SEMI-WEEKLY subscribers, with $25 enclosed, will be entitled to a copy *gratis*.

United States Supreme Court Decisions.

JUDGE CURTIS'S EDITION.

Reports of Decisions in the Supreme Court of the United States, with Notes and a Digest.

By B. R. Curtis, one of the associate judges of the court. In 22 vols. 8vo. Price, $3 per vol.

This edition comprises the cases reported by Dallas, 4 vols.; Cranch, 9 vols.; Wheaton, 12 vols.; Peters, 16 vols.; Howard, [illegible] vols. The old series of these reports is in 58 volumes, the catalogue price of which is $222. This edition, in 22 volumes, is offered to subscribers at the low price of $3 a volume, or $66 for the whole.

From the Justices of the Supreme Court of the United States.

We approve the plan of Mr. Justice Curtis's Decisions of the Supreme Court of the United States, and believe that its execution will be of much utility to the legal profession and to our country.

ROGER B. TANEY, Chief Justice.
JOHN McLEAN, Associate Justice.
JAMES W. WAYNE, Associate Justice.
JOHN CATRON, Associate Justice.
PETER V. DANIEL, Associate Justice.
SAMUEL NELSON, Associate Justice.
ROBERT C. GRIER, Associate Justice.
J. A. CAMPBELL, Associate Justice.

The following opinions have been expressed of the work since the publication of the first three volumes:

From the Chief Justice of the United States.

I regard this publication as one of the most useful and valuable that have issued from the American press. I have examined the first volume. I need not say that it is evidently prepared with great judgment and care. The character of Mr. Justice Curtis is of itself a sufficient guarantee that any work of this kind undertaken by him will be executed in the best manner. And when it is completed it cannot fail, I think, to meet the approbation and support of the public as well as of the profession, whether practising in the courts of the United States or the courts of a State.

JULY 19, 1855. R. B. TANEY.

From Judge McLean, of the United States Supreme Court.

I have long desired to see just such an edition of the reports of the Supreme Court as this will be. The correction of the errors of the press in the present editions and the reference to subsequent cases where the decisions have been doubted, modified, overruled, or affirmed, as proposed in this edition, will give to it increased value.

JULY 15, 1855. JOHN McLEAN.

From Judge Catron, of the United States Supreme Court.

The specimen volume you have sent me is well edited and well printed; and, if the succeeding volumes are as well executed as the first one is, I have no doubt that Mr. Justice Curtis's edition will at once supersede all other reports of the Supreme Court decisions. He has disencumbered the reports of cases of useless matter, reducing them to a form and size convenient to the student and comfortable to the lawyer and the judge; and then the price is reasonable.

NASHVILLE, July 21, 1855. JOHN CATRON.

From Judge Grier, of the United States Supreme Court.

The plan of this work has already received the sanction and approbation of the whole court. This volume (the first) amply sustains the promise of its able editor. When fully executed it will make the decisions of the Supreme Court acceptable to the bar and others not only by greatly reducing the expense, but by eliminating the diffuse syllabuses, the superfluous statements, and other mass of useless matter in which many of the cases (as now reported) are enveloped and concealed. The notes at the foot of each case, referring to other and similar ones, will be valuable to the profession, and will save much time and labor in searching through ill arranged digests and worse indexes.

PHILADELPHIA, August 22, 1855. ROBERT C. GRIER.

From Judge Daniel, of the United States Supreme Court.

Knowing the learning and ability of Judge Curtis, it was with great pleasure that I was first made aware of his purpose to undertake a republication of the decisions of the Supreme Court upon the plan adopted by him; and, judging from the specimen before me of his execution of that plan, I would conclude that my most favorable anticipations would be fully accomplished.

The exclusion from this work of matter in the form of statement and argument not necessary to the elucidation of the cases, and the safety with which the accuracy of the editor in presenting the points discussed and decided may be relied on, cannot but relieve both the bench and the bar from much labor and from the loss of much valuable time.

WASHINGTON, October 1, 1855. PETER V. DANIEL.

From the Attorney General of the United States.

ATTORNEY GENERAL'S OFFICE,
September 11, 1855.

GENTLEMEN: I have, in compliance with your request, examined the volumes now in the course of publication, entitled "Reports of Decisions of the Supreme Court of the United States," by Mr. Justice Curtis, and perceive that the work possesses peculiar qualities, as follows:

1. In the preservation of whatever is of primary importance in the previous reports of the same decisions, with great saving of bulk and expense by the omission of secondary matter, such as editorial statements of the facts in the case and arguments of counsel, where these are not essential to the understanding or elucidation of the decisions themselves.

2. In the careful revisal of each case, in the sense of editorial accuracy, and the consequent correction of such errors of editorship or impression as existed in the previous reports.

3. In the addition to each case of reference by foot note to other decisions of the series in which the same is mentioned.

4. In the recomposition of the editorial statements of the cases, not merely in the sense of rejection or abridgment, but still more in that of essential improvement of the matter itself by means of information derived from the original records and files of the court.

5. In the recomposition of the head notes on a theory of juridical expositions, so that the syllabus of each case exhibits what is really adjudged in it as law, and that alone, passing over obiter dicta and [illegible]

[illegible]

I am, very respectfully, [illegible]

C. CUSHING.

Messrs. LITTLE, BROWN, & Co.

From Prof. Parsons, of the Cambridge Law School.

[illegible]

THEOPHILUS PARSONS.

CAMBRIDGE, August 9, 1855.

LITTLE, BROWN, & Co., Law and Foreign Booksellers, 112 Washington st., Boston.

Jan 25—3awtf

United States Mail.

MISSISSIPPI.

POST OFFICE DEPARTMENT,
February 25, 1856.

PROPOSALS for conveying the mail of the United States from July 1, 1856, to June 30, 1858, [illegible] will be received at the Contract Office of the Department until 3, p. m., of April 30 next, to be decided by the 7th of May following:

7484 From Charleston, by way of Cold Water, Mitchell's Cross Roads, Mound Place, [illegible] Bayou, and Swan Lake, to Helena, Ark., 75 miles and back, once a week.

