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BALTIMORE.

MONDAY, FEBRUARY 7, 1859.

We took occasion, some time since, to express our views, upon the first suggestion, by Judge STUMP, of those intentions which he has subsequently promulged, more audaciously, in his printed manifesto, in the case of FORD the murderer. The subject is one so full of utter humiliation, that we recur to it only from the deepest sense of duty. No community can acquiesce in the degradation of the tribunals of Justice, except upon the terms of consenting to its own demoralization. It is impossible that the majesty of the laws can be upheld, when there is an end of common decency in their administration. The Court over which Judge STUMP presides, is the constitutional tribunal appointed for the preservation of the public peace, and the protection of person and property among us. In his hands are the issues of life and death, so far as the law deals with them, among a quarter of a million of people. We cannot ignore the incubus, or escape its influence for evil and shame. Something must be done, therefore, to rescue ourselves from the present disgrace, unless we are prepared to see the law and its inestimable guaranties sink into the depths of contempt, with the tribunal.

We presume that there can be no difference of opinion, among intelligent people, in regard to the outrage perpetrated by Judge STUMP, in his recently expressed determination to disobey the mandate of the Court of Appeals. We say nothing of the inconceivable indecency of the mode in which that determination has been announced.—If it had been couched in decorous language and delivered judicially, in a formal opinion upon a motion to take up the case of FORD anew, for trial, it would have been less disparaging, of course, to the personal respectability of its author, but would have been no less a violation of his sworn and indisputable duty. The privilege of suing out and being heard on writs of error, in criminal cases, is one depending upon no "act of Assembly"—such as Judge STUMP, in his ignorance, real or assumed, demands of the Court of Appeals that they shall point out. It is a privilege of the "common law of England," guaranted by our Declaration of Rights, in its third Article, to "the inhabitants of Maryland." It is a privilege which has been asserted and allowed, perpetually, since the Revolution, as it was asserted and allowed before—a right which has been recognized by all the Judges who have sate upon the Bench in our State, and which cannot be a subject of question with any one who is familiar with the decisions of the Courts or the commonest learning of the legal profession. In the case of *Manly vs. The State* (7 *Maryland Reports* 135), carried up from Judge STUMP's own Court, and decided by the Court of Appeals, at December Term 1854, the whole question, as Judge STUMP well knows, was fully argued, in its application to the provisions of the present Constitution, and definitively settled in conformity with what had been the fixed and undisputed rule, prior to the adoption of that instrument.

But the ignorance or recklessness of Judge STUMP does not content itself with questioning the power of the Court of Appeals to hear writs of error. He affects to suppose, or desires it to be supposed, that the appellate tribunal not only hears, but issues them. He says to the Judges:

"Now Judges of the Court of Appeals, allow me to suggest, that if you had pointed out *to me any Act of Assembly empowering you to issue a writ of error in a criminal case*, I would have obeyed the Act of the Legislature with alacrity. You will excuse me for denying the existence of any such act of this State."

The indescribable absurdity and malice of this suggestion can only be appreciated by those who are aware, that neither the present nor the late Court of Appeals ever issued or claimed the privilege of issuing writs of error, under Act of Assembly or otherwise—to do so being part of the peculiar jurisdiction of Courts of Chancery only, and of the Courts of Maryland clothed by the Constitution with Chancery powers. The very writ, in FORD's case, was issued by Judge KREBS, in the exercise of his conceded jurisdiction, without any action of the Court of Appeals whatever. On its face, it required the record to be sent up to the Court of Appeals "for "the correcting of the error" alleged to have been committed. Judge STUMP obeyed it, by transmitting the record accordingly, and must have known therefore, when he wrote the manifesto in question, that he was raising a false issue, and combatting a power which no one had asserted, and of which no one but himself could have had the futuity to dream. In no any doubt about the validity or legality of the writ of error, he should have refused to obey it. To have sent up the record, for the express purpose of enabling the Court of Appeals to correct his errors, if any, and then to impeach the action of that Court in assuming so to correct them, places him in a predicament, from the conscious disparagement of which only his habitual unconsciousness can save him.

But this is not all. Judge STUMP goes farther, and disputes the authority of the Court of Appeals to command him, by *procedendo*, to try FORD over again. It is unnecessary to comment upon this futile and puerile subterfuge. To concede to the Court of Appeals, as the law concedes to it, the right to hear and determine the error, and yet deny to it the power of sending back the record, after the error is corrected, would be to stultify at once the judicial and legislative departments of the Government. The question as to the right of the Appellate Court to issue *procedendo* in criminal cases, was raised, and determined in favor of the right, by the late Court of Appeals, in the case of the *State vs. Buchanan*, (5 *Harris & Johns. Rep.* 368,) as far back as 1821. The doctrine of that case was re-affirmed by the present Court, in the case of *Harwood vs. Marshall*, (9 *Md. Rep.* 107,) decided at June term, 1856. It is, therefore, no longer a matter open to discussion, if any thing can possibly be concluded by the judgments of Courts. Only one more of Judge STUMP's extraordinary objections to the discharge of his sworn obligations, is consequently left to be considered. It is, perhaps, the most remarkable of them all, and would certainly be very fair evidence, under a commission of lunacy, against any sober man. We refer to the constitutional difficulty, which he tenderly raises, against putting the life of the prisoner in jeopardy a second time, for the same offence. FORD is convicted and is about to be hanged. He applies for a writ of error, and is awarded another trial under that application. Judge STUMP thinks it will jeopard his life to allow him another chance of getting off. By the same process of reasoning it would seem to be demonstrable, that to discharge the man altogether, would be to murder him outright!

