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The Washington Union.

"LIBERTY, THE UNION, AND THE CONSTITUTION."

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THIRTY-FIFTH CONGRESS.

First Session.

WEDNESDAY, MAY 5, 1858.

SENATE.

The VICE PRESIDENT laid before the Senate a letter from Hon. ASA BIGGS, of North Carolina, enclosing a copy of a letter addressed by him to the governor of that State, resigning his seat in the Senate of the United States; which was read.

Mr. HUNTER remarked that the resignation of Mr. BIGGS caused a vacancy in the Committee on Finance; and he moved that the vacancy be filled by the Chair; which was agreed to, and Mr. HAMMOND was appointed.

MEMORIALS, PETITIONS, ETC.

Mr. FOSTER presented the petition of W. A. Buckingham, Wolcott Huntington, and other citizens of New London, Connecticut, praying that Congress will make a grant of land to each State in the Union for the purpose of endowing an industrial university, so that a liberal and practical education may be extended to the working classes in their several pursuits and professions in life, and to secure the trust in such manner as never to allow it to be diverted from its object, or made subservient to any local, partisan, or sectarian purpose; which was referred to the Committee on Public Lands.

Mr. MALLORY presented the petition of R. S. Simpson, assistant surgeon in the army, setting forth that he has rendered professional services in the marine hospital at Key West, from the 1st of October to the 25th of December, 1856, and praying such compensation as may be deemed just; which was referred to the Committee on Military Affairs.

REPORTS FROM COMMITTEES.

Mr. BROWN, from the Committee on the District of Columbia, to whom was referred the bill from the House of Representatives to authorize the vestry of Washington parish to take and enclose certain parts of streets in Washington city, for the purpose of extending the Washington cemetery, and for other purposes, reported it without amendment and recommended its passage.

Mr. B., from the same committee, reported a bill to alter and amend an act entitled "An act conferring certain powers on the levy court for the county of Washington, in the District of Columbia," approved 1st July, 1812; which was read and passed to a second reading.

Mr. B., from the same committee, to whom was referred the memorial of citizens of Washington, praying that an appropriation may be made for the improvement of Boundary street, submitted an adverse report thereon.

Mr. FITZPATRICK, from the Committee on Military Affairs, to whom were referred several memorials, praying that further provision may be made for equipping the militia of the United States, submitted an adverse report thereon.

Mr. KING, from the Committee on Pensions, submitted adverse reports on the petitions of Frances Cato and Edward Merritt.

Mr. HUNTER, from the Committee on Finance, to whom was referred the bill from the House of Representatives making appropriations for the support of the Military Academy for the year ending 30th June, 1859, reported it with amendments.

Subsequently the Senate proceeded to the consideration of the above bill, and after a few remarks by Messrs. HALE and HOUSTON, the reported amendments were agreed to, and the bill was read a third time and passed—yeas 32, nays 9—as follows:

YEAS—Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Brown, Clay, Collamer, Crittenden, Dixon, Douglas, Evans, Fessenden, Fitzpatrick, Foot, Foster, Green, Gwin, Hamlin, Hammond, Houston, Hunter, Jones, Mallory, Mason, Sebastian, Seward, Simmons, Slidell, Stuart, Wilson, and Yulee—32.

NAYS—Messrs. Broderick, Doolittle, Durkee, Hale, Harlan, Johnson of Tennessee, Pugh, Trumbull, and Wade—9.

ABSENT OR NOT VOTING—Messrs. Bates, Bright, Cameron, Chandler, Clark, Davis, Fitch, Henderson, Iverson, Johnson of Arkansas, Kennedy, King, Pearce, Polk, Reid, Sumner, Thompson of Kentucky, Thomson of New Jersey, Toombs, and Wright—20.

Mr. IVERSON, from the Committee on Claims, to whom was referred the memorial of Daniel J. Browne, praying compensation for extra services and an increase of his salary for the management of the agricultural division of the Patent Office, submitted an adverse report thereon.

Mr. I., from the same committee, to whom was referred the report of the Court of Claims adverse to the claim of Jonas P. Levy, asked to be discharged from the further consideration of the same, and that it be referred to the Committee on Foreign Relations; which was agreed to.

RESOLUTION ADOPTED.

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

Resolved, That the President of the United States be requested to inform the Senate if any, and what, measures have been taken for the protection of American commerce in the ports of Mexico during the present distracted condition of that country, and especially whether any, and what, measures have been taken for obtaining redress for the recent outrages on American vessels committed in the port of Tampico, and for protecting such vessels against a repetition of such outrages.

Mr. B. remarked that it would be observed that the resolution had particular reference to recent occurrences in the port of Tampico during the revolutionary struggles in that quarter, which demanded prompt action on the part of this government. He also submitted letters on the subject from merchants in New Orleans; which were read; and, the question being taken, the resolution was agreed to.

BILLS PASSED.

The following bills were severally taken up, considered, and passed:

Bill to amend an act entitled "An act to ascertain and settle private land claims in the State of California," approved March 3, 1851.

Bill to provide for the collection and safekeeping of the public archives in the State of California.

Bill for the prevention and punishment of frauds in land titles in California.

BANKRUPT LAW.