Leave Charleston Monday at 7 a. m.;
Arrive at Helena next day by 6 p. m.;
Leave Helena Wednesday at 7 a. m.;
Arrive at Charleston next day by 6 p. m.

NOTE.

[illegible]

JAMES CAMPBELL, Postmaster General.

Feb 26—law6w

LOST LAND WARRANT.—Public notice is hereby given that I intend to apply to the Commissioner of Pensions, at Washington city, at the expiration of six weeks from the date hereof, for a duplicate of [illegible] for 160 acres, which was issued to William B. Johns, [illegible]

WILLIAM B. JOHNS,
By Richard M. Young, his Attorney.

Feb 6—law3w

THIS is to give notice that the subscriber hath obtained from the orphans' court of Washington county, in the District of Columbia, letters of administration on the personal estate of Edmund Law, late of the State of Illinois, deceased. [illegible]

Given under my hand this nineteenth day of February, 1856.

HENRY MAY, Administrator.

For Sale Four Hundred Negroes and Ten Thousand Acres of Cane-brake Land in Dallas and Perry Counties, Alabama.

ON the first Monday in April next (the 7th) I will sell, at Cahawba, Dallas county, Ala., to the highest bidder, for cash, or Mobile "acceptances," at sixty or ninety days, bearing interest, one hundred and fifty likely negroes; also, fifty others, on longer time. All acclimated, and experienced cotton-plantation hands.

I will also sell, at any time during this year, at private sale, for cash or on time, two hundred other valuable negroes, (in lots to suit purchasers) and 9,000 acres of the very best and most advantageously situated "cane-brake" and "black land," including the nine plantations known as the "Trigg Plantation," "Mud Hall," "Sixteenth," "King Plantation," "Blevins Place," "Ludlow," "Lodebo," "Holmes Place," and the "Cross Roads," all of which, for cotton and corn, are inferior to no plantations in the world. Also, an elegantly improved and beautiful residence adjoining Summerfield, eight miles from the city of Selma, with about four hundred acres attached to it; the dwelling house, offices, out-houses, grounds, garden, &c., are all in first-rate condition. These plantations are 70 or 80 miles below the city of Montgomery, about 150 miles above Mobile, and west of, and near to, the Alabama river, which is at all seasons navigable for steamboats. Near seven thousand acres, including four of the plantations, are on the Selma and Woodville railroad; and on this body of land, about fourteen miles from Selma, is located the depot at the junction of the Marion railroad with the Selma road, to and from which depot the cars run regularly. Of the other plantations, one is on the Selma railroad two are two miles, and two six miles distant, one of which is within six miles of the city of Selma. These plantations are in the highest state of cultivation, with good gins, gin-houses, cotton-presses, mills, negro cabins, shops, stables, artesian wells, &c., &c., &c.

I will sell them in tracts to suit purchasers, of 500, 1,000, 1,500, 2,000, or 3,000 acres, and so laid off as to give as much opened and wood land to each tract as may be desired, and with or without the negroes, stock, plantation tools, corn, provender, &c.

Possession of the above plantations and negroes will be given to the purchasers at any time whilst the crop is growing, or in December or January next, as they may wish.

If not sold privately previous to the first Monday in December next, I will, on that day, at Selma, sell to the highest bidder such negroes as may then be unsold.

Such opportunities and advantages were never before presented for those wishing to continue or to engage in the cultivation of cotton. It has been difficult for years past to find a plantation in the "cane-brake" region for sale at any price, or even to purchase there a large unimproved tract.

These plantations are, in fertility, facilities for transportation, and in all other respects, fully equal, if not superior, to any in the cotton-growing States; and I know that personal investigation will prove to the satisfaction of every one that no portion of the Union is more healthy than the "cane-brake" region of Alabama.

I will also sell privately, for cash or on time, one of the most beautifully improved private residences in the city of Selma, and several valuable and elegantly-finished large blocks of brick buildings, including the largest and most desirably located store-rooms, offices, banking houses, &c., &c.

Also, several very desirable unimproved large lots, and small tracts of land in and contiguous to Selma.

Also, about 30 head of blooded horses; among which are the celebrated "Brown Dick," several superior brood mares, several young stallions, geldings, colts, and fillies—all of them from the very best racing stock.

Among the negroes are a first-rate trainer, several good race-riders, and many excellent mechanics, cooks, seamstresses, and house servants.

For further particulars address the undersigned, or W. M. Byrd, esq., at Selma; or W. M. Brooks, esq., at Marion, Perry county, Alabama. The overseers now on the plantations will give all desirable information to those who may wish to make a personal investigation of the premises.

BEN. EDWARDS GREY.

SELMA, Alabama, Feb. 11, 1856.

Feb 19—d2mif

Land Warrants.

JOHN CLARK, (late register at Iowa city, Iowa,) agent for the location of military bounty-land warrants in the State of Iowa.—I have opened an office in Washington city, D. C., in connexion with local agents and surveyors at the several land offices in the State of Iowa, by which I am prepared to offer new facilities for the location of land warrants, the only mode by which warrantees and other holders can fully avail themselves of the bounty of the government.

TERMS.

The land will be selected, the location made, and certificate mailed to the address of parties, sending warrants by mail, for the following fees, which must accompany the warrants:

40 acres, fee for selection and location, $4; to which add land office fee, $1—$5.
80 acres, fee for selection and location, $6; to which add land office fee, $2—$8.
120 acres, fee for selection and location, $8; to which add land office fee, $3—$11.
160 acres, fee for selection and location, $10; to which add land office fee, $4—$14.

The above are the lowest prices charged by competent agents at the local office.

I guaranty that all selections will be made judiciously, upon actual inspection, and of as good land as remains vacant in the district at the time.

The selecting agents are the most competent and experienced in the State, and are fully advised of all the local advantages—such as railroads, county seats, timbers, water, and settlements, present and prospective.