So much then for the law which challenges Judge STUMP's submission and obedience, and the flimsy and disreputable pretexts to which his vanity, or obtuseness, or perversity, or worse, has resorted, to evade the fulfilment of his duty. We have abstained, thus far, in considering them, from all discussion of the question as to whether the judgment of the Court of Appeals, in this particular case, was right. With that, Judge STUMP has nothing whatever to do. It is the law of the case, decided by the competent tribunal, and whether he approves or disapproves of it, is not a matter of the slightest importance to the public or to any one else. The Constitution and laws which render him a subordinate and the Court of Appeals his superiors, make it his obligation to do what he is commanded, and render it ridiculous for him to plant himself upon his already over-ruled opinion. Of course he differs from the Court of Appeals, but that difference, on his part, is the very error which the case was sent up to correct. His business is to obey those whom the Constitution, and the people in pursuance of the Constitution, have appointed to be over him. We should not, therefore, deem it necessary to say a word upon this point, but for the very remarkable course which has been pursued, in regard to it, in other quarters. Our neighbor of *The American*, for instance—in an editorial on Wednesday last—while enforcing, with virtuous severity, the duty of Judge STUMP to obey the mandate of his official superiors, paid a tribute to its own habitual system of offering incense on both sides, by the following singular observation:

"The course pursued by the Court of Appeals in the case meets with almost universal disapproval among the mass of the people, and is regarded as an unnecessary application of those legal technicalities and quibbles calculated to bring trial by jury into disrespect, and to weaken the arm of public justice."

Now of all conceivable methods of convincing Judge STUMP that he ought to conform himself to the decision of the Court of Appeals, we should take to be the least conclusive, that of assuring him that it "meets with almost universal disapproval." Judge STUMP will understand the logic as amounting to this—that he is right and his superiors are wrong, and therefore he ought to submit. What our neighbors mean by this, we are at a loss to conceive. Even if the statement be true, why make it, in such a connection? Why destroy the moral force and position of the Appellate tribunal, in an article written for the ostensible purpose of vindicating its legal authority? Why emasculate *The American's* own expression of disgust at the contumacious insolence of a refractory subordinate, by asserting it as a fact, that he has every thing on his side, except the naked letter of the law, to render his rebellion justifiable? We confess our astonishment at such a mode of stating the case, if our neighbor really desires, as it professes, to uphold the constituted tribunals and the supremacy of the law as decided. It is quite true that the decisions of all Courts of Justice are open to the comment of a free press—yet all good citizens are bound to use that privilege with the discretion which good citizenship enforces. It is their duty not to weaken the *prestige* of the Courts, at a moment of rebellion against their authority. It is their duty not to supply arguments or justification, directly or indirectly, to those who are in arms against the law and its ministers. They are bound, in common justice, to presume that the unanimous opinion of the highest judicial authority of the State is apt to have some thing in it, which even "the mass of "the people" might pause to reflect over, before condemning it by wholesale. It were but common wisdom for them to remember that the Court of Appeals would be unworthy of its trust, were it to yield its conscientious convictions, in apprehension of the "disapproval" of every man in the community. If the Constitution had designed questions of law to be settled by "the mass of the "people," writs of error would have been returnable before town-meetings, instead of being sent into the chambers of justice. But whether people are disposed or not to be just, or are able to be wise, they ought, at all events, to be conservative, and if they cannot understand or concur in the judgment, they ought, at least, to hold their hands from assailing it, until the time shall have passed, when criticism must give countenance to resistance.

