The Plan and Prosecution of the Mexican War.

The following vindication of our government in its plan and prosecution of the war with Mexico, accompanied, as it is, by a dignified but pointed rebuke of certain dough-faces of the press who would not dare look a Mexican cat in the face, and who know as much of the subject they prate about as a mouse may be supposed to know of a steam engine, is furnished to the Montreal Gazette by an experienced military commander in the British service, who evidently understands his subject, and who, unlike our domestic malcontents of republicanism, has the candor and the honesty to award to a power with which he does not sympathize, the meed of praise it has so nobly won:

To the editor of the Montreal Gazette:

SIR.—If the American press, which exults in the privilege, rather American than dignified, of making, if possible, its own government appear contemptible, has succeeded in bewildering the Mexicans, by its crude and ridiculous conjectures on the designs of the war authorities, as completely as it has bewildered its own countrymen, the service done the "state" has been most patriotic.

Instead, however, of being involved in a daily changing vortex of puerile perplexities, as it has pleased these papers to represent, the government, having a feeble foe to deal with, commenced hostilities upon a well digested plan of operations, and has pursued them with undeviating regularity; nor was there but one possibility that could cause a deviation. In the catalogue of contingencies, there was a possibility that some party in Mexico might receive Gen. Taylor with open arms, as an instrument for elevating it to supreme power. The enthusiastic Mr. Bancroft, of the Navy Department, may have given it some consideration, while his sagacious colleague, Mr. Marcy of the War Department, would give it very little, and the result has proved that it was worthy of none at all.

The original design has, therefore, gone steadily forward, which was simply a succession of invasions or attacks on the "*flank*," of Mexico, each of which cuts off her territory at a certain parallel, and paralyses her authority to the north of it. For the west "flank," or coast, the fleet stationed in the Pacific was quite sufficient; and Colonel Stevenson's regiment, which has gone round to garrison the posts to be maintained, is a stronger force than the Mexicans ever had at their place of destination.

It is singular that any thing should appear in print so supremely silly as the idea of General Wool and General Kearney marching to the city of Mexico, the journey being some two thousand miles, with all their supplies to be brought that distance in wagons, through an enemy's country; and as insufferably silly are the continued reports of large bodies of Mexican troops either in California, or the northern departments, or "shortly expected," for it is well known that Capt. Fremont, of the United States topographical engineers, has explored, and *continues* to explore the country through to the Pacific in every direction, with a detachment of *fifty dragoons*, which have thus far been sufficient to resist all the "armies" to be found there.

The first movement (not in the order of time, but geographically) is that of Gen. Kearney, who, with 2,700 men, has proceeded west from Missouri to Santa Fe, 600 miles south of the American boundary of 42°. His command will maintain possession of this very liberal slice of California; a part may be pushed forward to the Pacific, (1,200 miles,) and he may open to the south a communication with Gen. Wool; but the march to Mexico must be laid aside, as one of those Munchausen fantasies for which "letter-writers" are becoming celebrated.

Gen. Wool with 5,000 men, is proceeding from San Antonio de Bexar, due west 500 miles, to Chihuahua, which is 300 miles south of Santa Fe, and 500 north of Monterey, and spreading his forces westerly, through the departments of Chihuahua and Senora, he will occupy all the commanding positions to the Gulf of California, (500 miles,) and thus cut off another slice from which the authorities of Mexico must withdraw.

Gen. Taylor has, as we know, reached Monterey, with orders to take Saltillo, which appears to be on the table land, at the head of the pass, or "Canada," leading down to Monterey, in the lowland. Saltillo and the pass, when taken and garrisoned by volunteers, will protect the lowlands to Matamoras, and the gulf from invasions of the Mexicans, and thus enable the General to proceed south, with the regular troops, to San Luis Potosi, 400 miles. The long-talked of march from Saltillo to Mexico will turn out another campaign of the "letter-writers;" for where no portion of the population are favorable to the invaders, and all supplies must be brought from the rear—that is, 900 miles from Camargo—it would require 30,000 men to keep communications open, and conduct wagon trains, to say nothing of the fighting part. People who buy their beef in the market, don't calculate how many wagons it would take to draw the provisions of 10,000 men, and provender for their horses, 1,000 miles.

General Patterson is ordered upon Tampico, a place of no strength; but if I remember rightly, there is but ten feet water on the bar, and consequently, no vessels of-war, except schooners, can get in. This city is 400 miles south of Matamoras; and being accessible to small craft and steamboats, supplies for an American army, operating in the rear, could be placed there with great economy, despatch and facility. San Luis Potosi lies about 200 miles west of Tampico, 400 miles south of Monterey, and 350 miles north of the city of Mexico. The ease with which men and supplies can be thrown on this point will probably make it the pivot of American operations in Mexico proper, during the winter, should hostilities continue.