Lands thus selected will be worth, I am confident, from $2 50 to $5 per acre as soon as selected. Warrantees, for whose benefit this agency is designed, and other holders, cannot fail to realize a large advance upon the face of their warrants.

DIRECTIONS.

Warrantees will execute to me a power of attorney to locate endorsed on the warrant. And others will please fill the blank assignments with the full name of the locator.

Address JOHN CLARK, No. 432 Pennsylvania avenue, with J. W. Webb & Co.

Refer to the Iowa delegation in Congress, and the Hon. Charles Mason, Commissioner of Patents.

Feb 12—dif3m

THIS is to give notice that the subscriber hath obtained from the orphans' court of Washington county, in the District of Columbia, letters of administration on the personal estate of Thomas Law, late of the State of Illinois, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, on or before the nineteenth day of February next; they may otherwise by law be excluded from all benefit of the said estate.

Given under my hand this nineteenth day of February, 1856.

Feb 22—law3w HENRY MAY, Administrator.

To Members of Congress, and others.

FOR RENT.—A first-class furnished dwelling house, built in the most modern style, with the conveniences of water, gas, &c., and furnished recently in every department with taste and comfort. Apply on premises, No. 419 13th street, between G and H streets, or at my office.

J. J. MILLER,
Corner 7th street and Louisiana avenue.

Medical Card.

DOCTOR STANISLAS HERNISZ, former practitioner of homoeopathy. Office, 331 corner F and Fourteenth streets. Consultation from 9 to 10, a. m., 3 to 4, p. m. [illegible]

Jan 19—d6m

Madame Devos,
From Paris and New York.

MADAME DEVOS [illegible]

Jan 24—tf

For Sale—Twenty-three Thousand Acres of Land.

[illegible]

J. L. DE CAMP.

Feb 19—d2tf

THE subscriber will remain in town a few days to [illegible]

J. L. DE CAMP.

Feb 19—dlif

Willards' Hotel.

J. C. & H. A. WILLARD,
Pennsylvania avenue and Fourteenth street,
Washington, D. C.

Jan 29—dif

F. L. MOORE is prepared to furnish the best white [illegible]

Nov 20—FTuThtf

A Card.

Miss Brooke's English and French Boarding and Day School, [illegible]

THE second session of this institution will commence on Monday, February 4, 1856. [illegible]

Jan 27—eodtw

GEORGE W. MORELL, Attorney and Counsellor at Law, and Commissioner of the Court of Claims, No. 44 Wall street, New York. [illegible]

Oct 10—WFSun3m

NOTICE is hereby given that I will apply to the Commissioner of Pensions [illegible]

JOHN ROSS.

Feb 16—law3w

United States Mail.

POST OFFICE DEPARTMENT,
March 3, 1856.

PROPOSALS for conveying the mails of the United States from the 1st day of July, 1856, to the 30th day of June, 1859, inclusive, in the State of North Carolina, and from the 1st day of July, 1856, to the 30th of June, 1858, inclusive, in the State of Tennessee, will be received at the Contract Office of the Post Office Department, in the city of Washington, until Wednesday, the 30th of April, 1856, at 3, p. m., (to be decided by the 7th May following.)

NORTH CAROLINA.

5808 From Asheville, by Sulphur Springs, Hommeny Creek, Pigeon River, Forks of Pigeon, Waynesville, Peru, Scotts Creek, Franklin, Shoeh, Tennessee River, Aquone, Head Tennessee, Valleytown, and Tomatla, to Murphy, 128½ miles and back, twice a week, in two-horse coaches.

Leave Asheville Monday and Thursday at 4 a m;
Arrive at Murphy next days by 12 p m;
Leave Murphy Saturday and Tuesday at 4 a m;
Arrive at Asheville next days by 12 p m.

TENNESSEE.

8548 From Cleaveland, Tenn., by Chatata, Wansville, Benton, Pelton, Springtown, Towee Falls, Coker Creek, Turtle Town, N. C., Laurel Valley, Persimmon Creek, and Notla, to Murphy, 77 miles and back, twice a week, in two-horse coaches.

Leave Cleaveland Thursday and Sunday at 1 p m;
Arrive at Murphy next days by 9 p m;
Leave Murphy Wednesday and Saturday at 4 a m;
Arrive at Cleaveland next days by 12 m.
Proposals to commence at Benton are invited.

NOTES.

No pay will be made for trips not performed, and for each of such omissions not satisfactorily explained three times the pay of the trip may be deducted. For arrivals far behind time as to break connexion with depending mails, and not sufficiently excused, one-fourth of the compensation for the trip is subject to forfeiture. Fines will be imposed, unless the delinquency be promptly and satisfactorily explained by certificates of postmasters or the affidavits of other creditable persons, for neglecting to take the mail from or into a post office; for suffering it to be injured, destroyed, robbed, or lost; and for refusing, after demand, to convey the mail as frequently as the contractor runs, or is concerned in running, vehicles on the route. The Postmaster General may annul the contract for repeated failures to run agreeably to contract, for disobeying the post office laws or instructions of the department, or for assigning the contract without the assent of the Postmaster General. The Postmaster General may alter the schedule. He may also order an increase of service on the route by allowing therefor a *pro rata* increase of the contract pay. He may also curtail or discontinue the service in whole or in part, at *pro rata* decrease of pay, if he allow one month's extra compensation on the amount of service dispensed with. The bids should be addressed to the Second Assistant Postmaster General, superscribed "*Mail Proposals for North Carolina or Tennessee.*" The contracts to be executed and returned to the department by or before the 7th of May, 1856. For further particulars as to conditions to be incorporated in the contracts bidders may see pamphlet advertisement for conveying mails in Kentucky, Tennessee, Missouri, and Iowa, of 1854.

JAMES CAMPBELL,
Postmaster General.

Mar 4—law4w

Splendid Schemes for March, 1856.

