archy and impotence. Such is my view of the whole contest as it now stands: it rests with the People to express theirs. H. G.

MR. FULLER'S POSITION DEFINED—EFFECTS, &c.

Editorial Correspondence of The N. Y. Tribune.

WASHINGTON, Wednesday, Dec. 19, 1855.

We had another interesting debate in the House to-day—a useful and profitable discussion. Mr. L. D. Campbell of Ohio who had the floor over night, wisely declined to speak, preferring that the House should resume its attempts to get organized [I hear that Mr. C, on considering how many Members had already slaughtered themselves this session by indiscreet and untimely harangues, proposed to make a moderate addition to the forty acres which now forms his estate for a Congressional burying-ground—the bodies to be deposited end-wise, like driven piles, to economize room. I think he had additional reason before night to realize that such a depository is needed and would speedily be filled.] So the House proceeded to vote—several Members absent or silent—and only 102 answered "Banks." No choice.

Mr BARCLAY of Pa now took the floor, with the purpose of defining his position. He had been pointed at yesterday as an Anti-Nebraska Democrat, and he rose to repel the aspersion on his Democratic orthodoxy. He said he had disapproved of the passage of the Nebraska bill, regarding the repeal of the Missouri Restriction therein embodied as a useless, irritating abstraction; but he now objected to the restoration of that Restriction or to any further agitation respecting Slavery!

—[Now here are the facts in the case, as I understand them. Mr. Barclay sought and obtained the Democratic nomination for Congress last year. An Anti-Nebraska candidate was started against him. Mr. Barclay thereupon took the stump and avowed himself thoroughly Anti Nebraska Thereupon his opponent withdrew, seeing no reason for having a contest about nothing, and Mr. Barclay was elected by an undivided vote. On the strength of this election he comes here, votes every time for Richardson, the special champion in the House of the Nebraska bill, and declares that all his Anti-Nebraskaism died with the consummation of the outrage by which it was excited! Perhaps this is good faith to the people who elected him, but I cannot see it in that light.]

Mr. THOMAS R. WHITNEY—our distinguished Representative of the Hook District—made a swelling speech in demonstration of the "National" character of the "American" party in the North. He stood square on the Philadelphia Platform twelfth section inclusive, and manifested ineffable contempt for "newspapers," especially those printed in or near "my District" As he was (I believe) a sub-editor himself, when he last had another trade than that of office-seeker and not esteemed a brilliant member of the quill, I thought he lifted his nose a little higher here than he could steadily carry it. Thence he went on to ventilate his amazing unconsciousness of the most obvious political facts; and, though I had rather an exalted opinion of his ignorance before, I had no adequate idea of his natural qualifications to be a Know-Nothing. He boasted that New-York (the State) had been carried at the last election on the Philadelphia National Platform; when in fact the leaders had to hold a State Council at Binghamton and adopt a very different platform, with a Free Kansas plank in it, before they could begin or even attempt to carry the State. He forgot, also, that he had expressly committed himself by his duly recorded vote in the Senate of our State (Feb. 9-19, 1854,) to oppose evermore the establishment of Slavery in any territory covered by the Missouri Restriction. He further asserted that Massachusetts had reëlected Gov. Gardner on the Philadelphia Platform, *when Gov Gardner was himself one of the bolters who denounced and repudiated that Platform.* He boasted that our city had given *Twenty-six Thousand Votes* for Joel T. Headley (which is some Six Thousand more than the truth will warrant) while Preston King, the "Black Republican," had but Six Thousand, &c. I think I have known as many gross mistakes crowded into one speech, but not one of such moderate length as this was.

Mr. JOHN KELLY, late Alderman of the Fourteenth Ward, afterward gave us a touch of his quality. He has lungs like a blacksmith's bellows, and made more noise to the minute than anything I have heard in Washington but these detestable dinner-gorgs. He spoke so loud that his words were nearly drowned in the volume of mere sound that enveloped them. I understood him to dispute altogether the Nationality of even Whitney's "American" party—there was but one really National party, and that was the National Democratic, which was supporting Richardson, and next Fall would send six thoroughly National Democrats to Congress from our city. Now what made this particularly nice was the fact of Mr Kelly's election as a "Soft" by the aid of Anti-Nebraska Whigs, who, having no candidate of their own stripe, went in for him as inclined to our side of the question, in order to defeat the *real* National Nebraska Democrat, Mike Walsh. I should like to have an accurate statement of the net profit of that operation. Mike is Nebraska enough; but if he were the Member now, we might once in a while get a ballot for Speaker while he was out taking a drink, while Kelly, I believe, is always on hand If Mike contests the seat, and has a good case, I hope he may succeed.