The last movement in the plan will be the capture of San Juan de Ulloa and Vera Cruz; for the "naval heroes" must have their share of "glory." The possession of neither Tampico nor Vera Cruz was desirable in summer, for the climate of the low or hot country of Mexico, in this region, *(tierras calientes.)* has the reputation of being, at that season, deadly to strangers. The castle is spoken of as amazingly strong, which is good policy, for otherwise there would be but little glory in its reduction; but as the Americans can bring an immmense weight of metal to bear against it, I do not think the exploit will really amount to much, after all. San Juan de Ulloa was built a "long time ago," when engineers were not quite so scientific as at a present, and when attacks from artillery of modern calibre were little dreamed of in that quarter.

If there be not masonry not exceeding six feet thick exposed to shot, and parapets of four feet and a half—and if there be not bomb proofs that have trouble enough to support their own weight, slight as it is, without having bomb-shells falling on them, I am mistaken. During the latter days of Spain's dominion in America, all the public works were tending to decay and ruin; and as all the fighting of the Mexicans has been among themselves, they have had no cause for keeping up a castle out at sea. The French certainly made short work of it, nor have I much faith in the reported "repairs." A new "water battery" is mentioned, which, if it exists at all, is probrbly an exterior work—a mere platform, from which the gunners would be driven at the opening of a cannonade.

I have thus described five distinct attacks on the "flank" of the Mexican dominions, which, if successful, will confine Mexico to the table land, and give the Americans all the rest, with open free communication to their own country, along the whole line, for supplies and reinforcements.

Vera Cruz is about 300 miles from the city of Mexico, and apparently, through the route of San Luis Potosi, has peculiar advantages, those who would revel in the "halls of the Montezumas," had better march, as the shortest cut, by the main direct road, passing Jalapa. * * *

I have set down distances in miles, on a rough calculation, merely as a guide to your readers, though they may be longer to those who have to march them, but they are sufficiently accurate to show that the whole eastern side of the Mexican possessions, from the 42d degree of latitude, and Santa Fe to Vera Cruz, a line say of 2,500 miles is now covered by American troops or ships of war, and though so immensely long, all perfectly safe in its rear, and resting upon supplies. If the American government has not, to gratify their newspapers, brought the war to maturity with the hasty expedition of a ninety day note or a shipment of flour, it has, in a short time, established a grander base of operations (in extent) than has ever been seen in modern warfare.

These observations are not intended to censure or approve any thing going forward; but simply to explain what it appears, originally was, and what continues to be, the "programme" of the war. B.

AMERICAN CONSULATE OF THE RHENISH PROVINCES.—The Journal of Commerce has a letter from Berlin, stating that the Prussian Government has refused to grant the usual exequatur to Mr. Graebe, our Consul for the Rhenish provinces, not out of any personal objection against Mr. Graebe, but because he is an American citizen, and not a Prussian subject. The Government has informed Mr. Donnelson that the King would not receive any American citizen as United States Consul in the Rhenish provinces, but that he wanted our Government to appoint a Prussian subject in his place. It is now to be seen what our Government will do. It cannot well yield to the bidding of the Prussian Government, as it would proscribe thereby all our citizens, and declare them unfit to fill our own offices.

WOMAN'S REWARD.—Mrs. Norton, who has written beautiful verses, has made an essay of her powers as a novelist. A novel of domestic life by her, with the title of "Woman's Reward" has just been published by Long & Brother of this city. The London New Monthly Magazine commends the work as showing much skill in this department of writing and praises the pathos of the episode of Annie Morrison.

Gen. WORTH was a merchant's clerk in Hudson, on the North River, 35 years ago.

The Richmond Tragedy.

Our readers have seen that the parties who slew Hoyt at Richmond have been discharged. They have not been acquitted by a jury—it was not permitted to reach a jury—but discharged by the court.

The inquiry before that court must have been, in such a case—first, did the act alleged constitute a crime, and secondly, was there probable cause for believing the prisoners connected with it. As to the probable cause, it is the rankest absurdity to speak of it: no one denies or pretends to deny that the parties accused were the men who killed Hoyt.

Why then is he discharged? It must be upon the ground that such killing is not, in Virginia, a criminal offence. Let it be remembered that this decision does not come from the jury box. With all our respect for the inestimable institution of trial by jury, we know that it is often misled or inflamed into error; but its errors form no precedent, and while we lament, we forgive them. This is the action of grave judges upon the legal question—a question never before raised within a court—whether killing be murder. They have decided that the deliberate murder of a man guilty of an offence against another, is wholly venial—it is not even an assault and battery, or a justifiable homicide, but an act for which justice has no frown. But this court has even gone further. The counsel for the defendant treated the act *as a meritorious* one: that court has, by its action, sustained the position. They permitted the case to be tried amid a mob, who, by hisses and cheers, marshalled the miserable representatives of the constitution and the law, who affected to try the case, the way they were going.