GREGORY & MAURY, MANAGERS, Wilmington, Delaware.

$52,000!

Lottery for the benefit of the
STATE OF DELAWARE.
Class 49, for 1856.

To be drawn at Wilmington, Del., on Saturday, March 8, 1856.
75 number lottery—13 drawn ballots.

SPLENDID SCHEME.

1 grand prize of........	$52,000	2 prizes of............	5,000
1 prize of............	25,64[illegible]	2 do	4,000
2 prizes of............	15,000	50 do	1,000
2 do	10,000	224 do	300
2 do	6,000	&c. &c.	&c.

Tickets $15—halves $7 50—quarters $3 75—eighths $1 87½.

Certificates of packages of	25 whole tickets,			$[illegible]0 00
Do	do	25 half	do	90 00
Do	do	25 quarter	do	45 00
Do	do	25 eighth	do	22 50

$36,000!

Lottery for the benefit of the
STATE OF DELAWARE.
Class 55, for 1856.

To be drawn at Wilmington, Del., on Saturday, March 15, 1856.
78 number lottery—13 drawn ballots.

RICH SCHEME.

1 prize of............	$36,000	1 prize of............	$1,100
2 prizes of............	20,000	15 prizes of............	1,000
2 do	10,000	15 do	500
2 do	7,500	15 do	400
4 do	5,000	25 do	250
4 do	2,500	200 do	200
&c.	&c.		&c.

Tickets $10—halves $5—quarters $2 50.

Certificates of packages of	26 whole tickets,			$140
Do	do	26 half	do	70
Do	do	26 quarter	do	35

$65,000!

Lottery for the benefit of the
STATE OF DELAWARE.
Class L, for 1856.

To be drawn at Wilmington, Del., on Saturday, March 22, 1856.
78 number lottery—15 drawn ballots.

BRILLIANT SCHEME.

1 grand prize of.......	$65,000	1 splendid prize of.....	$6,795
1 splendid prize of.......	30,000	5 prizes of............	5,000
1 do	20,000	50 do	1,000
1 do	15,000	394 do	200
1 do	10,000	&c. &c.	&c.

Tickets $20—halves $10—quarters $5—eighths $2 50.

Certificates of packages of	26 whole tickets,			$240
Do	do	26 half	do	120
Do	do	26 quarter	do	60
Do	do	26 eighth	do	30

$40,000!

Lottery for the benefit of the
STATE OF DELAWARE.
CLASS 66, for 1856.

To be drawn at Wilmington, Del., March 29, 1856.
75 number lottery—12 drawn ballots.

MAGNIFICENT SCHEME.

1 grand prize of............	$40,000	1 prize of............	$3,500
1 splendid prize of......	20,000	1 do	3,000
1 prize of............	10,000	1 do	2,147
1 do	6,000	50 prizes of............	1,000
1 do	5,000	50 do	500
1 do	4,000	111 do	250
&c.	&c.		&c.

Tickets $10—halves $5—quarters $2 50.

Certificates of packages of	25 whole tickets,			$140
Do	do	25 half	do	70
Do	do	25 quarter	do	35

Orders for tickets and shares and certificates of packages in the above splendid lotteries will receive the most prompt attention, and an account of each drawing will be sent immediately after it is over to all who order from me.

Address P. J. BUCKEY, Agent,
Wilmington, Delaware.

Feb 16

Miller & Co., Bank-note and Exchange Dealers,

Corner St. Paul and Baltimore streets, Baltimore, Maryland.

THE MARYLAND LOTTERY DRAWN ON THE HAVANA PLAN.

THE first drawing of this character that has occurred in Baltimore came off on the 19th day of January last. The leading prize was the sum of $50,000; it was drawn by Nos. 4 7 80, and sold in this city by the celebrated house of Miller & Co., corner St. Paul and Baltimore streets. The ticket cost $10.

The next drawing on the Havana plan

takes place on Saturday, 22d day of March, being class 10 of the Maryland lottery. The sum of $136,000 will be distributed on the following plan:

20,000 numbers—1,000 prizes.

Prizes payable in full without any deduction!

There are 200 principal prizes, viz:

1 prize of............	$35,280	1 prize of............	$5,000
1 do	10,000	1 do	5,000
1 do	10,000	10 prizes of............	1,000
20 prizes of............	500	165 do	200

There are 800 approximation prizes, viz:

4 of $100 that appr'x to $35,280
8 of 75 that appr'x to 10,000
8 of 60 that appr'x to 5,000
40 of 30 that appr'x to 1,000
80 of 25 that appr'x to 500
660 of 20 that appr'x to 200

Tickets $10—halves $5—quarters $2 50—eighths $1 25.

Miller & Co., of the St. Paul-street corner, will give prompt and reliable attention to orders for tickets in this popular drawing, and will furnish correspondents with the scheme, giving the plan of the lottery in detail, and, on the night of 22d March, mail to all parties purchasing the official printed drawing, vouched to by the State Commissioner of Lotteries. Address

MILLER & CO.,
Corner St. Paul and Baltimore streets,
Baltimore, Md.

Feb 27—3aw2w

GENERAL AGENCY AT WASHINGTON.—The subscriber, formerly of Richmond, Virginia, having established an office in this city, on F street, a few doors in front of the Treasury Department, tenders his services to claimants upon the government, especially for revolutionary services, and for land bounties and pensions under the recent acts of Congress.

Having purchased the manuscripts of the late David Dorrington he has, perhaps, the only index which was ever made to the immense mass of revolutionary papers in the first auditor's office in Richmond. He has also a very copious index to the papers in all the other public offices in the Capitol of Virginia. These, and the accumulations from other sources of twenty years' experience, entitle him to hope that if a claim intrusted to him be just, he will be able to show it, even where the claimant himself may be entirely unable to do it.

For claims under the recent act of 3d March, 1855, giving 160 acres of land to all who were in battle or who served fourteen days, his charges will be very moderate.

FELIX RICHARDS.

REFERENCES.