Mr. BAYARD, from the Committee on the Judiciary, who were instructed by resolutions of the Senate to inquire into the expediency of establishing a uniform system of bankruptcy throughout the United States, and to whom were referred numerous memorials on the same subject from citizens of Maine, Massachusetts, New York, Michigan, and Iowa, asked to be discharged from the further consideration of the subject, as the majority of the committee was unable to agree upon the details of a uniform bankrupt law; which was agreed to.

Mr. TOOMBS said that inasmuch as the majority of the committee had decided against reporting a bill, and there were two of the committee who dissented from that course, he would ask leave to report a bill on the subject, as the views of the minority, and have it printed.

Mr. GREEN objected to a bill's being reported by the minority of a committee. A bill could be introduced by an individual senator, but a committee could only act as a unit, through a majority. The minority of a committee was a nullity and a nonentity.

Mr. TOOMBS replied that it was an every-day practice to receive minority reports; and why could not a minority report a bill as well as to make any other kind of report?

Mr. GREEN said that a committee could report at any time, either by bill or otherwise; but an individual senator could only introduce a bill after previous notice, unless by the unanimous consent of the Senate.

The CHAIR stated that it had been customary heretofore to receive the "views" of a minority of a committee, but not in the form of a report or a bill.

Mr. BIGLER showed that if a minority of a committee were to be allowed to report bills, and have them placed upon the calendar, it would destroy the whole system of doing business in the Senate. For instance, although the Committee on Commerce have decided not to report any river and harbor improvement bills at the present session, the senator from Maine [Mr. HAMLIN] could report thirty or forty of them, if such a practice was allowed.

Mr. BENJAMIN. In order to avoid the point of order raised by the senator from Missouri, I give notice that I will ask leave to-morrow morning to introduce this bill.

Mr. GREEN. I have no objection to your introducing it now; I only object to its being reported by a minority of a committee.

Mr. BENJAMIN said he would avail himself of the courtesy of the senator, and introduce the bill now. The bill was then read by its title as follows: "A bill to establish a uniform law on the subject of bankruptcies throughout the United States."

Mr. TOOMBS subsequently asked to be excused from further service on the Committee on the Judiciary; but no vote was taken on the question.

COMMANDER HERNDON.

On motion by Mr. HALE, the Senate resumed the consideration of the joint resolution for the benefit of the widow of Commander William Lewis Herndon, of the United States navy; which declares that Congress entertains a high sense of the devotion to duty, the coolness, courage, and conduct of Commander W. L. Herndon, in command of the steamer Central America, at sea during the prevalence of a hurricane on the 12th of September, 1857; and provides that his widow shall be entitled to receive, out of any money in the treasury not otherwise appropriated, a sum equal to three years' full sea-service pay of a commander in the navy, amounting to $7,500.

Mr. IVERSON said that he had intended to speak on this question at some length, but he would forego doing so, and would only say that he could not vote for the joint resolution without staining his soul with the sin of perjury, as he believed it unconstitutional. He believed that the constitution gave Congress no more right to make this gratuity than to take the money and throw it into the Potomac river.

Mr. MALLORY cited several cases where similar payments had been made heretofore.

Mr. BENJAMIN paid a glowing and eloquent tribute to the disinterestedness and magnanimity displayed by Commander Herndon on the occasion of the wreck of the Central America.

The joint resolution was read a third time and passed—yeas 32, nays 8—as follows:

YEAS—Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Broderick, Brown, Chandler, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Harlan, Houston, Jones, Mallory, Mason, Polk, Pugh, Seward, Simmons, Stuart, Wade, and Wilson—32.

NAYS—Messrs. Clay, Green, Hunter, Iverson, Johnson of Tennessee, King, Slidell, and Toombs—8.

ABSENT OR NOT VOTING—Messrs. Bates, Bright, Cameron, Clark, Davis, Evans, Fitch, Fitzpatrick, Hammond, Henderson, Johnson of Arkansas, Kennedy, Pearce, Reid, Sebastian, Sumner, Thompson of Kentucky, Thomson of New Jersey, Trumbull, Wright, and Yulee—21.

DIFFICULTIES WITH PARAGUAY.

On motion by Mr. MASON, the Senate resumed the consideration of the joint resolution for the adjustment of the difficulties with the republic of Paraguay, in connexion with the attack on the United States steamer Water-Witch, and other matters referred to in the annual message of the President. The joint resolution authorizes the President to "adopt such measures and use such force as, in his judgment, may be necessary and advisable in the event of a refusal of just satisfaction by the government of Paraguay."

Mr. BAYARD moved to reconsider the vote by which the Senate agreed to the amendment to strike out the words "and use such force;" and the motion was agreed to.

The question then recurred on the adoption of the amendment; and it was not agreed to—yeas 15, nays 25—as follows:

YEAS—Messrs. Broderick, Collamer, Crittenden, Doolittle, Durkee, Fessenden, Foot, Hale, Johnson of Tennessee, Mallory, Seward, Stuart, Trumbull, Wade, and Wilson—15.

NAYS—Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Brown, Clay, Dixon, Douglas, Evans, Foster, Green, Gwin, Hammond, Harlan, Houston, Iverson, Jones, Mason, Polk, Pugh, Sebastian, Simmons, Slidell, and Toombs—25.

ABSENT OR NOT VOTING—Messrs. Bates, Bright, Cameron, Chandler, Clark, Davis, Fitch, Fitzpatrick, Hamlin, Henderson, Hunter, Johnson of Arkansas, Kennedy, King, Pearce, Reid, Sumner, Thompson of Kentucky, Thomson of New Jersey, Wright, and Yulee—21.