What a spectacle is here presented—and that, too, in the refined capital of one of the oldest States! Violated laws; oaths broken through like wisps of straw; judges the tame instruments of a mob; justice and law openly trampled upon, and the throne of a red and mortal murder raised in the very temple of justice, before which judges and lawyers, magistrates and mob bow down and worship, and rise up and shout. Alas for the Old Dominion!

We are indisposed as much as any to interfere with the affairs of our neighbor States; but this is a wrong to us and to the nation. The distinct jurisprudence of the respective States gives and receives influence to and from all, as the stars of a constellation mingle their influence of attraction and light. The case of Myers may be cited in our courts. And what does it teach? A lesson at war with all law, human or divine, with all justice, with civilization, and with the very existence of society. Still let us remind the reader that it is the action of the judges not of the jury; they say, "It is true you have slain this man; it is true that the proof against you is positive; it is true that such killing is by the law, which we are sworn to enforce, murder. But you had provocation which raises the case beyond the action of the law. Circumstances demanded that you should dye your hands in blood; and circumstances now demand that we should commit perjury. Honor acquits you and you must acquit us. The constitution and law have nothing to do with the case!" Such, in effect, is the decision of the *honorable* judges of this court. A captain of banditti, reddened with his latest murder, would have decided a quarrel in his band upon principles less glaringly absurd and guilty.

But since guilt has become honor in Virginia, let us enquire how, even according to its grotesque provisions, these men could be discharged from the penalty of their act. True honor, if it could prompt a murder in any case, would accompany it with the courage of justice. Its language would be, "I have righted myself, but wronged the law; his life is forfeit to me—mine is forfeit to my country. I counted the cost, and am willing to meet it." There is no honor in cowardice—in the spirit that dared to kill and not to die. But in this case, where was the honor? Myers offered to sell his honor to Hoyt for a price—a compromise—a paper—no matter what. He took his honor to market—offered to barter it upon the shambles; from that moment it ceased to be honor. The price was refused; and then Myers, ceasing to possess an honorable claim, even to ordinary satisfaction, became in heart a murderer. And how did he effect his purpose, boldly, openly, with equal chances and in the light of day? Not so: three men set upon one—and he unarmed and helpless. Whatever the crime of the victim, and no one can cherish a livelier detestation for it than ourselves, this was a base and cowardly murder, and no affair of honor. If this be Virginia honor, it has strangely degenerated.

Yet upon pretexts like these do sworn judges deliberately violate the clearest law, sanctify murder and applaud assassination. We cannot suppose that the vast wealth of Myers shields him from justice, for we are confident that there is no judiciary in the world more free from pecuniary corruption than our own; but it is plain that a false public sentiment, a sentiment cowardly and cruel, as well as a turbulent and law-defying, inflamed or alarmed the judges into the foul and unholy wrong of which they have been guilty.

We trust that the press, by holding up this extraordinary instance of judicial dereliction to the reprehension of the country, will endeavor to counteract the terrible influence of such a precedent upon the morals, peace and security of the community.

The Death Bed.

SELECTED IN REFERENCE TO THE DEATH OF MISS J. LISTER.

We stood around the dying bed,
Of the beautiful and young;
The hand of death was on her brow,
And on her faltering tongue.
The fallen lashes of her eye
Were closed;—but a sweet smile
Hung on her lip in loveliness,
Though her cheek was blanched the while.

O! it was hard to see her die,
So young—so loved—so fair,
Ere yet her bloom had passed its spring,
To see Death's fingers there.
The struggling sigh and all was o'er—
The imprisoned soul was free;—
Her hour had come;—that last still sleep
Woke in eternity.

THE ETERNAL FIRE OF MONTEZUMA NOT YET EXTINGUISHED.—Lieut. Emory, one of the staff of General Kearney, in his narrative of the expedition to Santa Fe, says: Ancient Pecos, once a fortified town, is built on a promontory of rock, something the shape of a fort. Here burned, until within the last seven years, the eternal fire of Montezuma, and the remains of the architecture exhibit, in a pointed manner, the engraftment of the Catholic church upon the ancient religion of the country. At one end of the short spire forming the terminus of the promontory, are the remains of the stuffa, with all its parts distinct; at the other are the remains of the Catholic church; both showing the distinctive marks and emblems peculiar to the two religions. The fire from the stuffa burned and sent its incense through the same altars from which was preached the religion of Christ. Two religions so utterly different in theory, were here, as in all Mexico, blended in harmonious practice, until, about a century since, the town was sacked by the Navahoe band of Indians. Amidst all the havoc of plundering the city, the faithful Aztec managed to keep his fire going in the stuffa, and it was continued until a few years since, the band becoming almost extinct. Their devotions rapidly diminished their numbers, until they became so few as to be unable to keep going their immense stuffa, forty feet in diameter, when they abandoned the place, and joined a tribe of the original Montezuma race, over the mountains, about sixty miles south. There to this day, it is said, they keep their fire, which has never yet been extinguished. The labor and watchfulness, and exposure to heat, required, is fast diminishing this remnant of the Montezuma race, and a few years will see the end of this interesting people.