But the statement of our neighbor as to the public judgment upon the matter is more than ill-timed. It is, so far as we can learn, without foundation. There is undoubtedly some difference of opinion as to whether the Court of Appeals could, legitimately, go behind the record of the Criminal Court—or did go behind it in fact—but there is no public opinion whatever, that we have been able to discover, which has adopted our neighbor's enlightened idea about "legal technicalities and quibbles." The Act of Assembly which defines the degrees of homicide, expressly provides "that the Jury shall ascertain by their verdict "whether it be murder in the first or second degree." If the Jury did not so "ascertain" in FORD's case, this verdict was no verdict—it was a simple nullity. *The American* may consider it a "technicality" or a "quibble," but the legislature made it so, and not the Court, and if the Court of Appeals—finding that the Jury did not "ascertain" the degree of homicide as required by law—had allowed the prisoner to be hanged under a judgment rendered thereupon—their neglect of the "technicality" would have been simply perjury, and their disregard of the "quibble" merely murder. They did find that the verdict was defective under the statute. They found it—not by going outside of the record—nor by considering affidavits in opposition to it—as is suggested, with such gross injustice, by those who assail their judgment.—They arrived at their conclusion, from Judge STUMP's own statement of the facts, embodied in his own written judgment, which they were called on to review—a statement introduced intentionally by him as part of that judgment, and on which he relied to give it force—both before the public and the appellate tribunal. They found, from that statement, that the formal entries called up before them for review, were not legitimately made—that they did not truly state what were the real facts of the verdict rendered. Finding this, on the authority of Judge STUMP himself, they had no alternative but to reverse his judgment. It would have been a mockery of common sense and a violation of obvious duty—a "technicality" and a "quibble" of the most criminal character—if they had permitted the judgment to stand, upon the naked legal presumption that the entries of the Clerk were true, when they had the certificate of the Judge before them, to show, that those entries, in reality, were false. Again we say—as when first called to comment on the matter—the responsibility of all that has occurred—the delay, the controversy, the public scandal, and the fraud of justice if the prisoner escapes—must rest exclusively and heavily upon the Criminal Court and its officers, whose ignorance, or absence, or neglect, or temporary obfuscation, allowed the verdict of the Jury to be taken and recorded, without regard to the established and essential forms, and in disobedience to the peremptory exaction of the statutes.

What is to be the result, should Judge STUMP persist in his contumacy? FORD cannot be hanged, because the Court of Appeals has reversed the death-judgment, and the Governor can issue no warrant upon it. He cannot be discharged, because Judge STUMP himself insists that he was lawfully convicted of murder in the first degree, and that the Criminal Court will not recognize the validity of the judgment of reversal. Mr. WHITNEY must, of course, call up the case. He may remove it, if he pleases, to the County, and he is bound, in consistency, to do so. Judge STUMP's expression of opinion, provided the Judge will allow him. But that functionary, if consistent, must refuse to meddle with the case, in any way, for removal or otherwise. Should he do so, Mr. WHITNEY's duty is perfectly plain. He should take the matter before the Grand Jury, at once, and have the Judge indicted "for misbehavior," so that he may be convicted forthwith, and removed, under the Constitution. The process of impeachment is too slow for the aggravated necessities of the case. A mandamus too, if it lies, will only effect, indirectly, if at all, the great object in view—the relief of the people from the dishonor and the perpetual obstruction of justice, which must be entailed on them by Judge STUMP's continuance in office. Day after day—every report of proceedings in his Court discloses some new outrage upon public decorum—some maudlin blow stricken at the commonest proprieties of private and official life. No one can appreciate, except from personal observation, the mortifying reality, of which the published statements are but a faint reflection. Seconding, as we heartily did, the proposition of the Grand Jury to cause the exclusion of minors from the sittings of the Court, it was not more that they might escape the baneful influences of the trials there, than that they might be saved from witnessing the melancholy and corrupting exhibitions of the Bench itself. The purity of youth has less to fear, we think, from the contamination of exposed and punished crime, than from the sorry spectacle of age and station, without reverence or self-respect—the solemn judgment-seat profaned by ribald levity, and all its sacred decencies and duties laughed wilfully to vulgar scorn.

THE LADIES ON THE CENTRAL PARK SKATING POND.—The beautiful moonlight on Tuesday night, and the prospect of good skating, on account of the frost on Monday night and Tuesday, which continued on Tuesday night, had the effect of inducing about two hundred ladies to visit the fairy moonlight scene. They were accompanied by gentlemen, and among them were many first rate skaters, who showed themselves as proficient as any of the opposite sex, who have hitherto displayed their dexterity on the skating pond. Some of the most experienced among the ladies were from Philadelphia and Canada, and a large number were foreigners—principally Germans and some English ladies. There were also quite a number of American ladies, who are excellent skaters, and glided very gracefully over the surface. The Pond presented a very enlivening scene until after midnight, at which time the company dispersed, leaving the polite and efficient Captain Renwick—who had been in watchful attendance over their safety—to retire with his men, and give place to the laborers, who cleared off, and flooded the pond, for the amusement of to-day. This morning, although the sun was out in all its splendor and the ice becoming soft, thousands were on their way to the pond, and during the morning it was pretty well attended by skaters and curlers, several matches at the latter exciting game drawing out a large number of Scotchmen. Many ladies were also on the pond, and to-night if it is at all frosty, large numbers are expected to grace the scene by their presence. Mr. Olmstead was present during part of the morning.