Mr. HENRY M. FULLER of Pa. made the speech of the day, putting himself completely on the Southern American Platform. He, like Mr. Barclay, had deprecated the passage of the Kansas-Nebraska bill as opening the floodgates of sectional convulsion; but he regarded the repeal of the Missouri Compact as an abstraction, and should oppose Slavery agitation henceforth. If there had been any misunderstanding with regard to his views hitherto, there should be none hereafter. In conclusion, he invited questions from any who were not fully satisfied as to his position

Mr. SAGE of N. Y.—"Suppose a bill should "come before this House to restore the Missouri "Restriction—would the gentleman from Pennsylvania support or oppose it?"

Mr. FULLER—"I will act on that question when "it comes up." [General sensation. Mr. Fuller having invited questions, it was thought that he should not so soon have dived out of sight.]

Mr. TODD of Pa.—"Having voted repeatedly for "my colleague, it is due to myself to say that, had "I supposed his views to be such as he has just "avowed on this floor, my right arm should have "withered ere I had given such votes"

FORTY VOICES—"Call the roll!" "Call the roll!"

When his name was reached, Mr. Ball of Ohio rose and said:

"I, too, am impelled by a respect for my own consistency to say that I have voted for the gentleman from Pennsylvania under an entire misapprehension of his views. I sought no declarations from him, but I had assurances from one of his colleagues, on the correctness of which I fully relied. I, Sir, am a National man—I am opposed to needless agitation respecting Slavery—I was an early and warm supporter of the compromises of 1850—I was also a supporter of the Missouri Compromise, and I most sincerely deprecated its wanton infraction by a majority of the last Congress. I desire that the wrong then done should be undone. I have been voting for Henry M. Fuller; I now vote for Banks."

Several Southern Members, who had been voting for Fuller, threw off on Zollicoffer and others: so that Mr. Fuller's vote was likely to be a small one. Before the roll, amid continual interruptions, some of them quite protracted, had been called through, Mr. Fuller rose again and said that, *Were a bill introduced here to restore the Missouri Restriction on Slavery, he should vote against it!* Hereupon several Southern fire-eaters rose and changed their votes to Fuller; but the Northern votes which had fallen away from him he did not of course regain. Harrison and Morrison of Ohio, Dunn and Scott of Indiana scattered: so did Edie of Pa., while Haven, Bayard Clark, Volk, and Whitney of our State stuck to Fuller—so that there was no choice Banks 106, with Mr H. Bennett of our State deplorably absent—(gone home, I believe). But for that, we should have closed the day at our highest mark—107. I think there are three more who would vote with us if their votes would elect; but we want six.

Mr. CAMPBELL of Ky, after this vote was taken but before it was declared, made a loud speech of nearly an hour long in exposition and commendation of Southern Americanism. I hope he found it interesting—others did not.

Most of our friends wished to hold on and vote, vote, till midnight, if the House could be held so long, unless a Speaker were meantime chosen; but it was now nearly 4 o'clock, and dinner is very popular and carries a strong vote in the House—one thoroughly "National," which "Knows no "North, no South." So the other side were able to carry an adjournment by some 110 to 85, and the Members separated—the Banks men in better spirits than for some days past Some of them think they see daylight—I shall look twice before I hollow again. H. G.

P S.—I forgot to mention in its order the proposition with which Mr. WHITNEY closed his harangue. Promising that it was exceedingly desirable that the House should be organized without further delay, he declared that he had a scheme to propose which would secure such organization forthwith. It was this—Let the House stop voting *viva voce* (each Member, as his name is called, proclaiming his candidate for Speaker) and proceed to elect instead by *secret ballot!* The House resented this imputation on its honesty by laying the proposition on the table by a vote of some *two hundred to seven.* And that was the last of Mr. Whitney's effort. H. G.

From Our Own Correspondent.

WASHINGTON, Wednesday, Dec. 19, 1855.