INDIAN JUSTICE.—An Indian was recently found near the plantation of W. C. C. Martin, of Rapides, lying on his back. On examination, it was found that he had received four stabs, in or near the heart. No marks of a rencontre could be seen and it appeared evident that the poor fellow made a voluntary surrender of his life. As the tale runs, says the Alexandria Democrat, the Indian killed, formerly resided in Avoyelles. At a ball play there, he killed one of his tribe, and was persuaded to fly from justice. He was pursued by a relative of the one he killed, and traced to the spot where his body was found. When overtaken it is said, he made no resistance, but with Roman fortitude bared his bosom to his unrelenting pursuer, and received the fatal knife without a murmur! When the assassin finished his work, he mounted his poney and rode away, with the sang froid of Murat, when returning from a victorious field.

THE NEW PLANET.—Mr. Le Verrier, the French philosopher, who predicted the place of a new planet, finds as much trouble in naming it as young parents do with their first child. Chronos has been suggested to him, but he objects to that because it is Greek, and the other planets are Latin. Encke proposes Janus, but Le Verrier will not accept that because it implies that there are no more distant planets. He inclines himself to Neptune—why we cannot see—but Neptune will probably be the name of the new comer.

VELOCITY OF A CANNON BALL OR SHOT.—When the mammoth cannon was recently proved off South Boston, the heaviest shell was thrown about three miles, and the time occupied in its journey was a minute and a half. Thus it appears that its velocity was only about double that of some of the English Railroad expresses.

BY AUTHORITY.

Resolutions of the Twenty-Ninth Congress of the U. S. Passed at the first session, commencing December 1, 1845.

JAMES K. POLK, President; GEORGE M. DALLAS, Vice President; JOHN W. DAVIS, Speaker of the House of Representatives.

No. 1.—Joint Resolution for the admission of the State of Texas into the Union.

WHEREAS, the Congress of the United States, by a joint resolution approved March the first, eighteen hundred and forty-five, did consent that the territory properly included within, and rightfully belonging to, the republic of Texas, might be erected into a new State, to be called the State of Texas, with a republican form of government, to be adopted by the people of said republic, by deputies in convention assembled, with the consent of the existing government in order that the same might be admitted as one of the States of the Union; which consent of Congress was given upon certain conditions specified in the first and second sections of said joint resolution; and whereas, the people of the said republic of Texas, by deputies in convention assembled, with the consent of the existing government, did adopt a constitution, and erect a new State with a republican form of government, and, in the name of the people of Texas, and by their authority, did ordain and declare that they assented to and accepted the proposals, conditions, and guarantees contained in said first and second section of said resolution; and whereas, the said constitution, with the proper evidence of its adoption by the people of the republic of Texas, has been transmitted to the President of the United States and laid before Congress, in conformity to the provisions of said joint resolution: therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Texas shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever.

SEC. 2. *And be it further resolved,* That until the representatives in Congress shall be apportioned according to an actual enumeration of the inhabitants of the United States, the State of Texas shall be entitled to choose two representatives.

Approved, December 29, 1845.

No. 2.—Joint Resolution relative to the printing and distribution of the annual estimates.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of the Treasury to cause the estimates of appropriations which he is by law required to prepare and submit to Congress to be printed, and copies of the same to be delivered to the clerk of the House of Representatives, in time for distribution at the commencement of each session; and that the clerk distribute the said estimates in the manner in which documents printed by Congress are directed to be distributed.

Approved January 7, 1846.

No. 3.—A Resolution to authorize the transmission and presentation of books to the minister of justice of France in exchange for books received from him.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the librarian of Congress be, and he hereby is, authorized and directed to procure a complete series of reports of all the decisions of the Supreme Court of the United States, and of the circuit and district courts thereof, which have been heretofore published; as also a complete copy of the public statutes at large of the United States, now being edited by Richard Peters, Esq., by authority of Congress, the whole to be uniformly bound and lettered; and to cause the same, under the direction of the chief justice of the said Supreme Court, to be transmitted and presented to the minister of justice of France, in return and exchange for works of French law heretofore presented by the minister to the Supreme Court aforesaid.

SEC. 2 *And be it further resolved,* That for the purpose aforesaid there be appropriated out of any money in the treasury not otherwise appropriated, a sum not exceeding five hundred dollars.

Approved March 4, 1846.

No. 4.—Joint Resolution concerning the Oregon Territory.