The above, cut from a New York contemporary, presents a picture of a kind, for which we wish our own city were able to furnish a study. Without any special fancy for landscape ice—and shrinking from the cause thereof—blessing the milder and more genial skies which render skating, with us, a very uncertain and somewhat dangerous amusement—we sadly ask ourselves why have we provided no such aids to health and the development of physical beauty and strength, as well as the social sentiment, as exist in public grounds accessible to the people of cities, and tempting them abroad to bask in winter's sunshine, or repose in the summer shade. That Baltimore has not long since made provision for a Park, worthy of the name, can only arise from her want of confidence in her own destiny. With a proper degree of self-respect, she would not have allowed chance after chance to accomplish such an object, on a proper scale—to pass by unimproved. What were once the beautiful woods of Howard, exist only in memory and tradition, and year after year sees our bounds swelling out, and only a paltry square or two fenced about, in mere mockery of public grounds and hardly sufficient for a laundry yard. This city lately possessed, in co-partnership with Baltimore County, a most noble estate, on our western boundary, of three hundred acres. One-half of that has passed beyond our control in the severance of the joint tenancy—and the other, we presume, will be devoted, as the whole now is, to Almshouse purposes. No such quantity of land is required for this use, even if it be deemed advisable to appropriate so valuable a tract, in a most beautiful neighborhood, whose prosperity will probably be thereby injured, to such an object, when a situation quite as suitable, might be elsewhere purchased for a comparatively trivial price. Whether it would be advisable to create a park at such a distance from the centre of population, might now be a question, but we shall soon have no choice except to go beyond our city limits. One excellent site, almost vacant, for reasons which add to, rather than detract from its suitableness, still remains. We refer to the rough open ground lying along Jones' Falls to the north of the jail—to which might and should be added the large space lying between Charles street and the York road, on the west and east, and the Northern avenue and John street. Within the area thus indicated the city already owns much ground, purchased of the Water Company, and the remainder might probably be obtained at a cost small compared with the importance of the object—if the condemnation and appropriation of it be not too long delayed. The inequalities of surface, rocks, water courses, and the proximity to Greenmount, which lessen its value for building lots, are so many attractions to the landscape gardener, and out of the whole might be formed a noble pleasure ground for the people of Baltimore—accessible and beneficial to all classes. There is no other spot known to us, within the limits of the city, where advantages nearly so great are presented. At this time an eyesore, and, in the ordinary course of events, likely to be the seat of improvements of no very imposing character—it might be rendered a truly picturesque and beautiful resort and breathing space, for which, hereafter, in grateful memory of the benefit thus conferred, our children shall rise up and call us blessed.

THE OPERA.

The Opera *Matinee*, at the Holliday Street Theatre, on Saturday, was very well attended, and the performance of *Norma* gave general satisfaction. Madame LABORDE sang, as she had done at the previous entertainments, with the most wonderful power and exquisite sweetness, leaving no doubt in the minds of any of her auditors as to her absolute supremacy on the lyric stage in America—if not in the world. M'lle. GRIOZI performed the *role* of *Adalgisa* very well, and Signor LORINI, as *Pollio*, fully sustained his high reputation as a singer. Thus closed our short opera season, but, we trust, that the disposition which has been shown by the Baltimore public to encourage this most delightful amusement, will induce the managers to bring their troupes here more frequently. There is certainly no reason why we should not have in our city, at different times during the year, the very first dramatic and operatic talent in the country, and the only thing required to ensure it, is that our people shall provide a new and comfortable theatre. The subject, we are glad to know, is now being agitated, and we hope there will be found enterprise enough in the community to carry the project through. We shall take occasion, at an early day, to express our own views in reference to the matter, and to present to our readers the great advantages which we think will be derived from the erection of a suitable building for public amusements in Baltimore.

NEW BOOKS RECEIVED.

THE LIFE AND ADVENTURES OF KIT CARSON, the Nestor of the Rocky Mountains. From facts narrated by himself. By Dewitt C. Peters, M. D., late Assistant Surgeon, U. S. A. With original illustrations by Lumley. 8vo., pp. 534.

Also—

SHELLS FROM THE SEASHORE OF LIFE, GATHERED BY PEARLEY SHELLEY. Illustrated by Lumley. pp. 162. New York: W. R. C. Clarke & Co., 348 Broadway. 1858.

For sale by John Perry, corner of Sharp and Barre streets, Baltimore.

PROTECTION TO THE CITY OF BALTIMORE.

To the Editors of the Daily Exchange:

During the late Railroad Convention at Washington City, a correspondent of the *Daily Sun* stated that the Northern Lines protested strongly against the policy of the Baltimore and Ohio Railroad Company, in her discriminations *in favor of the city of Baltimore, &c., &c.*, which according to the letter—

"Mr. Garrett, of the Baltimore Road, is said to have met this by a firm reiteration on the part of that company of their 'Baltimore policy,' from which he believed they would never depart, as it was so important to that community that the benefit of its geographical contiguity to the great West should be secured in this form. He further stated that, under a judiciously rigid economy in its several details, the road could now be worked at far less than formerly—while it was, at the same time, well maintained in repair and power, and prepared for any amount of trade, and that, if forced to extreme reductions, it would still take care of the corner-stone of its policy, which is to protect the mercantile interests of Baltimore against the rivalries of her great Atlantic sisters."