The joint resolution was read a third time and passed.

ADMISSION OF OREGON.

On motion by Mr. DOUGLAS, the Senate proceeded to the consideration of the bill for the admission of Oregon into the Union.

Mr. MASON inquired what was the population of Oregon.

Mr. DOUGLAS could not answer that question precisely. There were between ten and eleven thousand votes upon the constitution, and that was not a full vote. One of the delegates from Oregon had expressed the opinion that there were about eighty thousand inhabitants. Since Oregon had at least twenty thousand more inhabitants than Kansas, he thought there ought to be no objection to her admission on the score that her population was insufficient, after voting to admit Kansas.

Mr. BENJAMIN would vote for the admission of Oregon, but this was the last vote he would give for the admission of a State without a regular census to show what her population was. He thought, however, that, if the population of Oregon did not reach the representative basis, it came very near it.

Messrs. FESSENDEN, TRUMBULL, WADE, WILSON, and HALE opposed the admission of Oregon under her constitution, on the ground that free blacks were excluded, and deprived of equal privileges with the whites.

Mr. TRUMBULL moved to postpone the further consideration of the bill until the first Monday in December next. After a long debate, without taking any vote,

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

The House met at 11 o'clock, a. m. After prayer by the Chaplain, the journal of yesterday was read and approved.

Mr. FERGUSON, of Nebraska, by unanimous consent, introduced a bill to protect the land fund for school purposes in Solomon county, Nebraska Territory; which was read twice and referred to the Committee on Territories.

REPORTS FROM COMMITTEES.

Mr. COMINS, of Massachusetts, from the Committee on Commerce, reported the bill making appropriations for light-houses, light-boats, buoys, &c., and to provide for the erection and establishment of the same, and for other purposes; which was committed.

Mr. CLINGMAN, of North Carolina, from the Committee on Foreign Affairs, reported a bill to provide for the ascertainment and satisfaction of the claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801; the further consideration of which, after a brief discussion, was postponed until the first Monday in January next.

CENTRAL AMERICAN AFFAIRS.—THE CAPTURE OF WALKER.

Mr. CLINGMAN, from the same committee, then made a report in regard to our relations with Central America, concluding with the following resolutions:

Resolved, That inasmuch as the United States can never consent that any foreign power shall have the right to enter our territory with a view of forcibly carrying away any person who may be therein, so it becomes the duty of its government to disavow and disclaim all right on its part to enter for the same purpose the territory of any foreign power, or State, with which we are on terms of amity or friendship.

Resolved, That officers of the United States have no right to use the force under their command in the territory of any foreign State at the instance of or for the benefit of such State, unless previously authorized by Congress.

Resolved, That inasmuch as the views of the President, as made known in his message to the two Houses of Congress, are in accordance with these principles, no action is necessary on the part of Congress.

Mr. RITCHIE, of Pennsylvania, offered the following resolution as a substitute:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, and the same are hereby, presented to Commodore Hiram Paulding, and through him to the officers, petty officers, seamen, and marines, attached to the squadron under his command, for the capture on the 8th of December last, at Punta Arenas, of one William Walker and others associated with him, who were engaged in carrying on against the government and people of Nicaragua an unlawful military enterprise, which was set on foot by the said Walker and his associates within the territory and in violation of the laws of the United States.

Mr. BARKSDALE, of Mississippi, submitted the following resolution:

Resolved, That the conduct of Commodore Paulding and his men, in arresting General William Walker, was without authority of law, and meets the condemnation of the House.

Mr. WRIGHT, of Georgia, also offered a resolution, condemning the conduct of Commodore Paulding as without authority of law, and asserting the right of an American citizen to expatriate himself with arms in his hands for the purpose of settling new territories.

Mr. CLINGMAN made some explanations in connexion with the report. He held that the arrest of General Walker by Commodore Paulding was without authority of law. He contended that an officer in command of the forces of the United States could only use that force in the service of the United States, and, to show what the last House of Representatives thought upon the subject, he begged leave to present the vote upon a resolution of his own. He said, in explanation of the circumstances under which he offered that resolution, he called upon the Secretary of State, (Mr. Marcy,) and advised that a body of troops should be sent to protect the Panama railroad. Mr. Marcy replied that the Executive could not use troops of the United States within foreign jurisdiction without authority. He was willing to do anything he could from the coast, but could not land troops there. Mr. CLINGMAN said he had impressed upon the Secretary the importance of sending troops there and taking possession of that isthmus, and that was his line of policy. In reply to a remark of the Secretary as to what he thought of their foreign policy, he (Mr. C.) said that he thought that his foreign policy had been given to quarrelling with everybody and obtaining nothing. But it was sufficient for him that both President Pierce and the Secretary thought they could not use troops without authority. He therefore presented the following resolution:

Resolved, That, for the better protection of American citizens, the President of the United States be, and he is hereby, authorized to employ any part of the land and naval force of the country and to call for any number of volunteers necessary to provide for the safety of passengers and citizens in that locality, and such force to aid the local authorities to insure such rights as the government and citizens of the United States are entitled to enjoy.