WHEREAS, by the convention concluded at London the twentieth day of October, eighteen hundred and eighteen, between the United States of America and the King of the United Kingdom of Great Britain and Ireland, for the period of ten years, and afterwards indefinitely extended and continued in force by another convention of the same parties concluded the sixth day of August, in the year of our Lord one thousand eight hundred and twenty-seven, it was agreed that any country that may be claimed by either party on the northwest coast of America, westward of the Stony or Rocky mountains, now commonly called the Oregon territory, should, together with its harbors, bays and creeks, and the navigation of all rivers within the same, be "free and open" to the vessels, citizens and subjects of the two powers; but without prejudice to any claim which either of the parties might have to any part of said country; and with this further provision in the second article of the said convention of the sixth of August, eighteen hundred and twenty-seven, that either party might abrogate and annul said convention on giving due notice of twelve months to the other contracting party:

And whereas, it has now become desirable that the respective claims of the United States and Great Britain should be definitely settled, and that said territory may no longer than need be, remain subject to the evil consequences of the divided allegiance of its American and British population, and of the confusion and conflict of national jurisdictions, dangerous to the cherished peace and good understanding of the two countries:

With a view therefore, that steps be taken for the abrogation of the said convention of the sixth of August, eighteen hundred and twenty-seven, in the mode prescribed in its second article, and that the attention of the governments of both countries may be the more earnestly directed to the adoption of all proper measures for a speedy and amicable adjustment of the differences and disputes in regard to the said territory:

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, and he is hereby, authorized, at his discretion, to give to the government of Great Britain the notice required by the second article of the said convention of the sixth of August, eighteen hundred and twenty-seven, for the abrogation of the same.

Approved April 27, 1846.

No. 5.—Joint Resolution to correct a clerical error.

WHEREAS, an error occurred in the enrolment of "An act to supply deficiencies in the appropriations for certain objects made for the service of the fiscal year ending the thirtieth of June, eighteen hundred and forty-six," approved May eighth, eighteen hundred and forty-six, by which error an appropriation intended for the support of the penitentiary of the District of Columbia appears as an appropriation "for the support of the District of Columbia:"

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation of eleven thousand nine hundred and forty-nine dollars and sixty-four cents, appearing in said act to be "for the support of the District of Columbia," was intended by Congress, and shall be construed, to have been appropriated for the support of the penitentiary of the said District of Columbia, for the fiscal year ending the thirtieth of June, eighteen hundred and forty-six.

Approved May 15, 1846.

No. 6.—A Resolution providing for temporary mail service in Texas.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Postmaster General be, and he is hereby, authorized to continue the mail service now existing in Texas, under the laws and authority of Texas, or such part thereof as, in his judgment, the public interest may require, from the time that Texas becomes a State in the Union, until contracts can be made, and the mail service put in operation on the post routes in Texas established by Congress at its present session.

Approved May 20, 1846.

No. 11.—A Joint Resolution presenting the thanks of Congress to Major General Taylor, his officers and men.

Resolved unanimously by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress are due, and are hereby tendered, to Major General Zachary Taylor, commanding the army of occupation, his officers and men, for the fortitude, skill, enterprise and courage, which have distinguished the recent brilliant operations on the Rio Grande.

And be it further resolved, That Congress sincerely sympathise with the relatives and friends of the officers and soldiers of the army of the United States who so bravely fell in the service of their country on the Rio Grande.

And be it further resolved, That the President of the United States be requested to cause the foregoing resolutions to be communicated to General Taylor, and through him to the army under his command.

And be it further resolved, That the President of the United States be authorized and requested to have a medal of gold procured, with appropriate devices and inscriptions thereon, and presented to General Taylor, in the name of the Republic, as a tribute due to his good conduct, valor, and generosity to the vanquished.

Approved July 16, 1846.

No. 12.—A Joint Resolution to refund to States and individuals expenses incurred by them under calls for militia and volunteers made by Generals Gaines and Taylor.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of war be, and he is hereby, authorized and required to refund, out of the appropriation made by the "act providing for the prosecution of the existing war between the United States and the Republic of Mexico," approved the thirteenth of May, one thousand eight hundred and forty-six, to the Governors of the several States called upon by General Taylor and General Gaines for volunteers and militia, and also to individuals, the amount of the expenses incurred by said States and individuals, in furnishing and preparing said volunteers or militia to join the army under the command of General Taylor, to be settled upon just and equitable principles.

Approved July 16, 1846.