Whether or not this letter is a correct statement of the proceedings, we can't pretend to say, but if it is—we take it for granted that the officers of the Northern Lines understood its intent. As an example of the determination of the Baltimore and Ohio Railroad Company to take care of the "corner-stone of its policy," we would refer *our Coffee dealers* to the fact that before the pen was dry that wrote the Washington letter, or, at least, as soon after the adjournment of the Convention, as it was possible to effect an arrangement, this same party of Baltimore protectionists were carrying coffee from *Philadelphia* to Pittsburg, (575 miles,) at the same rate charged from Baltimore to the same city, and the same as from Baltimore to Wheeling, (382 miles.) This is a discrimination in our favor we can't understand. And while we write, there are, to our knowledge, several hundred bags of coffee on the way *through Baltimore*, at the rates we refer to. A continuation of such protection, will certainly require but a short time to enrich our city merchants—and the officers of the Baltimore and Ohio Railroad Company should undoubtedly be rewarded for the interest they manifest in our welfare.

K.

[*FROM OUR OWN CORRESPONDENT.*]

WASHINGTON, Feb. 5, 1859.

Step by step Mr. COBB advances, unfalteringly and unchecked, in his opposition to the PRESIDENT's financial policy. His last communication to the House dissipates utterly Mr. BUCHANAN's gleam of hope that his SECRETARY of the TREASURY would take pity on his weakness, and spare him the humiliation of utter defiance and irremediable defeat. The SECRETARY still insists that the PRESIDENT knows nothing about the finances, and should be forced to submit to the rigid discipline of an inflexible guardian, in order that he may be saved from plunging the country—and more than all, the democratic party—into ruin. Really, the cool, calculating manner in which Mr. COBB over-rules his chief, utterly and contemptuously disregarding his sentiments and defying his wishes—is magnificent. LOUIS NAPOLEON couldn't do it better.

How will Mr. BUCHANAN take it? is a very general query. The most consistent course for him now would be to confess and abdicate in favor of HOWELL COBB. The issue between the PRESIDENT and his SECRETARY is fairly made up. Neither can retreat a hair without disgrace. So far they are equal. But in another point COBB has decidedly the advantage; he can remain in the Cabinet, notwithstanding the differences between himself and the EXECUTIVE, without positive dishonor, whatever we may think of the delicacy of his position. But Mr. BUCHANAN, with the power in his own hands to bring the unseemly contest to an instant end, and without the moral courage to exert it, is disgraced by the present condition of affairs—because he tamely submits to be snubbed by an underling, who defies his right to shape the policy of the Government as he deems best for the interest of the country. No one can fail to see, that in thus abnegating his own authority, the PRESIDENT also violates his official duty, and permits what he declares to be gross public wrong, rather than face the responsibility of resisting the bold, strong spirit of his masterly subordinate!

Whatever may be said of Mr. COBB's treasury figures, his calculations in regard to the chances of a contest with the PRESIDENT, have certainly proved most accurate. He has brought the Democratic party of Congress up to his own standard, and thrown the Constitutional EXECUTIVE, entirely in the back ground, without a shadow of risk to himself. The caucus proceedings of the party in each house are in strict harmony with the SECRETARY's Report, and the PRESIDENT is turned over to the opposition for support and consolation! It is difficult, in view of this last manifesto, to see how any harmonious action is to be preserved in behalf of tariff revision. Possibly the subject may be taken up, and the Tariff of '46 be temporarily revived; but even that is very doubtful, because the Southern Democracy fear that the subject, once before the House, will be beyond their power to control, as the eastern manufacturers manifest no enthusiasm in behalf of the tariff of '46, and the latter will not be satisfactory to Pennsylvania. The conclusion is almost inevitable, that no measure effecting the tariff can be passed, and that consequently the House will inflexibly refuse to pass any Loan bill or other measure for the relief of the Treasury. Mr. BUCHANAN clearly anticipates this result, and will meekly respond to the last move of his SECRETARY, by a special message to Congress, scolding them roundly for their laziness and obstinacy, and threatening them with an extra session as the consequence of their failing to administer a practical rebuke to the SECRETARY whom he himself dare not remove.

DEAN RICHMOND don't dispute my statement of his recent interview between himself and the PRESIDENT in relation to maintaining Mr. SCHELL in the Collectorship. "Egad! it all true," he says, but he thinks I ought to have stated that he didn't tell the PRESIDENT that it was best to keep SCHELL in, until after Mr. BUCHANAN had pledged himself that the Collector should make all his appointments from the Tammany organization. In the face of that pledge he could afford to be generous, especially in view of the mental reservation, stated in a previous letter, in regard to the certainly destructive effect of SCHELL's administration upon the DICKINSON party.