Mr. CLINGMAN said that Mr. JONES, of Tennessee, objected, and he moved to suspend the rules; upon which motion the vote stood yeas 53, nays 74—a large majority being unwilling to permit the introduction of a resolution to authorize the President to use troops for the protection of American citizens, for fear the President would take possession of that government. If gentlemen would not trust the President, he did not think they would trust his subordinates. If that resolution had been adopted, and carried out, the President might have seized the isthmus, which would have been of vast advantage to the United States, and he saw from the papers that that Territory was now asking to be annexed for nothing. Another purpose he had very much at heart was the opening of the Nicaraguan line. Walker at that time was in power, and if this line had been kept open would have been able to sustain himself. The line had been closed for two years, California had lost largely, and the Panama Company were paying $40,000 a month to keep it closed.

In a proclamation on the 22d of April, 1858, Mr. Irisarri said that if an American citizen went to Nicaragua, and attempted to pass through, as he had a right to do under the original treaty, if he did not come in a certain line, by the Pacific ship canal, he would be treated as an enemy and stopped. He held the right of an American citizen to go to that territory in any ship he pleases, and a monopoly of this kind could not be tolerated. That was the ship company of New York. Suppose Great Britain should provide that nobody should travel to that country except in the Cunard line, would not the people of New York, Boston, and Philadelphia complain of such an arrangement? He held that the United States had a right to exercise an influence upon Nicaragua in order to secure a route to our Pacific possessions, and he trusted the treaty-making power would not allow any regulations to be made by which an advantage would be lost. The conduct of Commodore Paulding aided British interests, and not American interests, in that territory. It was generally believed in that territory that Commodore Paulding had made the arrest at the instance of the British government, and the United States stood in worse repute than they had before.

THE CLAYTON-BULWER TREATY.

By unanimous consent the House then proceeded to consider the following resolutions, also reported from the Committee on Foreign Affairs:

Whereas the treaty between the United States and Great Britain, designated as the Clayton-Bulwer treaty, is, under the interpretation placed upon it by Great Britain, a surrender of the rights of this country, and upon the American construction an entangling alliance, without mutuality in its benefits, or restrictions, and has hitherto been productive only of misunderstandings and controversies between the two governments: therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be requested to take such steps as may be, in his judgment, best calculated to effect the speedy abrogation of said treaty.

Mr. CLINGMAN said there had been a struggle going on between the United States and Great Britain in relation to Central American territory. It commenced with the acquisition of California. Before that Great Britain had been extending her influence in the East without interruption from the United States, but as soon as she saw the advantage the United States would have, she made a proposition to her, which the administration, with great imbecility, accepted. For that reason he wished the House to adopt the resolutions before them, which he believed every gentleman would pronounce a fair proposition. The object of the Clayton-Bulwer treaty had been to open a route to California, but unfortunately that portion of it was never executed. There was another provision by which neither Great Britain nor the United States should ever occupy or exercise any jurisdiction over Central America, or any part of it, either directly or indirectly, by treaty or protection. It was a treaty by which neither government was to take possession of that territory for all time. Suppose the United States should say to Great Britain, we agree not to occupy any portion of Asia: Great Britain would reply that she had possessions there, and would make no such bargain. This was upon the American construction, and the British construction was even more unfavorable to the United States. Great Britain said, by the terms of the treaty, we are allowed to hold all we now possess, and as you have got nothing, I hope you will take nothing. He need not argue against the absurdity of that proposition. Great Britain claimed about four-fifths of the territory, and if gentlemen chose to look at the speech of Senator SEWARD they would find a very able argument to show that Great Britain had no right whatever to hold one-half of that territory, and that, sooner than submit to her provisions, the United States should go to war with them; but, still, that gentleman had recommended further negotiations—a most lame conclusion. The United States had been negotiating with Great Britain for eight years, and gained nothing. Let them look back to the negotiations with Great Britain by Spain, and they would find that the latter power had been trying for two hundred years to get them out of their Territory and had been unable. The truth was, that Great Britain had held these possessions for eight years, and could not well give them up. He thought, therefore, with President Buchanan, that the best they could do was to abrogate the treaty. The message of the President had been referred to the committee. The committee were obliged to report, and the least they could do was simply to report a resolution expressing their opinion. He thought, therefore, that every gentleman would see that this was the proper course to be pursued. By the removal of the treaty they would obtain that country, with all its advantages for the occupation of the United States. Mr. CLINGMAN alluded to the four great powers—Russia, France, Great Britain, and the United States—that are extending their dominions over the inferior races, contrasting their relative power and resources briefly but most forcibly. He held that no power exists that has greater advantages than the United States, which had under its control some of the inferior races of the earth. He then drew a comparison between Great Britain and the United States, to show the difference in the treatment of these subjects by these powers. Great Britain had in India about 170,000,000 of people, and eighteen-twentieths of the gross products of the soil were taken away from the the cultivators of it. No man believed that the inhabitants of any country could live on one-tenth of what they produced, and, therefore, millions of the people were dying annually in that country from privation and famine. The population of that country had diminished thirty millions since Great Britain had obtained control of it. Now, (said he,) let us look for a moment at the manner in which the United States treats the aborigines of this country. So far from compelling them to labor for us, to pay taxes, we actually expend large sums of money to keep them alive. He then exposed with great force the evils of the cooly trade, which he characterized as one of the most oppressive systems the world had ever seen carried on by civilized nations. It was vastly more cruel than the old slave trade. Everybody knew that a man who was only employed to work for a time would be worse treated than a slave. The United States had now upon the coast of Africa ships to aid Great Britain in suppressing the slave trade, and yet that power was transporting other races in this way. He held that whilst they had this engagement with Great Britain, the United States might at least protest against this system, and say that she would withdraw her squadron from Africa if that power did not stop this traffic. Gentlemen said suppose this treaty were abrogated, it would lead to a war. He had observed the course of the British government, and she had two systems of operations against the United States—insinuation and bluster. The allegation was constantly made that Congress would not do anything; that Congress would not back the government. He knew the shortcomings of Congress; but there had been few instances where the Executive had the occasion, and made the appeal, that Congress did not comply with the demand. During the Mexican war the government had everything they asked for. The fault was that some Executives had not shown a purpose to act, and consequently Congress was backward in acting. He hoped there would be a reform in this respect. The present administration had as yet no opportunity of displaying its foreign policy. They had been occupied with certain domestic questions; but, from the antecedents of the President and the Secretary of State, the country had every reason to expect the best results from their policy. He proposed to the House simply to respond to these views, and especially to the views of the President, and condemn the Clayton-Bulwer treaty, and leave the President to take the necessary steps to abrogate it. Great Britain was at present engaged in war in China and in India, and was threatened with difficulties in Europe. Let the United States come forward and settle their difficulties; but, if the question was left open to a future time, his word for it, it would involve a war.