Speeches have consumed another day in the House, but not without some advantage, for a day should not be grudged which advances a great cause, by strengthening the resolution of its supporters, or exposing the infirmity of its professed friends. Mr. Campbell of Ohio, who held the floor at the adjournment yesterday, declined to occupy it this morning, alleging as a reason, that he did not desire to interpose any impediment to the organization. The voting then proceeded, and Mr. Banks ran up to 102 on a reduced aggregate.

Mr. Barclay of Pa., who was referred to in the debate yesterday as a Democrat who had been elected in opposition to the Nebraska bill, endeavored to disclaim that imputation by coarse bluster, which only provoked the ridicule of both sides. He announced his determination to oppose any movement for the restoration of the Missouri Compromise, on the ground that it would be injurious to the interests of the Democratic party. This is the sort of patriotism which animates such partisans, and it is the staple of honesty which they usually exhibit after contriving to mislead the confidence of deluded constituents. An Anti-Nebraska candidate gave way to Mr Barclay in his Congressional District from his supposed and vaunted soundness upon that issue, and in order that its sentiment might not be seemingly divided. And this is the first acknowledgment which he makes of that misplaced trust.

An direct allusion was made to Mr. Fuller in the remarks of Mr Barclay, he was required to define his position, and undertook that delicate office with the reluctance of one who realized all the complicating consequences which it involved. He avowed himself as opposed to agitation of the subject of Slavery as determined to resist all efforts to disturb existing laws, and as ready to go for the admission of Kansas as a State with whatever form of Constitution the people should adopt Upon being interrogated by a Member from New-York as to how he would vote on a peremptory proposition to restore the Missouri Compromise, he evaded a direct answer, which dissatisified the South, notwithstanding his previous concessions. When he concluded, Mr Todd of the Pennsylvania delegation rose and stated to the House that in voting for Mr Fuller, during the first days of the contest, it was with very different impressions as to his views from those announced: for, had he believed Mr. Fuller to have entertained such opinions, he would rather his right arm should have withered than to have given him a vote.

Mr. Ball of Ohio made a similar explanation, and the voting proceeded. The Southern Americans signified their dissatisfaction with Mr. Fuller's evasive answer in regard to the Missouri Compromise, by backing water upon Mr. Humphrey Marshall. But before Mr Walker of Alabama voted, he called out Mr. Fuller by a categorical inquiry as to his intended course should the contingency suggested occur. Thus driven to the wall, Mr. Fuller admitted he would resist the restoration of the Missouri Compromise; whereupon the Southern gentlemen accepted the submission and renewed the empty compliment which they had before conferred.

This exhibition was a painful and humiliating one in all its points. If Mr. Fuller had declared himself manfully at the outset, no such necessity would have been imposed upon him. In attempting to conciliate both sides, he sacrificed much of the regard of each, and is now materially damaged as a public man.

The position of Mr. Banks was fortified by this demonstration, and the spirit of his supporters encouraged. Mr. Ball at once fell into line, and Mr. Edie of Pa. voted for Mr. Campbell, after falling off from Mr. Fuller, and signified his readiness to go for Mr. Banks. If Messrs. Moore, Harrison, Scott and Dunn would follow these examples, the serious obstacles to success would be at once removed. But Mr. Dunn is said to be fixed in his purpose to defeat the organization, by opposing Mr. Banks, and collisions at home resulting from his self-willed course here, are likely to confirm that inclination.

There was a beautiful flare-up in the caucus of the "harmonious Democracy" in the Senate this morning. After a severe struggle, Messrs. Nicholson and Forney of *The Union*, were nominated two days ago as the regular candidates for Printers But the Virginia Senators, and others of the school of Bayard and Brodhead, who had old obligations to remember, headed and threatened terrible commotion. In order to remove one of the alleged causes of discord, Mr. Forney withdrew his name this morning, and then the caucus reconsidered its former action and postponed the whole subject until the second Monday in January. The law, as it now stands, only refers to "a printer," consequently no firm of individuals could be legally elected. The public should understand there is a great deal of Presidential business mixed up with this matter of the printing. Mr. Hunter of Va is in the field, and he and his colleague have made most of the muss. Besides, some of these enterprising patriots may have presumed it was an indirect mode of striking a blow at Mr. Buchanan whose prospects just now are rather inconveniently overshadowing other aspirants. There is a good deal of fun to come out of all this business; and now that the work of distraction has begun, the organs of the party will have a hard time in bringing back the refractory The President has amiably endeavored to play the part of a mediator between the conflicting interests, but the king's name is no longer a tower of strength. They have got the bit in their teeth, and will hold on—at least until after the holidays. One of the objects of this remote postponement was to allow excited discontents an opportunity of cooling off and considering the consequences that must result from an admission of this absence of concert and union. The contrast between the party in the House and Senate is striking. In the former they present an unbroken front as the minority, while in the latter, with a large majority, they have not power enough to elect their accredited organ to the office of printer.