No. 14.—A Resolution regulating the printing of Congress, and establishing the compensation for the same.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this resolution, the printing of the two houses of Congress shall be subject to the following regulations: When any message, report, or document, communicated to both houses of Congress, shall be ordered to be printed by the Senate, the secretary shall ascertain whether the same has been previously ordered to be printed by the House of Representatives: and if so, the copies ordered by the Senate shall be supplied by the printer to the House of Representatives, for which there shall be no charge for composition; and if any such message, report, or document shall be ordered to be printed by the House of Representatives, it shall be the duty of the clerk to ascertain whether the same has been previously ordered to be printed by the Senate; and if so, the copies ordered by the House shall be furnished by the printer to the Senate, and no charge for composition shall be allowed therefor; and should an additional number of copies of any such document be ordered by either House, they shall be furnished by the printer to the House which first ordered the printing of the document, and for which no compensation for composition shall be allowed: *Provided, however,* That if, for the purpose of despatch, or any other cause, it shall be necessary to fulfil any order for printing of either house, of any document which had been previously ordered to be printed, the committee on contingent expenses of the house making such order may direct that such document be again composed, or put into type; in which case composition shall be charged and allowed. And from the commencement of the present session of Congress all printing ordered by either house of Congress, where the number of copies do not exceed five thousand, shall be paid for at a rate of compensation not exceeding twenty per centum less than the rates fixed and established by the joint resolution of eighteen hundred and nineteen; and when the number of copies shall exceed five thousand, the compensation shall not exceed thirty-three and one-third per centum less than the rates allowed by the said joint resolution of eighteen hundred and nineteen. And when the committee on contingent expenses of either house shall direct a second composition, to execute any order for printing, the printing shall be done by the printer to the house making such order; and when any order for printing requires maps or charts, the same shall be obtained under the direction of the committee on contingent expenses of the house making such order; and all expenses for printing shall be paid from the contingent fund of the two houses, each house paying for the printing ordered by it, except the expense of composition, which shall be paid by the house which first ordered the document or paper to be printed; and if there shall be a second composition, it shall be paid for by the house whose committee on contingent expenses shall authorize and direct the same; and when extra copies of any document shall be ordered by both houses, and the same are executed by the same printer, the copies shall be delivered to the two houses simultaneously, in proportion to the whole number of copies which the houses have respectively ordered.

Approved July 23, 1846.

No. 15.—A Resolution authorizing the sale of certain lands at Baton Rouge to the State of Louisiana.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered to sell and convey (for the use and benefit of the State of Louisiana) to the three commissioners appointed by the legislature of said State, to select a site on which to erect a State house, two or more acres of the tract of land owned by the United States, lying in the parish of East Baton Rouge, State of Louisiana, above and adjoining the town of Baton Rouge: *Provided,* That in the judgment of the President of the United States said sale may be made without detriment to the public interest.

Approved July 23, 1846.

No. 16.—Joint Resolution directing the manner of procuring the printing for the two houses of Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby, authorized and required, at the beginning of the final session of every Congress, to advertise for four weeks successively, in all the newspapers published in the city of Washington, for sealed proposals for supplying the Senate and House of Representatives respectively, of the next ensuing Congress, with the necessary printing for each; which advertisement shall describe the kind of printing and the quality of paper required, as near as may be, in the execution of the work; and said advertisement shall divide and classify the printing of the respective houses, as follows: One of bills and resolutions; one of reports of committees; one of journals; one of executive documents; and one for every other description of printing; each class to be a separate job, and to be provided for by separate contract. The said advertisement shall also contain a designation of the place in the said city of Washington where such sealed proposals shall be received, and the day and time of day at which said secretary and clerk will cause to receive any further proposals. And the secretary and clerk aforesaid shall provide suitable samples of the printing required, and of the paper on which the same is to be executed, to be kept at the place so designated as aforesaid at least twenty days successively before the time of receiving proposals shall expire, open to the inspection of all persons desiring to make proposals for the printing aforesaid, intelligence whereof shall be contained in said advertisement. Immediately on the expiration of the time for receiving said proposals, they shall be opened by the secretary and clerk aforesaid in the presence of the Vice President, or President of the Senate, and the Speaker of the House of Representatives, and of such persons making proposals as may wish to be present. And the Secretary of the Senate, under the supervision of the Vice President or President of the Senate, and the Clerk of the House of Representatives, under the supervision of the Speaker, shall thereupon, let each class of said printing to the lowest bidder, who shall furnish satisfactory evidence of his practical skill and his ability to do the work, and who shall offer good and sufficient security for the faithful execution of the jobs and contracts undertaken by him. And thereupon the Vice President or President of the Senate and its secretary, and the Speaker of the House and its clerk, shall proceed to take bonds, with good and sufficient security, for the due and faithful performance of the work; and the officers aforesaid shall immediately thereafter report to their respective houses all such letttings of printing, and the contracts relating to the same: *Provided,* That the said proposals shall remain sealed until the time appointed for examining the same.