Mr. GIDDINGS, of Ohio, inquired whether the gentleman included Cuba.

Mr. CLINGMAN replied that the Clayton-Bulwer treaty did not embrace Cuba. He was in favor of removing all entangling alliances. Four years ago they could have taken Cuba honorably on the occasion of the Black Warrior affair. He was in favor of taking Cuba, if they could get it in an honorable way; and he believed if they did obtain it it would put an end to the trade in Chinese and Asiatics. Would the gentleman not like to see the annexation of Cuba, by which the slave trade and cooly trade would be stopped?

Mr. GIDDINGS inquired whether the gentleman would go as far as Mr. Buchanan.

Mr. CLINGMAN replied that he would go as far as "Old Buck." All he desired at this time was to endorse the position of the President.

Mr. DAVIS, of Maryland, inquired whether they could abrogate the Clayton-Bulwer treaty.

Mr. CLINGMAN replied that the President, in his message, had said that it could be abrogated with the consent of both parties. He had every reason to believe that the present British cabinet were willing that it should be done on honorable terms, and he had no doubt the President would be able to accomplish that object at the present time. Every person must see that it was important to act speedily on the question.

Mr. RITCHIE, of Pennsylvania, moved that the report be recommitted.

THE ADMISSION OF MINNESOTA.

The House then proceeded to the consideration of the bill of the Senate for the admission of Minnesota.

Mr. DAVIS, of Maryland, said he could not vote for the bill on account of the suffrage laws in the constitution of Minnesota. He contended that Minnesota had no right under the constitution of the United States to confer the privilege of suffrage upon persons of foreign birth who had only resided in the United States one year and in the Territory four months.

Mr. REAGAN, of Texas, understood the opposers of the bill to argue that the federal government had the right to declare who are the electors of the State. To that he desired to enter his protest. He contended that Congress had power over the qualification of elections in the Territories, but not in the States, and when a Territory applied for admission, she must be regarded as a State.

Mr. KELLY, of New York, commenced some remarks in regard to emigration, but objection being made, he did not finish them.

Mr. ANDERSON, of Missouri, had examined the constitution, desirous to vote for the admission of Minnesota into the Union, but there were certain provisions contained in it, in his opinion, violative of the constitution of the United States, and which would not authorize him to vote for that admission. He would not vote for the admission of a State that tolerated alien suffrage.

Mr. STEPHENS, of Georgia, remarking that he was desirous of discussing the question, moved that its further consideration be postponed until to-morrow, after the expiration of the morning hour; which motion was agreed to.

THE GENERAL APPROPRIATION BILL.

On motion of Mr. J. GLANCY JONES, the House then went into Committee of the Whole on the state of the Union, (Mr. BURNETT, of Kentucky, in the chair,) and resumed the consideration of the bill making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the 30th of June, 1859.

A number of amendments were proposed, and considerable discussion ensued. Among the amendments agreed to was the following, submitted by Mr. SHERMAN, of Ohio, as an additional section:

Be it further enacted, That after the present fiscal year no part of the amount appropriated by this act for the services of any fiscal year shall be used or applied to the services of any other fiscal year, or transferred to any other branch of the public service than that for which it is appropriated.

After further proceedings, the committee rose, and reported the bill to the House with the recommendation that it do pass.

Mr. J. GLANCY JONES demanded the previous question; which was seconded.

The question being on the passage of the bill,

Mr. HOUSTON, of Alabama, from the Committee on the Judiciary, reported the following resolution; which was unanimously agreed to:

Resolved, That the Committee on the Judiciary be authorized to have printed, under the direction and for the use of the members of said committee, the evidence in the case of Judge John C. Watrous, pending before said committee.

And then the House adjourned.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, *May* 5.—No. 97. James Barton, plaintiff in error, *vs.* Robert Forsyth. The argument of this cause was concluded by Mr. Reverdy Johnson for the plaintiff in error.