Congress has taken no action yet upon the bill for the suppression of Polygamy in the Territories—it to be understood that the subject is one of no importance except in a Presidential campaign? Certainly this is a measure which ought not be difficult to bring up for consideration. Let us have it by all means, and get a record made upon it that shall show who are ready to maintain this disgusting stain upon civilization. The late news from Utah, announcing the dispersion of the grand jury, from fear of Mormon violence, presents startling evidence that there is no peace in Utah—that the spirit of Mormon rebellion is rife as ever, and that some new issue must be made with that deluded and depraved set of fanatics, before they can be humbled by the majesty of the law. The prohibition of Polygamy—a measure in itself imperatively demanded—will make the needed issue; and for that *additional* reason it should not be delayed. We have now an army in Utah, and it is better to settle the question whether civil and ecclesiastical power is practically to govern the territory before the forces are withdrawn. If there is a shadow of sincerity in the Congressional professions of abhorrence of Polygamy, some one will force the popular branch of that body to a direct or an indirect vote upon the subject.

The bill of Hon. MILES TAYLOR, for the promotion of the acquisition of Cuba, is much more acceptable to the States' Rights Democracy than is the SLIDELL bill, because it does not, like the latter, place a corruption fund in the hands of the EXECUTIVE, but enables him—whenever the Spanish Government shall have ratified a treaty of cession—to send the Bonds over at once, and thus finish the transaction up at once. By this arrangement, there can be no corruption here, in connection with the affair—nor can our own Government become in any way mixed up with the schemes of unscrupulous political gamesters. Under the TAYLOR bill, if there is to be any corruption in the matter, the Spaniards will have to settle it among themselves; for the UNITED STATES will be entirely passive, pecuniarily at least, until the cession has actually been made.

CONGRESSIONAL PROCEEDINGS.

THIRTY-FIFTH CONGRESS—SECOND SESSION.

WASHINGTON, February 5th, 1859.

SENATE.

Mr. DAVIS from the Committee on Military affairs reported a bill increasing the pay of Officers of the Army.

On motion of Mr. TOOMBS of Georgia, the rate by which the Mission two per cent Land Bill was passed, was reconsidered and the subject laid over.

The bill authorizing the Attorney General to represent the United States in equity proceedings between Massachusetts and Rhode Island was passed.

Mr. SEWARD presented a memorial from the New York Legislature, instructing their representatives in Congress to oppose any increase of the rates of postage: also a memorial from Citizens of that State in favor of the Homestead Bill.

Mr. CLAY of Ala., from the Committee on Commerce, reported a substitute for the Secretary of the Treasury's plan of economy, which proposes to dispense with the services of 1000 men employed in the Collection of the revenue, at an annual saving of $600,000. Laid over.

The Senate then proceeded to the consideration of business relative to the District of Columbia.—The Pennsylvania Avenue Railroad Bill was taken up, and the amendment of Mr. JOHNSON of Tennessee, making each stockholder responsible for the liabilities of the company, was adopted by yeas 24, nays 18.

A number of amendments were offered and rejected, and the Senate finally was compelled to adjourn without action for want of a quorum.

HOUSE OF REPRESENTATIVES.

Mr. WASHBOURNE, of Ill., gave notice that on Monday next, he would call up the River and Harbor bill, and urge its passage.

Resolutions were submitted from the State Legislatures of New York, by Mr. Morgan, and Michigan, by Mr. Walbridge, but they were not read.

Mr. FENTON essayed to introduce a bill providing pensions for the invalid soldiers of the war of 1812, from the date of their disability.

The committees were then called for reports of a private character, and a large number were reported, among which were the following:

By Mr. WINSLOW, from the Committee on Naval Affairs, a resolution of thanks to Capt. Samuel C. Reed for designing the national flag.

By Mr. HOPKINS, allowing Professor Bache and Lieut. Maury to receive medals from the Sardinian Government; adopted.

Mr. CASE offered a resolution authorizing those Standing Committees which employed clerks last session to employ them again this session, at the same rates of compensation; adopted.

The House then went into Committee of the Whole on the Private Calendar, and considered one private bill, and without action the Committee rose, and the House adjourned.

ARMY INTELLIGENCE.

The following officers have been recently assigned, by the War Department, to duty at the several stations undermentioned:

Engineer Department.—Lieutenants G. W. Snyder and W. C. Paine to report for duty at the Military Academy, West Point.

Quartermaster General's Department.—Col. D. D. Tompkins has relieved Major W. W. Chapman from duty in New Orleans. Major E. B. Babbitt is relieved from duty at Fort Laramie, and ordered to report for duty at Washington city.

Commissary Department.—Captain M. D. L. Simpson is ordered to duty at San Francisco, Cal.

Medical Department.—Assistant Surgeon G. Hammond is ordered to duty at Fort Vancouver, Washington Territory.