SEC. 2. *And be it further resolved,* That a committee, consisting of three members of the Senate and three members of the House of Representatives, shall be chosen by their respective Houses, which shall constitute a committee on printing, which shall have power to adopt such measures as may be deemed necessary to remedy any neglect or delay on the part of the contractor to execute the work ordered by Congress, and to make a pro rata reduction in the compensation allowed, or to refuse the work altogether, should it be inferior to the standard; and in all cases, the contractor and his securities shall be responsible for any increased expenditure consequent upon the non-performance of the contract. The committee shall audit and pass upon all accounts for printing; but no bill shall be acted upon for work that is not actually executed and delivered, and which they may require to be properly authenticated.

SEC. 3 *And be it further resolved,* That all motions to print extra numbers of any bill, paper, or document, in either house, shall be referred to the members of the committee of that house, who shall report upon the propriety of printing, and the probable expense thereof, as early as convenient. And all expenses for printing shall be paid from the contingent fund of the two houses, in proportion to the number of copies ordered by each, except the expense of composition, which shall be paid by the house which shall have first ordered the printing of the paper or document; and if there shall be a second composition, it shall be paid for by the house which shall authorize and direct the same; and when extra copies of any document or paper shall be ordered by both houses, they shall be delivered to the two houses simultaneously, in proportion to the number of copies by them respectively ordered.

SEC. 4. *And be it further resolved,* That all laws and parts of laws now in force, not in conformity with the provisions of this joint resolution, be, and the same are hereby, repealed.

Approved, August 3, 1846.

No. 20.—Joint Resolution directing the payment of certain volunteers and militia, under the limitations therein prescribed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to cause to be paid, out of the appropriation made by the act providing for the prosecution of the existing war between the United States of America and the Republic of Mexico, approved the thirteenth day of May, one thousand eight hundred and forty-six, to the volunteers and militia, called and actually received by virtue of the orders of General E. P. Gaines, into the service of the United States during the present year, and discharged before joining the army, and such companies as were actually organized and rendezvoused under said call, including the two companies of Major Gally's command, and the company at Baton Rouge arsenal; and also the company of Mississippi volunteers (Natchez Fencibles,) and also the company of Mississippi volunteers, (Pontotoc Rovers) organized and assembled at Vicksburg, and afterwards disbanded or discharged, and the companies of Ohio volunteers assembled at camp Washington, near Cincinnati, and who claim to have been mustered into service, one day's pay and allowances for every day detained in service, and the usual travelling allowances, and no more. And further, that where States or individuals have paid the expenses or provided the means of transportation of volunteers to the place of rendezvous, and furnished subsistence or clothing, the proportional amount thus furnished to each man, not exceeding the legal allowance to each, may be charged on the pay rolls, and withheld and paid to the State or individual who actually provided the same. And further, that when surgeons and assistant surgeons have attended regiments of volunteers to the time when medical officers, duly appointed by the United States, entered upon their duties with said regiments, they may receive the same rate of compensation, and to a like number as provided for by law; and persons doing the duties of assistant quartermasters and assistant commissaries, under like circumstances, may in like manner receive the same rate of compensation, and to a like number, as authorized by existing law.

Approved, August 8, 1846.

No. 23.—A Resolution appointing regents of the Smithsonian Institution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Rufus Choate, of Massachusetts, Gideon Hawley, of New York, Richard Rush, of Pennsylvania, William C. Preston, of South Carolina, and Alexander Dallas Bache and Joseph G. Totten, residents of the city of Washington, be, and the same are hereby, appointed regents of the Smithsonian Institution, in accordance with the provisions of the act establishing said institution.

Approved, August 10, 1846.

No. 24.—A Resolution relative to errors and defective returns in certain surveys, plats, and field notes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the General Land office be, and he is hereby, authorized to employ some suitable person to ascertain and report to the said Commissioner of the General Land Office the amount of damages sustained by the respective purchasers of public lands in township one south, range seven east, in the State of Michigan, (or by their respective assignees and legal representatives,) by, or in consequence of, the erroneous or fraudulent surveys of said township, or of the imperfect or false returns thereof; and it shall be the duty of such person so employed, to proceed to such township, and, upon view of the premises, and upon hearing the proofs of the parties in interest, to estimate and ascertain said damages, and to report his opinion and decision thereon, specifying in his said report each individual case, and the facts and reasons upon which his opinion may be founded.

Approved, August 10, 1846.

OFFICIAL LIST OF ESTRAYS.

Clinton County.

Taken up by Thomas Low of Kirkland township, on the 18th day of September, 1846, one gray horse, about fourteen hands high; three years old last spring, the right hind foot white, heavy mane and tail; no other marks or brands perceivable; appraised to $25 by C. S. Perkins and I. B. Jones, Oct. 5, 1846. Posted before Justice James Hallecraft.

JOHN BARNER, Clerk.

Clark County.