No. 104. Eneas McFaul, plaintiff in error, *vs.* James C. Ramsey. The argument of this cause was commenced by Mr. Reverdy Johnson, jr., for the plaintiff in error, and continued by Mr. Norris for the defendant in error.

Adjourned until to-morrow 11 o'clock.

THE NOMINATION OF JUDGE LORING.

[From the Boston Daily Advertiser.]

We learn by telegraph from Washington that the President has nominated Hon. Edward G. Loring, lately removed by address from the office of judge of probate for Suffolk county in this State, to be Chief Justice of the United States Court of Claims, to fill the vacancy upon that bench caused by the decease of Judge Gilchrist. The brief period which has elapsed since the vacancy happened is a proof that the appointment is unsolicited, and probably unexpected, on the part of Judge Loring; and it is accordingly a substantial compliment from the national Executive, which he can without impropriety accept, although by doing so he will forfeit all claim to the character of a "martyr," with which some of his injudicious friends have seemed to be anxious to invest him, since the federal office to which he is now appointed is more than four times as lucrative as the State office from which he has been removed. The salary of a judge of the Court of Claims is $4,000, while that of the probate judge was but $900. It is worthy of remark, therefore, that so far as the efforts of the advocates of removal among the people and in the legislature may have been stimulated by a personal feeling of vindictiveness against Judge Loring, they have simply attained the result of placing him in a position of greater responsibility and emolument, and of national consequence. The personal friends of Judge Loring certainly cannot object to this result, however much they may deplore the means by which it has been brought about, and we cannot refrain from expressing our gratification that the measure of removal has thus proved powerless to annoy the judge in its material aspects. As the advocates of removal almost universally disclaimed any feeling of vindictiveness against Judge Loring personally, they also cannot complain that the proceeding to which their consciences and convictions of duty impelled them has had the result which has now ensued.

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The office of chief justice in the Court of Claims is an important one. It was created by law in 1855. Judge Loring is well qualified to discharge its duties with credit to himself and advantage to the public at large. The tenure, like that of all judicial officers under the constitution of the United States, is during good behavior, and there can be no removal by address.

ST. LOUIS.—At an *American* mass meeting, held in St. Louis on the 29th ult., it was determined to hold a county convention on the 31st instant, to nominate an American candidate for Congress for the first congressional district, senators and representatives in the State legislature, and county officers; and that mass meetings of Americans be called in each ward and township on Saturday, the 29th day of May, to appoint the delegates to said convention.

BY AUTHORITY.

LAWS OF THE UNITED STATES.

Pub: 11—

AN ACT to incorporate Gonzaga College, in the City of Washington and District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Bernard Villiger, Charles H. Stonestreet, Daniel Lynch, Edward X. Hand, and Charles Jenkins, and their successors, be, and they are hereby, made a body politic and corporate forever, by the name of the President and Directors of Gonzaga College, for purposes of charity and education; and by that name may sue and be sued, prosecute and defend; may have and use a common seal, and the same alter and renew at pleasure; may adopt rules, regulations, and by-laws, not repugnant to the Constitution and laws of the United States, for properly conducting the affairs of said corporation, may take, receive, purchase, and hold estate, real, personal, and mixed, not exceeding in value the sum of two hundred thousand dollars at any one time, and may manage and dispose of the same at pleasure, and apply the same, or the proceeds of the sales thereof, to the uses and purposes of said corporation, according to the rules and regulations which now are, or may hereafter be, established.

SECTION 2. *And be it further enacted*, That the said corporation shall have and enjoy the power and faculty to confer and confirm upon such pupils in the institution, or others, who, by their proficiency in learning or other meritorious distinctions they shall think entitled to them, such degrees in the liberal arts and sciences as are usually granted in colleges.

SECTION 3. *And be it further enacted*, That the president and directors of Georgetown College be, and they are hereby, authorized and empowered to convey to the said president and directors of Gonzaga College, and their successors forever, who are hereby authorized and empowered to receive the same, such lands and property, and such estate, real, personal, or mixed, as the said president and directors of Georgetown College may receive, or may have received, for the use or benefit of said president and directors of Gonzaga College.

SECTION 4. *And be it further enacted*, That nothing in this act shall be so construed as to authorize this said corporation to issue any note, token, device, scrip, or other evidence of debt, to be used as a currency.

SECTION 5. *And be it further enacted*, That each of the corporators in said corporation shall be held liable, in his individual capacity, for all the debts and liabilities of said corporation, however contracted or incurred, to be recovered by suit, as other debts or liabilities, before any court of competent jurisdiction.

SECTION 6. *And be it further enacted*, That Congress may at any time hereafter alter, amend, or repeal the foregoing act.

Approved 4 May 1858.

Pub: 12—

AN ACT to incorporate the Benevolent Christian Association of Washington city.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the Christian churches in the city of Washington, without distinction of sect or creed, be, and they are hereby, authorized, on or before the last day of August of each and every year, to appoint one person, and that the person so appointed, and their successors, be, and they are hereby, made a body politic and corporate, under the name and style of "*The Benevolent Christian Association of Washington City*," and, as such, may purchase, have, hold, use, and acquire, by donation, or any lawful means, estate, real and personal, *not exceeding two hundred thousand dollars in value*, and the same may lease, let, sell, transfer, and convey, and otherwise dispose of; and may sue and be sued, and plead and be impleaded; and may have a common seal, and the same may change at pleasure; and may make by-laws, rules, and regulations, for the management of their affairs.