First Dragoons.—Lieutenant H. B. Davidson has been appointed Regimental Quartermaster, and ordered to duty at Fort Tejon, Cal.

Second Cavalry.—Captain J. N. Palmer has been relieved from duty in the Department of Texas, and ordered to report in person at the War Department.

First Artillery.—Lieut. F. L. Childs has been relieved from duty at West Point, and ordered to join his company at Fort Moultrie, S. C.

Third Artillery.—Lieut. H. G. Gibson has been appointed Regimental Quartermaster, and ordered to report at the headquarters of his regiment.

A Board of Officers is ordered to convene at the War Department, in the City of Washington, on the 25th instant to examine into the subject of horse equipments for the army, with a view to uniformity.

A detachment of engineer soldiers has been detailed by Gen. Harney to construct a military wagon road over the cascade portage of the Colorado river.

The following disposition has been made of the troops comprising the Navajo expedition:

Lieut. Colonel Miles, Third Infantry, with a portion of his regiment, to Fort Defiance.

Major Brown, Eighth infantry, with a portion of his regiment, to Fort Bliss. Also, Forts Union, Craig and cantonment Burgoyne, are ordered to be garrisoned.

NEWS FROM CHINA.

The United States mail steamship Cahawba, J. D. Bulloch commander, from New Orleans via Havana, arrived at New York at midnight on Friday night, having left the latter place on the evening of the 30th ult.

She experienced a rough, boisterous passage.

On the 30th of January the American brig C. B. Allen arrived at Havana. The same day, while going out of the harbor, she passed the Spanish line-of-battle ship Isabel Segundi, going in, looking timely; Feb. 1, lat. 30 09, lon. 76 46, exchanged signals with an American bark, bound to the north, and showing red field with black square in centre; also red burgee with white letters in centre, which were not distinguishable.

The latest item of news is that the brig Nancy has been ordered to be returned to her owners, through the captain. He was to take charge on the 31st ult.

The feeling still continues strong with regard to Spanish-American affairs.

In sugars there has been very little excitement during the past week, although speculators have taken some 22,000 boxes at a fair advance. Stock at Havana on the 30th January, 50,000 boxes, against 74,000 do. same period last year. Freights slightly improving, several United States vessels having been chartered during the week. Freights to Europe, not much change. Exchange—London, 13¼@13¾ premium; New York and Boston, 3¼@3½ do.; New Orleans, short sight, 4½@5 do. The health of Havana is perfect.

The crops will probably be equal to those of last year.

From the Hartford Times of Wednesday.

THE SKATERS' CARNIVAL.—The river yesterday was thronged with fast flying skaters; old and young, male and female. About four o'clock all Hartford appeared to be taking an airing. Two different parties of half dozen each made careful estimates of the number present between four and five and arrived at the same result. All agreed that there could not be less than 5,000 people on the ice. We think there were certainly 4,000.

About eleven A. M. a race for ten dollars a side, was skated by Geo. W. Puffer of this city, and Henry Hills, of Glastenbury. The distance, about a mile, was apparently without effort, passed over by Puffer in less than three minutes. Hills was left behind. We have had the curiosity to ascertain by inquiry the extent of the sales of skates in Hartford during the present *skating furore*. There have been sold, during the past fortnight, gentlemen's and ladies' skates to the value of $4,675.—Company B., Colt's Guards, were out this afternoon, with full music, and at 2½ o'clock they marched down to the river, put on their skates, and paraded on the ice,—a fine sight.

A colored man by the name of Freeman, an easy and finished skater, began, just before twelve today, the task of picking up separately, while on skates, 100 potatoes placed three feet apart, and depositing each one in a basket at the starting point; to be completed in 30 minutes. He occupied 45 minutes in the work.

This afternoon, workmen put up a stand for Colt's Armory Band, and as we go to press they are playing to a large crowd.

RUSSIA AND THE SACRED PLACES.—Biblical geographers point to the lake Lan, in northern Armenia, and now a Russian possession, as the spot where once was situated the paradise lost by the fault of Adam and Eve. Indo-European theorists, especially Bunsen, locate the cradle of the race (or the primitive Eden) in northern Asia. It occupied all the present western and part of the eastern Siberia, extending from 46° to 53° latitude, and from 60° to 100° longitude. The Arctic ocean, at that time as pleasant as the Mediterranean, rolled its tribal mountains as islands, was the northern boundary. On the east lay the Altai and the Chinese Blue or Celestial mountains; on the south the Paropamisus, or Hindoo-Koosh; and on the west the Caucasus and the Aranx.

Both the Edens are now Russian possessions. Besides, Russian influence is preponderating in Jerusalem; and the spot in Rome assigned by archaiologists as the one where Romulus was nursed by a she-wolf, is Russian property, having been bought by Nicholas for the sake of excavations. By a curious coincidence Russia owns in this way the places most sacred in the history of our race.