Taken up by Joseph Lutz, one brown mare, supposed to be running away; had on the fore leg a pair of leather hobbles. She is supposed to be about twelve years old, a small white spot on the near side of the wethers, right hind foot white up to the foot-lock, and fet-lock white; appraised to $25 before me this 22d day of July, 1846. Lemuel Ford, J. P.

Test ELI McCALLEY, Clerk.

Broke into the inclosure of the subscriber on the night of the 6th October, 1846, a yellow bay mare, fourteen and a half hands high, hind foot white, bald face, a white spot on her shoulder and a knot on her back, and a bell on her neck; the collar has been broken and sewed; valued at $16 including the bell; appraised by John P. Hardin and Andrew Stoner, before justice Philimon P. Baldwin, October 16, 1846

Test ELI McCALLEY, Clerk.

Dekalb County.

Taken up by John Webster of Stafford township, a black mare, with the left eye blind, and the left hind foot white, shod all round, about sixteen hands high, and a natural trotter, supposed to be ten years old and appraised at $30 August 29, 1846, before justice David McDaniel.

Taken up by Isaac Cool of Jackson township, a dark bay mare, about fourteen hands high, with the right hind foot white, a large scar on the left thigh, and another small scar on the right hip, and shod before, supposed to be five years old, and a natural trotter; appraised at forty dollars. Also, a black mare with a right glass eye, right hind foot white, a small white spot on the forehead, and another on the nose, a fresh wound on the side, and a scar on her right thigh, a natural trotter, about fifteen years old, about thirteen hands high. Also, a sucking mare colt, both hind feet white, a white spot on the forehead, a wound on the left shoulder, black mare and colt appraised at twenty dollars before justice Maurer, Oct. 10, 1846. S. W. SPROTT, Clerk.

Franklin County.

Taken up by John Bennett, in the township of Brookville, on the 24th day of September, 1846, one iron grey mare, supposed to be six years old last spring, with a scar near the stifle joint; no other marks or brands perceivable; appraised at $47 50 by Abner McCarty and Asher W. Sullenberger, before justice Daniel St. John, Oct. 3, 1846.

J. M. JOHNSTON, Clerk.

Fayette County.

Taken up by John W. Bell, living in Jennings township, on the 22d of Oct. 1846, an estray mare, a bay, fifteen hands and one inch high, seven years old last spring, a large star in the forehead, the left hind foot white, considerably puffed in the hock joints, had a bridle, saddle, and martingales on; no other marks or brands perceivable; appraised to thirty-five dollars by William Lair and David Ross, on the 4th day of November, 1846, before justice John L. Bork.

Taken up by J. N. Davis on the 6th day of October, 1846, a dark bay mare and colt; the mare about fifteen hands high black legs, mane and tail, five or six years old; the colt, the same color of the mare, five or six months old, neither bearing any marks or brands; appraised to fifty dollars by Russel R. Martin and William Smith, before Enoch Applegate, J. P.

A. R. EDWARDS, Clerk.

Gibson County.

Taken up by William Wilkins living in Wabash township one red roan horse, with a black mane and tail, some white on the hind feet, branded with the letters J. D. on on the right shoulder, shod all round, about fourteen hands high, supposed to be six years old last spring, no other marks or brands perceivable; appraised to $25 by Young Lamer and Urbane Sharp, August 28, 1846.

JOHN HARGROVE, Clerk.

Grant County.

Taken up by Henry Brown of Liberty township, on the 19th day of October, 1846, a bright bay mare, with black legs, a small star in her forehead, some saddle marks and a scar on her left shoulder, supposed to be seven or eight years old; and at the same time, a bright bay colt; said mare and colt, appraised to forty dollars.

Taken up by John Winslow of Union township, a light sorrel mare, fourteen and a half hands high, three years old and past, and appraised to $25 by William Frae and Elijah M. Searle, Oct. 5, 1846. A STEELE, Clerk

Greene County.

Taken up by Davis Burch, in Centre township, a twelve year old dark bay mare, star in her forehead, snip on her nose, lump on her back, white spot on the inside of right hind foot, tail burned on one side; appraised to $35 by S. Retter and S. Riddle, before justice John Burch, Sept. 24.

Taken up by Stephen Biddle in Centre township, a small bay four year old horse, star in his forehead, some white on each hind foot, back hurt, fourteen hands high; appraised to $25 by M. Burch and A. Combs, before justice John Burch, Oct. 1846.

[No clerk's name signed.]

Henry County.

Taken up by George Bakerfield of Prairie township, on the 17th day of October, 1846, a bay mare, about ten years old, a small star in her forehead and a snip on her nose, one white spot on her left shoulder, and a white spot on her neck near the head, right hind foot white, some saddle marks small white spot on the back part of the right thigh, about fifteen hands high, both trots and paces; appraised at $35 by John W. Jeffries and Jeremiah C. Levitt and William Conwell, before justice Calvin