Hon. Henry A. Wise, Accomac, Virginia.
James Lyons, Esq., Richmond, Virginia.
James E. Heath, late Commissioner of Pensions, Richmond Virginia.
Stafford H. Parker, Richmond, Virginia.
Hon. John S. Pendleton, Virginia.
Hon. Samuel Chilton, Washington, D. C.
William J. Ward, esq., Baltimore.
Lewis Timberlake, esq., New York.

March 7—d&eply*

CONGRESSIONAL.

SPEECH OF HON. JOHN S. PHELPS,

OF MISSOURI;

Delivered in the House of Representatives, February 19, 1856, on the Kansas election.

Mr. HICKMAN, of Pennsylvania, having reported a resolution from the Committee of Elections to empower said committee, in the Kansas contested-election case, to send for persons and papers,

Mr. PHELPS said: I desire to say a few words upon this subject, if the resolution is in order.

The SPEAKER. The Chair is of opinion that the resolution is in order.

Mr. PHELPS. If I understand the resolution offered by the gentleman from Pennsylvania, [Mr. HICKMAN,] it desires to have the House authorize the Committee of Elections to send for persons and papers for the purpose of investigating the legality of the recent Kansas election. It seems to me the committee are seeking to obtain a power from this House which I think ought not to be exercised upon this occasion. The contestant, Mr. Reeder, who has presented his memorial, claiming a seat upon the floor of this House as the delegate from the Territory of Kansas, alleges in his memorial that he does not claim to be elected by virtue of the laws enacted by the legislature of the Territory he seeks to represent. This position, in disregard of the laws, he deliberately informs us he has assumed. By virtue of the act organizing the Territories of Kansas and Nebraska, the first election of a delegate was to be held under the order which might be issued by the governor, prescribing the time, place, and manner of holding such election. So much of that act has been executed. At the last session of Congress a gentleman appeared here as a delegate from that Territory, and was admitted as such upon this floor, without objection from any quarter. If it be that the Committee of Elections desire to inquire into the legality of the laws enacted by the territorial legislature, I say they are about to do that which was never before done—inquire into the legality of the laws enacted by the territorial legislature of Kansas. By what right, by what authority, can they do it? Those territorial laws were enacted, and they purport to have been enacted, by a legislature duly elected in pursuance of a law of Congress, and the validity of those enactments, made in conformity with such law of Congress, cannot be rightfully contested in this House. They cannot be examined here for the purpose of determining whether they were duly enacted or not. Their validity can only be determined by the courts. The requirements of the act of Congress having been complied with, the validity of those territorial laws cannot be impeached by Congress. Then, why summon witnesses? Why bring men two thousand miles, in the dead of winter, when their testimony can avail nothing?

I am not aware it is alleged by any one that the sitting member [General Whitfield] did not receive a majority of the legal votes cast in the election for delegate. Nor is it alleged that the requirements of the election law were not complied with; nor will any one assert that at that election any qualified voter was prevented from giving his vote at any election precinct in that Territory. There are no allegations—no charges made that, at the election for delegate held in pursuance of the laws duly enacted by the legislature of Kansas, threats were made or force used to prevent any person from voting. There is no allegation that General Whitfield owes his election to illegal votes. The contestant does not—dare not assert it. These witnesses are not required to testify to the manner of holding that election, nor to the qualifications of those persons who voted for General Whitfield. Nor does Governor Reeder claim that at that election he received the highest number of votes; nor does he claim to have been elected in pursuance of the laws of Kansas, nor in pursuance of any law of the United States—in short, he does not claim to have been elected in pursuance of any law whatever. In support of such a claim what need of testimony?

Those gentlemen who take the position that the laws of the Territory of Kansas are invalid assume that the legislature of that Territory was convened by the governor at a place not authorized by the law, and, therefore, that its action in the premises is void. I deny the position taken by those gentlemen, and I refer the House to the Kansas-Nebraska act, which prescribes, in its twenty-second section, that the first legislature shall convene at such time and such place as the governor himself shall order.

The twenty-second section has the following language. After speaking of the election of members of the legislature, it says:

"And the persons thus elected to the legislative assembly shall meet at such place and on such day as the governor shall appoint."

I am aware that there is another section in that organic law which prescribes that the seat of government shall be temporarily at Fort Leavenworth; but that very act provides that the first legislature shall assemble at such place and at such time as the governor may direct. The governor of the Territory (Gov. Reeder, the contestant) required that legislature to assemble at Pawnee. The legislature did assemble on the day named in the governor's proclamation at Pawnee, and organized by the election of its presiding and other officers. When thus legally organized in the customary mode, Governor Reeder recognised the legal existence of that legislature, and sent to it his message, with recommendations for its consideration and action. That message was received, read, and ordered to be printed. So far, no difficulty or disagreement had occurred.

The legislature, being assembled upon a military reserve, at a town laid out upon it in violation of law, and in which Governor Reeder was himself interested as a proprietor, without buildings provided for its sessions, or suitable accommodations for its members, adjourned its sittings to the Shawnee Mission, where proper accommodations for the legislature and its members were furnished. This adjournment was made by virtue of an act of the legislature, passed in due form by a unanimous vote in one house, and but a single dissenting voice in the other branch of the legislature, after it had been vetoed by Governor Reeder. It, therefore, became a law in the manner provided for by the act organizing the Territory of Kansas.

The legislature then assembled at Shawnee Mission, and there passed laws prescribing the qualifications of voters and the qualifications for holding office. It exercised all the power that is recognised to exist in a legislative assembly; and I contend that it rightfully exercised such power. Having adjourned from Pawnee, and having been regularly organized at Shawnee Mission, the legislature there proceeded to pass a law providing for the election of a delegate to the Congress of the United States; and under that law, so enacted, a delegate was elected, was admitted to a seat on this floor, and now claims that he has a right to that seat. Why does Gov. Reeder come here contesting that election? On what ground does he contest the right of the sitting member? He alleges that the laws passed by the legislature are invalid because they were not enacted at the proper place. I have shown the legislature had power to adjourn, in the manner it did, to meet at Shawnee Mission. The Kansas-Nebraska act itself declares that the powers of that legislature shall extend to all rightful subjects of legislation; and there can be no question that the power is inherent in every legislative assembly, unless restricted by the organic law, to adjourn to such time and place as may suit its own convenience. No such restriction can be shown.