EUROPEAN BANKERS.—The Paris correspondent of the *Journal of Commerce*, in his letter of Jan. 13, says:

Last Saturday I fell into conversation with a very intelligent gentleman of the commercial and banking sphere, who mentioned to me his knowledge, derived from the latest annual report of the general supervisor of the books of the several firms of De Rothschild, of the aggregate amount of their capital or the sum at their instantaneous command—a *milliard of francs*—two hundred millions of dollars; he believed it to be, moreover, an unexaggerated estimate that the similar capital of the two *Fereires* is at least a hundred millions of francs; of the Hottinguers, seventy-five millions; of Mires and the Foulds, still higher; the Duke of Galiera, at the head of the *Credit Mobilier*, is held to be prodigiously opulent. The *Pereires* have created for themselves a new fortune by the purchase of very extensive grounds within and without the walls of the capital, which they turn into streets and boulevards with the certainty of the earliest and amplest proceeds. All the bankers who have engaged deeply and act personally in the railroads connecting France with conterminous countries, render incalculable service to all.

Among the private bills passed by the Senate on Friday, was one for the relief of the officers and crew of the privateer General Armstrong, which was so gallantly defended by Capt. Reid, in the harbor of Fayal, during the war of 1812. This claim, it will be remembered, has long been pending before our Government, and has filled no inconsiderable place in the diplomatic history of the country—having been originally prosecuted against the Government of Portugal, within whose jurisdiction the brig General Armstrong was captured by British cruisers.

A young gentleman connected with the express office in this city, says the Stillwater (Minn.) *Messenger*, had occasion to go to Arcola, a few days since, on business requiring speed, whereupon he harnessed a fine Newfoundland dog to a light handsled, and made the journey on the ice in twenty-seven minutes! The distance is seven miles—being an average of one mile in a little less than four minutes. The dog is about four years old, but large and powerful. We would like to see the dog that can excel this feat.

A bill has been introduced into the New York Legislature to give James Hayes the sum of $2,000,000, which he claims is due him as the heir of James G. Leake, a merchant of Troy, who died some years since, as was then supposed, without heirs. The personal property was employed in founding and endowing the Leake and Watts Orphan Asylum, in accordance with the provisions of an unsigned will, and his real estate escheated to the State. Hayes claims the property on the ground of distant relationship to the deceased.

THE CONTROL OF THE MEDITERRANEAN.—An address is submitted to the French Emperor for the execution of a ship-canal, destined to join the Mediterranean to the Ocean, by which vessels navigating between the coasts of those waters, may be saved the turning of Spain and passing before Gibraltar. The scheme is plausibly developed, is shown to be feasible; and if it be patronized by the government, the necessary funds would be readily collected by subscription.—*Jour. Com.*

A car lighted with gas has been put on the New York night train. During the experimental trip, Wednesday night, only ten cents worth of gas was consumed in a journey of nine hours, and the car was lighted as brilliantly as a parlor. The meter is placed underneath the car, and pipes convey the gas to the burners.—*Bos. Cour.*

MARRIED.

On the 3d instant, by Rev. H. Dunning, JAMES W. EASTER to Miss MAGGIE E. MILLER, all of this city.

On the 27th January, by Rev. J. M. Brown, ESQ. AUGUSTUS to Miss MARY RICHARDS, all of this city.

DIED.

On the 4th instant, ANNA AUGUSTA, aged 2 years and 10 months, only child of Albert and Mary J. Brumwell.

On the 4th instant, ELIZABETH, aged 2 years, 5 months and 6 days, only child of John and Rose McMahon.

On the 4th instant, EMMA C., aged 10 months, 3 weeks and 1 day, youngest daughter of P. and Sarah C. Wagner.

LECTURES ON GEOLOGY.

DR. BOYNTON will give the Fourth Lecture of his Course at the Maryland Institute, MONDAY EVENING, Feb. 7th. Subject—"*First Created Animal Life.*" On this occasion Dr. B. will exhibit three beautiful Paintings of Niagara Falls. Tickets to the five remaining Lectures, 75 cents. Single admission 25 cents. Lecture to commence at half-past seven. 1t*

[*From the Louisville TIMES.*]

WHAT IS IT FOR—THIS WOOD'S HAIR RESTORATIVE?—Is a question asked daily by hundreds. We answer, without hesitation or fear of contradiction, that it is the only article known which will do all it promises for the human hair. It will renew its growth—it will stop its falling—it will restore its natural color. It is not a Hair Dye, but a speedy and efficacious Restorative. Trial bottles $1; pints $2; quarts $3.

CAUTION.—Beware of worthless imitations, as several are already in the market, called by different names. Use none unless the words (Professor Wood's Hair Restorative, Depot St. Louis, Mo., and New York,) are blown in the bottle.—Sold by all Druggists and Patent Medicine Dealers. Also by all Fancy and Toilet Goods Dealers in the United States and Canadas, and by

JOHN C. GIVEN, Chinaman's Tea Store,
37 and 39 Baltimore street.
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