SECTION 2. *And be it further enacted*, That the purpose of the said association shall be to relieve the wants of the destitute poor of Washington city; and that the persons named as aforesaid by the several Christian churches shall be directors of the said association, and continue in office until the first day of October in each year, and until their successors be appointed, and as such shall have power to appoint appropriate officers, and to employ and compensate such agents as they deem expedient, and to appropriate the funds and property of the association to such use as in their discretion they deem best suited to promote the purpose of their incorporation, and with this view they may associate with them, as auxiliaries, under such rules and regulations as they may prescribe, any other and all such benevolent associations or societies as now exist, or may hereafter be organized in the city of Washington, for the purpose of aiding or contributing to the relief of the poor and destitute persons in said city.

SECTION 3. *And be it further enacted*, That nothing in this act shall be so construed as to authorize this said corporation to issue any note token, device, scrip, or any other evidence of debt, to be used as a currency.

SECTION 4. *And be it further enacted*, That each of the corporators in said corporation shall be held liable, in his individual capacity, for all the debts and liabilities of said corporation, however contracted or incurred, to be recovered by suit, as other debts or liabilities, before any court of competent jurisdiction.

SECTION 5. *And be it further enacted*, That Congress may, at any time hereafter, alter, amend, or repeal the foregoing act.

Approved 4 May 1858.

Pub: 15.

AN ACT to provide for the issuing service and return of original and final process in the circuit and district courts of the United States in certain cases—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all suits not of a local nature hereafter to be brought in the circuit and district courts of the United States in a district in any State containing more than one district against a single defendant, shall be brought in the district in which the defendant resides, but if there be two or more defendants, residing in different districts in the same State, the plaintiff may sue in either district and issue a duplicate writ against the defendants, directed to the marshal of any other district within the State in which any of the defendants reside, on which duplicate writ, the clerk issuing the same shall indorse, that it is a true copy of a writ sued out of the court of the proper district, and such original and duplicate writs, so issued, shall when executed and returned into the office from which they issued, constitute one suit and be proceeded on accordingly, and upon any judgment rendered in a suit so brought, process of execution may be issued, directed to the marshal of any district in the same State. And in suits of a local nature, where the defendant resides in a different district in the same State, than the one in which the suit is brought, the plaintiff may have original and final process against such defendant, directed to the marshal of the district in which he resides.

SECTION 2. *And be it further enacted*, That in all cases of a local nature at law or in equity where the land or other subject matter of a fixed character lies partly in one district and partly in another district, within the some State, the plaintiff may bring his action or suit in the circuit or district court of either district, and the court in which any such action or suit shall have been commenced, as aforesaid, shall have jurisdiction to hear and decide the same and to cause mesne or final process to be issued and executed as fully as if the land or other subject matter were wholly within the district for which such court is constituted.

Approved 4. May 1858.

Pub: 16.

AN ACT to alter the times of holding the Circuit and District Courts of the United States for the District of Vermont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Circuit Court of the United States now directed to be holden at Windsor in and for the District of Vermont on the twenty first day of May shall, after the first day of July next, be holden on the fourth Tuesday of July annually, at said place, and the District Court of the United States, within and for said District, instead of the twenty-seventh day of May shall, after the first day of July next, be holden on the Monday next after the fourth Tuesday in July annually. SECTION 2. *And be it further enacted*, That all indictments, informations, suits or actions and proceedings of any kind, whether civil or criminal, now pending in said courts respectively shall have day in court and be proceeded in, heard tried and determined on the days herein appointed for the holding of said courts respectively in the same manner that might and ought to have been done, had the said courts respectively been holden on the twenty first and twenty-seventh days of May.

Approved 4 May 1858.

Pub: 7.

A RESOLUTION providing for the payment of certain expenses of holding the United States courts in the Territory of Utah.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That the expenses of holding the United States courts in the Territory of Utah during the continuance of the present disturbances therein, be paid out of the Judiciary fund, under the limitations contained in the existing laws in respect to fees: *Provided*, That on the restoration of peace in said Territory, the expenses of said courts, when exercising jurisdiction under the Territorial laws, shall be chargeable to the territory, or the counties, as in other Territories.

Approved 4 May 1858.

AMERICAN CHAMPAGNE.—A writer in the "Scalpel" says that the best brands of champagne are manufactured in America, chiefly in New York. This is a bold assertion, and yet it is quite probable that a very large portion of the article which is represented to be of foreign origin is the result of Yankee ingenuity. It is known, however, that the genuine champagne which is manufactured at Cincinnati is equal to any that is produced. The writer in the Scalpel says that the attempt that was made some years since by a manufacturer in Europe to increase the exhilarating qualities of his wine by impregnating it with nitrous oxide, or laughing gas, was more creditable to his ingenuity than his conscience. It was frustrated by a distinguished chemist, who detected the imposture by analysis, after observing the wonderfully exhilarating properties of the beverage. The wine, which acquired much reputation from the fact of its immediate effect, soon lost its prestige, as the conservative wine-drinkers in Europe were not disposed to encourage any effect not legitimately produced, and the ladies discovered that uncontrollable laughter was, of all other expressions, the most trying to the expressive motion of the lips.