It is a curious political coincidence that Douglas and Cass, representing the peculiar organizations of Young and Old America, should both withdraw from the Presidential struggle at the same time, and of course without previous concert. The organ of Douglas in Chicago retires him in a recent article, while Gen Cass retires himself, for the twentieth time, in a brief and sulky letter, to anxious friends in Philadelphia. They have both very considerately taken labor of the hands of the Cincinnati Convention, though neither may have intended quite as much as has been accepted. INDEX.

THE LATEST NEWS,

RECEIVED BY

MAGNETIC TELEGRAPH.

THE CONTEST FOR SPEAKER.

Editorial Correspondence of The N. Y Tribune.

WASHINGTON, Thursday, Dec 20, 1855.

Banks's vote this morning would have been 108—one higher than ever before, but for the absence of Mr. Bennett of New-York, and the failure of three other Banks men to reach the Hall before the vote was declared. The ensuing debate was long and tedious. The speakers were mainly Democrats and Southern Americans, each exhorting the other to come over and help elect a Union-Saving Speaker.

Glancy Jones objected to Mr. Fuller that he was not pledged to apply the principle of the Nebraska bill to future Territories Ohio Campbell asked if Glancy would apply it to the present Territories—Minnesota, Oregon and Washington? Glancy staggered, but finally said if those Territories would send Delegates here asking the repeal of the present inhibition of Slavery, he would vote to repeal.

The House adjourned, 115 to 108 against, the latter being Banks men who wanted to close the day with a ballot. I fear there will be no election to-morrow. H. G.

XXXIVTH CONGRESS.

FIRST SESSION.

SENATE.....WASHINGTON, Dec. 20, 1855.

Mr. BRODHEAD, from the Committee on Claims, submitted a report, that all private claims on which adverse reports were made, or ordered, during the last session of Congress which were pending at its close, and which claims are founded upon any law of Congress or regulation of the Executive Departments, or contract, express or implied with Government, and which the claimants choose to prosecute before the Court of Claims be referred to said Court. The report was adopted.

On motion of Mr. CASS the protest of members of the Illinois Legislature against the election of Mr. Trumbull was referred to the Committee on Judiciary.

Mr TRUMBULL presented evidence showing that he ceased to be Judge, and was succeeded by another, two years before his election to the Senate. The evidence was similarly referred, and the Senate adjourned until Monday.

HOUSE OF REPRESENTATIVES.

The House resumed voting for a Speaker with the following result:

Banks	104	Fuller	34
Richardson	73	Scattering	10

Mr SMITH (Ala.) said the result of the vote just announced is a pretty fair indication that no result will be reached to-day. Wishing to promote by degrees the business of the House, he proposed to proceed to the selection of two Standing Committees, one to be the Committee of Ways and Means, and the other Foreign Affairs—the Northern party nominated four members thereof, the Administration party three, and the corporal's guard of the South, assisted by Members from the North, two.

These Committees to select their Chairman by a majority vote, the Chairman to preside over the ordinary business of the House alternately till a Speaker is elected. He proposed that one hour be devoted to the introduction of bills to be hereafter referred to the appropriate Committee, the Members to be then sworn in by the Chairman of the Committee on Ways and Means; the House next to proceed to the election of Clerk, Postmaster, Sergeant-at-Arms, Doorkeeper, and last but not least, a Chaplain, through whose prayers, perhaps, some oil may be thrown on the troubled waters. This is no time for conversation and recrimination. We want harmony and concession. Several gentlemen objected, but the plan specified in the law of 1789 was, by the way, as it prescribes that a Speaker and Clerk shall first be elected and Members sworn in by the Speaker before proceeding to any other business.

Mr. SMITH remarked that unless some such plan was adopted public business must suffer.

Mr. CADWALADER counseled his Democratic friends to adhere to their position and platform.