What is proposed to be elicited, in the event of the adoption of the resolution? Is it proposed to spin out this election contest until the close of this session by sending for persons and papers? The very act of Congress which provides for contested elections points out the manner in which persons who may contest the right of any member to a seat on this floor shall proceed. It provides that, after giving notice of a seat being contested, notice shall be given of the time and place for taking depositions. And I ask, do you in this case expect to bring here the people of Kansas or of the borders of Missouri for the purpose of deposing before the Committee of Elections? Where is the investigation to end? What is to be the result of it? Can anything result from it? Suppose this House declare the seat of the delegate from Kansas vacant, how can that Territory be represented here in this Congress? Can it be represented in any other way than by an election held pursuant to the laws of the Territory of Kansas? Are you to say, and will this House say, that a person elected by a portion of the people of that Territory, or who claims to be elected by a portion of the people of that Territory, without any law authorizing such an election, *and in defiance of law*, is entitled to a seat on this floor? Will you say that the laws of that Territory are to be trampled under foot, and that you will disregard them, and accept as a delegate from that Territory a man who avows in his petition that he does not claim any right to a seat on this floor under the acts of a legislature called into existence by our own laws?

I desire now to call the attention of the House to the law regulating and providing for the election of a delegate from the Territory of Kansas. Speaking of the election of a delegate from the Territory of Kansas, the act prescribes that the first election "shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and at all subsequent elections the time, places, and manner of holding the elections shall be prescribed by law." Prescribed by whom? By the territorial legislature. The first election, as I have before remarked, has taken place under this organic act. Therefore, this act, so far as that is concerned, is *functus officio*; the act is performed. The first election for which the law provides took place in 1854, under the immediate direction of Governor Reeder himself. No subsequent election can be ordered by, and be under the control of, the governor, but is to be held by virtue of the laws which may be enacted by the territorial legislature of Kansas, and not otherwise. But suppose the seat of the delegate of the Territory should be declared vacant—suppose you should not admit Reeder to a seat—how, then, can the people of the Territory of Kansas be represented here unless it be under that same law under which the delegate, General Whitfield, has been elected?

I cannot see, then, that any good is to result from this investigation proposed by this Committee of Elections. Send for persons and papers! Had not the claimant, and any other persons who saw fit to contest the election of General Whitfield, opportunities furnished by the law of the land to take depositions for the purpose of establishing any illegality or irregularity concerning this election? Did not the person [Governor Reeder] contesting the seat of General Whitfield give notice that he would take depositions for the purpose of defeating the right of General Whitfield to a seat on this floor? And why has not this intention been carried out? Why shall the people be taxed to bring witnesses two thousand miles to supply his neglect? Has he not failed to take any depositions, or to make any effort to procure depositions, for the purpose of establishing the points he has mentioned in his notice?

This notice was served on General Whitfield some time in the month of October or November last; and shortly after the election was held, without the authority of territorial or national law, by the traitors—I say by the *traitors*—by the men who dare to stand up in the presence of this great nation and declare that the laws of Kansas shall *not* be enforced, and that they will resist them with Sharpe's rifles, and at all hazards; by those men who are now endeavoring to foment rebellion, and bring about a civil war in the Territory of Kansas, by maligning the people of the State of Missouri, and representing them as "border ruffians," who have invaded that Territory, and set at naught and at defiance the laws which the people of that Territory have enacted!

"Border ruffians!" From whom comes this opprobrious epithet? It has been uttered elsewhere in this Capitol. That language has been applied this week, elsewhere in this Capitol, to the people of the State of Missouri, and was uttered by one representing a State in which large numbers of its *men* made war upon a convent, destroying and burning it, while occupied by defenceless *women!*—I allude to the destruction of the Ursuline convent, in the State of Massachusetts. Was this an appellation to be applied to my constituents, and to the people of Missouri, coming from those who represent that kind of a constituency—men who have never yet been punished for this gross outrage perpetrated on helpless females? These are the "braves" who say that the laws enacted by the legislature of Kansas shall not be enforced, and who stigmatize the people of Missouri as "border ruffians."

Mr. Speaker, what outrages, and by whom perpetrated, does the recent message of the President of the United States disclose in relation to this matter?

When the people of the town of Lawrence, in the Territory of Kansas, had assembled for the purpose of resisting the sheriff of the county in which that town is situated in the execution of process—when the people of that town had rescued a person who was in his custody arrested under a legal warrant for a criminal offence—then it was that these Lawrence free-soilers commenced their work of house-burning. They were guilty of the crime of arson. They selected three families in the neighborhood who believed it was right that slavery should be recognised in that Territory, burned their houses in the nighttime, and turned their families out of doors in the most inclement weather.

Mr. MACE. I rise to a question of order. My point is, that the proposition before the House is to send for persons and papers to ascertain the legality or illegality of the election of the delegate to this House from that Territory, and upon that proposition, I apprehend, it is out of order to discuss the general fights in Kansas, or to discuss the burning of houses in Kansas or elsewhere.

The SPEAKER. It is, perhaps, in order to debate the character of the information to be elicited by the resolution.