He adds that at the present time there are in New York city no less than thirteen establishments which manufacture champagne, or, in other words, convert still wine into sparkling ones; for no process has yet been discovered for producing an artificial wine which possesses the flavor and other qualities of the product of the grape. These manufacturers use for their purpose a light French, and sometimes, if sparkling hock is to be produced, a German wine. The wine, after being prepared by precipitating all substances which would, when charged with carbonic acid, be deposited in the bottle, is subjected to a high pressure of carbonic acid by machinery, and, after being well agitated in contact with the gas, is bottled under pressure with a very ingenious machine. The quality of the article, of course, depends upon the quality of the wine used. Great care is taken to prevent contact with any soluble metallic substance in the apparatus used for preparing it; no mineral substance is used; indeed, the wine is perfectly pure, and, when properly manufactured, is not inferior in flavor or properties to the imported article, and is sold at one-half the price.

DR. KANE'S ARCTIC DISCOVERIES.—A recent number of Willmer & Smith's European Times, received by the Arabia, publishes the following paragraph calling in question the accuracy of nearly all Dr. Kane's alleged discoveries:

"At a meeting of the Royal Geographical Society, Dr. Rink, a Dane, read a paper in which he challenged the accuracy of nearly all the alleged discoveries of Dr. Kane on the north coast of Greenland. The lecturer maintained that the line of coast, on the American coast of Baffin's Bay, as high as 81 degrees of latitude, sketched in Dr. Kane's chart, was fictitious, and was founded on observations reported to have been made from points where it was impossible to have seen the land. Many other portions of Dr. Kane's narratives were disputed, and it was roundly asserted that the American was hoaxed by his steward. These views were endorsed by Sir George Back, Captain Collinson, and Dr. Armstrong. Sir Roderick Murchinson was in the chair, but he said nothing on the disputed question.

Dr. Rink's paper raised two questions, one affecting the personal veracity of Morton, the steward of the Advance, and the alleged discoverer of the open Polar Sea; the other affecting the scientific judgment of Dr. Kane.

Dr. Mackenzie, of the Philadelphia Press, tells this funny story of the long and varied service of a literary court-suit:

"Originally made for, paid for, and worn by Samuel Rogers, the bard, the beau, the banker, it performed yeoman's duty for him during many years. At last, somewhat about the age of 80, the bard of memory put the dress by, in lavender. Soon after, Southey died, and Wordsworth was appointed to succeed him as poet laureate. It was a point of etiquette for this new official to present himself at court and pay his respects to his royal mistress on his appointment. Strongly objecting to pay $350 for a new court-suit, he borrowed that in which Samuel Rogers had visited the royal drawing room half a century before, and, thus attired, kissed hands. In a few years, Wordsworth also passed away, and Alfred Tennyson became poet laureate. The court-suit of Mr. Rogers was again put on duty, and duly encased the limbs of Tennyson, as it had those of Wordsworth."

THE RICHMOND BANKS.—Much dissatisfaction is expressed—and we think with great justice—at the determination which the Richmond banks have come to, not to receive or pay out any bills except those upon their own banks or branches. The effect of this will be to discredit the circulation of the Independent banks, and to entail heavy loss upon the holders of their notes. It will also have a tendency to drive both trade and capital from the State. By what authority do the Richmond banks presume to exercise this kind of despotism? Are the Richmond banks the servants of the people, or their masters? If the latter, perhaps it would be well that the people knew it, so that their representatives in the legislature might take down their arrogance a peg or two. Perhaps the revocation of a charter would have a salutary effect in reducing to their proper proportions these bloated moneyed corporations of Richmond. We commend it to the consideration of the next legislature.—*Lynchburg Virginian.*

THE LATE SCANDAL IN LONDON.—A late letter from London to the New York Sunday Times says: "I believe I forgot to say who were the parties in the high-life-elopement case, mentioned in my last, of a married nobleman with a young lady scarcely twenty. Lord Cardigan is the gentleman's name, and the accomplished Miss Sophia Henley is the erring lady. Lord Cardigan had no reputation to lose. He has done little but disgrace his position in the peerage for some years, but the lady's act inspires pity. She is beautiful, innocent, confiding and thoughtless. He is a brute, and bitterly will she have to repent this imprudent step. Lord Cardigan will probably be 'called out.' That's the rumor to-day at the clubs."

THE BIRTH-PLACE OF WASHINGTON.—Governor Wise, during his recent visit to the county of Westmoreland, completed the negotiations for the transfer to the State of the birth-spot of Washington and the burial-place of the Washington family. Mr. Wilson, the proprietor of the Wakefield estate, consents to give up an acre of ground, comprising the site of the house in which Washington was born and the old chimney alluded to by our correspondent in his letter published on Saturday. This area will be enclosed with an iron fence, and an appropriate monument erected on the spot. The negotiation includes the right of way across the plantation, to the road and to the vault; and this latter place is also to be enclosed and improved.—*Richmond Dispatch.*

NATIONAL FLOWER SHOWS.—The extent to which the love of flowers is carried in England is very plainly shown by the various national flower shows advertised in the public papers. Should we propose a national tulip show in this country, people would set us down as crazy; and yet a national show of tulips and pansies is expected in England, as a matter of course. The royal and national tulip shows are to be held this year at Sheffield, on the 27th of May, and a national pansy show on the same day at the same town. The national carnation and picotee society's exhibition is to be held at Moris, and the national rose show at London on July 1st.