Mr. PHELPS. Yes, Mr. Speaker, the contest may as well take place upon this resolution as any other; it may as well take place now as at any future time. Then occurred the proceedings out of which have arisen the charges which have been made, that the people of Missouri had wantonly invaded the Territory of Kansas. When the rumor went forth that the people of the town of Lawrence had determined to resist the execution of the laws of the Territory—when it had been resolved by the convention held by the free-soilers at Big Springs that they would resist the laws enacted by the legislature of the Territory of Kansas, that they would not be bound by them—when these annunciations were made by bodies of men assembled in different parts of the Territory—when, in continuance of these proceedings, they appointed delegates to hold a convention for the purpose of adopting a State constitution—I say, when all these unlawful proceedings had taken place, it had the effect to alarm the people living on the borders of the State of Missouri, who had numerous relatives and friends residing in Kansas. And, sir, had they no cause for being alarmed? They had heard of the formation of emigrant aid societies in various parts of the non-slaveholding portion of the Union, formed under the lead of members of Congress. An emigrant aid society was formed, of which the gentleman from Indiana, [Mr. MACE,] who has just interrupted me, was secretary; and a member of the last Congress, not now holding a seat upon this floor, from Massachusetts, [Mr. Goodrich,] was president. Under their direction, funds had been raised at various quarters in the North—for what purpose? To aid persons in the East to emigrate to the Territory of Kansas. To aid what class of people? To aid none but those holding opinions in opposition and antagonistical to the institutions of the State of Missouri.

But, sir, the people of Missouri did not take alarm at this preliminary organization. They did not take alarm until similar societies and organizations had been formed in New York, in Massachusetts, in Connecticut, and in other States. When they found that these extensive organizations had been formed, and were actually levying and expending a large amount of funds, by the aid of which a large number of persons were emigrating to the Territory of Kansas; and when these emigrants passed through the State of Missouri, loudly threatening the institutions of that State; when they said, "We go to the Territory of Kansas to make it a free-soil State in the first place, and, having accomplished our purpose in that respect, our attention will next be turned to the institutions of your State"—I say that all this had a tendency to alarm, and did alarm, the people of the State of Missouri. It had a tendency to arouse their indignation. If persons had the right, under the patronage of emigrant aid societies, to emigrate to the Territory of Kansas for the purpose of voting in their elections, the people of Missouri had the same right to go within the limits of the Territory for the same purpose, and self-defence required it to be done.

And yet, sir, our people thus provoked have been stigmatized as "border ruffians." Sir, the people of the State of Missouri have only sought the maintenance of law and order. They are for the preservation of law; they seek to subvert no law; they seek to overturn no existing government; they are satisfied with the laws of the Territory as they now exist. They would have been satisfied that the Territory should go on and be populated as the other Territories of the United States have been populated. They did not, immediately after the passage of the Kansas-Nebraska act, seek, by any unusual means, to stimulate any unusual emigration to the Territory of Kansas. They did not seek to aid or encourage the citizens of the State of Missouri to emigrate there. But for the fact that these emigrant societies were formed, under which emigrants, as they passed through the State of Missouri on their way to Kansas, avowed the offensive object of their mission thither, the people of Missouri would have allowed the settlement of the Territory to have gone on as peaceably and quietly as the settlement of the Territory of Nebraska. But gentlemen are pleased to term this state of things as the legitimate fruits of the passage of the Kansas and Nebraska act. Sir, I ask if it is right thus to term these as the fruits of the passage of that bill? No, Mr. Speaker; they are the legitimate fruits of an organization concocted and matured here immediately after the passage of the act, and rapidly extended by the abolitionists of the country. They have sought to send to that Territory large numbers of persons for the express purpose of voting, and by their votes forcing upon the Territory institutions in opposition to those existing in the State of Missouri, at war with the safety of the institutions of that State.

And, sir, when these events took place in Kansas, in November last, many people from Missouri and other portions of the South had emigrated to that Territory; and when the tocsin of alarm was sounded—when it was said that the men sent there by these emigrant aid societies, the free-State men, had determined to drive from the Territory all pro-slavery settlers—when, in pursuance of that determination, the houses of the pro-slavery men were burned, and their families deprived of the shelter of their own roofs in inclement weather—it was natural they should feel deep alarm, and it is natural their friends living in the States from which they came should feel great solicitude for their safety. Sir, if I had had a near relative or an intimate friend who had emigrated to that Territory, and I should hear that an insurrection—a rebellion—had taken place in the Territory, by which his safety, and even his life, was threatened, I would have been willing to have gone there, and stood by his side to assist him in his defence, and in the maintenance of law; and it is natural that the people in the State of Missouri, under such circumstances, should have such feelings.

The small fraction of the small population of Kansas sent there by the sinister influences of abolitionism has gone through the farce of creating a State constitution, and proposes to set up a State government on the first Monday of March, to supersede the territorial government established by the United States; and the to-be-governor of this faction has sent by express a communication to the President and to the governors of States, stating that a descent upon the town of Lawrence is threatened—that an armed force is collecting, the object of which is to destroy the town. And this despatch has been sent, I presume, to the governor of every non-slaveholding State whose legislature is in session, to be presented to their respective legislatures, soliciting aid. That armed men, with which to levy war against the territorial government, are what is wanted is clearly evidenced by the fact that it is proposed by an abolition member of the Ohio legislature to raise and march into Kansas five regiments of troops.

This assumption is at once impudent and wicked. The people of Missouri desire to break no laws; nor do they desire to see the laws broken and trodden under foot by intrusive and armed men. They stand ready to honestly abide by the laws of the Territory as they exist, and by such laws as the people of Kansas may rightfully adopt; and they are not likely to quietly stand by and see traitors overturn the laws of Kansas by force, and erect a government against the wishes of the majority of the people thereof, and in violation of the laws and authority of the United States.

When citizens of Missouri, who resided immediately upon the border of Kansas, and had relatives in that Territory, went to their aid, everything was conducted properly and in the strictest compliance with law. There was no descent made upon the town of Lawrence; there was at the time within six miles of that place a force capable of its easy destruction. It could have been destroyed in an instant; but the people of Missouri desired no such thing. The governor of the Territory had an interview with some gentlemen who represented themselves as of authority in the town of Lawrence. It was proposed that they should submit to the course of the law. The arrangement was agreed to; it was entered into by the governor of the Territory, and, as I have already stated, by some persons of Lawrence, speaking in behalf of the remainder of the people of that town. So soon as this information was communicated to the troops encamped upon the Wakarusa, they immediately disbanded, and returned quietly to their homes. True it is, that some of them had been invited to come for a fight, and some were anxious that they should have a fight, regardless of the Sharpe's rifles and the cannon which were said to be ready to greet them.

A VOICE. Did they not run back?

Mr. PHELPS. No, sir. You cannot frighten them. They did not run, and from a foe they never will run. When the agreement was made that the laws of the Territory should be enforced, they were entirely satisfied. That which they sought after was accomplished, and they were willing to return to their homes. They were willing to submit to the execution of the laws by the civil officers of the Territory.

Mr. Speaker, in my opinion, the main cause of the commotion is to be attributed to the encouraging letters which have been sent to those in the Territory of Kansas who have been, and are now, endeavoring to subvert the territorial government. They were told that Whitfield would be unseated, and that Reeder would take his place in this hall as their delegate. They were told that the constitution framed by a handful of men would be recognised as the constitution of the State of Kansas; that an attempt would be made to bring that Territory into the Union as a State with that constitution. How many votes were given for that constitution? We have never been able to accurately, or even approximately, ascertain the number of votes cast for or against that instrument. Those who were desirous of maintaining the existing territorial government would not vote on the question, because there was no law providing for the holding of the election; no law providing that it should be properly conducted. I am informed that at the election held, I believe, on the 9th of October, and at which Reeder claims to have been elected delegate, the same persons voted for him several times for the purpose of swelling his aggregate vote. This we may readily believe, when we consider his friends and supporters were restrained by no election laws whatever. And I am sure that there can be adduced no evidence that the aggregate number of votes even claimed to have been given for Reeder is the number of those who have supported him in his cause, or the cause of the party to which he has attached himself.

Mr. Speaker, I have risen for the purpose of making opposition to the adoption of the resolution submitted by the Committee of Elections. I only desire to know from them what it is they expect to obtain. I ask why the proper and usual course has not been pursued in this case? I wish to be informed why notice was not given, as prescribed by the law fixing the mode for the contesting of elections, enacted in 1851?—why depositions were not taken? It was not incumbent on Governor Reeder alone to come forward and contest General Whitfield's right to a seat upon this floor; that right was possessed, and could be exercised, by any other citizen of the Territory. Any of the citizens might have given to General Whitfield the notice under the law, and have then proceeded to take depositions to sustain the points which would take from him the right to a seat in this House. No step of the kind was taken—none that I have heard of; and now the Committee of Elections come forward, without any evidence before them, I presume, and ask that persons and papers be sent for from Kansas. Are these witnesses to be summoned on one side, or on both? Why not let the contestant go to Kansas, and there take depositions? Why not let his attorney take such testimony for presentation here as he may believe important to the elucidation and support of his case? and why not let him follow in the course which has been, and is, in all other cases, now pursued by contestants? Why make exception in his case? If you make this exception—mark out a new course—will you not pursue the same course in regard to the contested-election case of Nebraska, that of New Mexico, and all others, as it is proposed shall be pursued in the Kansas case? If you make the exception for Mr. Reeder, will you have any reason to refuse it when asked by any other gentleman who is here to contest seats of sitting members? But why send for persons to come here and testify? Why not have their evidence taken in the Territory? why not have it taken at their place of residence? Or is it that they are brought here not for this, but for another and a very different purpose—for the purpose of making testimony for another question which may hereafter arise? I am opposed to the proposition, and would be opposed to it if presented in any other contested-election case. There are several of them to be acted on. [illegible] establish the precedent in this case—send for persons a[illegible] papers, as now asked for—and the same request will [illegible] by every other contestant. You may have to s[illegible] sons and papers thousands of miles. Look, t[illegible] lay consequent thereupon! I am in favor [illegible] usual course. The one now suggested [illegible] of pursuing the seems to me, entirely unprecedented. [illegible] presented is, it as a fact; I am not aware of any [illegible] I do not assert this within the last ten years, where [illegible] contested-election case, sent for. Indeed, I do not r[illegible] persons and papers were case in the House of Repr[illegible] recollect any contested-election papers were sent for. Fo[illegible] where persons and papers. I will not now take [illegible] the reasons stated, and others that the proposition p[illegible] up time in stating, I am opposed to the proposition presented by the gentleman from Pennsylvania.

APPENDIX.

NOTE.—The following are extracts from the papers communicated to the Senate by the President, in reply to a call made upon him for papers and correspondence relating to affairs in Kansas. Mr. PHELPS referred to these statements in his remarks, and hence are published. The people of Missouri who went to Kansas to aid the law-and-order people of that Territory in the maintenance of the laws, and in the suppression of a rebellion—perhaps treason—do not merit censure. These documents show some of the outrages perpetrated by the free-soilers and abolitionists on the people of that Territory, who are endeavoring to preserve order and maintain the due execution of the laws duly enacted:

UNITED STATES OF AMERICA, }
Territory of Kansas, } ss:

Be it remembered that, on the 6th day of December, in the year A. D. 1855, personally appear[illegible] before me J. M. Burrell, one of the associate justices of the supreme court of said Territory of Kansas, Harrison B[illegible]ckley, of lawful age, who, being by me duly sworn, saith that he is a citizen [illegible] the county of Douglas, and has resided therein since 2[illegible] th day of March last, and has resided during all that tim[illegible] at Hickory Grove; that he was informed, on good auth[illegible]ity, and which he believed to be true, that Jacob Branson [illegible]ad threatened his life, both before and after the difficulty between Coleman and Dow, which led to the death of the latter. I understood that Branson swore that de[illegible]onent should not breathe the pure air three minutes after I returned, this deponent at this time having g[illegible] down to Westport, in Missouri; that it was these threats, made in various shapes, that made this deponent really fear his life, and which induced him to make affidavit against the said Branson, and procure a peace warrant to issue and be placed in the hands of the sheriff of Douglas county. That this de-