Mr. McMULLEN warned the Seward Black Republicans that if the Government ever passed into their hands, and they restored the Missouri restriction and repealed the Fugitive Slave Law the Union must and will be dissolved, the declaration of that fanatical gray-headed man to the contrary notwithstanding.

Mr ZOLLICOFFER assigned the reasons why he could support neither Richardson nor Banks, saying that he and his friends stand on middle and national grounds, which all might occupy without compromising principles.

Mr. WRIGHT of Tennessee contended that however patriotic the American party here may be, they are by their votes making the extension of the Naturalization laws paramount to every other consideration.

Mr COX recognized no one as a member of the American party who does not stand on the 12th section of the Philadelphia Platform. He said a Speaker could be elected immediately if Democrats would come over to his side, but Americans have no power to carry over all their force to Richardson. Adjourned.

Justice to Mr. L. D. Campbell.—In our report of Wednesday's debate in the House, Mr. Campbell was represented as saying that he had never given in to the Free-Soil heresy. By accident the report failed to state that this was Mr. Campbell of Ky.; and lest any one should commit the gross blunder of supposing it to have been Mr. Campbell of Ohio, we here make the correction.

FROM WASHINGTON.

WASHINGTON, Thursday, Dec. 20, 1855.

The report that the original copy of the Declaration of Independence has been stolen from the Patent Office and a counterfeit one substituted is untrue. The original has been there for fourteen years undisturbed.

Judge Douglas has written to his friends that although suffering severely from an inflamed throat, he expects to be in Washington early in January.

The debate in the House to-day attracted a dense auditory. The discussions serve but to render more apparent the difficulties in the way of an organization

UNITED STATES COURT.

WASHINGTON, Thursday, Dec. 20, 1855.

Cause No. 22—Jacob Kissell, plaintiff, vs. the President and Board of Directors of the St. Louis Public Schools. Argument was concluded by Reverdy Johnson for plaintiff.

No. 23—Robert H. McCready et al., claimants of steamer Bay State vs. Goldsmith Wells et al. This cause was submitted to the consideration of the Court on the record and printed argument. Mr. Lord for appellants and Cutting for appellees.

No. 24—The United States vs Catesby, argued by Messrs. Jones and Carlisle for defendant, and submitted with printed argument by the Attorney-General for plaintiff.

No. 25—United States use of James Mackey, et al., plaintiffs, vs. Richard S. Coxe. Argument commenced by Mr. Chilton, for plaintiff, and continued by Mr. Carlisle for defendants.

SOUTH CAROLINA LEGISLATURE.

COLUMBIA, S. C., Thursday, Dec. 20, 1855.

The South Carolina Legislature adjourned sine die last night. The bill to give the election of Presidential electors to the people was lost. The bill relating to the imprisonment of negro seamen was not reached. The bill to prevent non-residents from hunting or ducking in the State was passed.

The meeting called to consider the affairs of Kansas declined to act for want of reliable information.

A meeting of the Members of the Legislature, called to appoint delegates to the Cincinnati Convention, did not act for want of time, but it is understood that over fifty of the members are in favor of having the State represented in the Democratic National Convention.

FROM BUENOS AYRES.

BOSTON, Thursday, Dec. 20, 1855.

We have Buenos Ayres dates to the 2d inst. It was reported that the forces of Gen. Harras had been defeated by the Indians on the frontier. It was also stated that a force under Gen. Gorodo had revolted. Urquiza's troops, it was believed, had crossed the Arroy Adel Medis, and great danger was anticipated in consequence.

Exchange on London was quoted at 6 ⅌ cent.

LATER FROM HAVANA

NEW-ORLEANS, Wednesday, Dec. 19.

The steamship Black Warrior has arrived at this port with Havana dates to the 16th inst.

There is no political news of interest.

The market for sugars was not so brisk, and buyers were scarce.

THE PROHIBITORY LAW IN INDIANA.

INDIANAPOLIS, Thursday, Dec 20, 1855.

The opinions of the Judges of our Supreme Court, in a case involving the constitutionality of the Prohibitory Liquor Law, have been delivered. Judges Perkins and Davidson are against the law in toto. Judge Stewart sustained it, except the manufacturing, search and seizure, confiscation and the agency clauses. Judge Gookins sustained the whole law.

LOSS OF THE SCHOONER GEORGE ENGS.

PHILADELPHIA, Thursday, Dec 20, 1855.

The steamship New-York, from Boston, came in collision yesterday morning, off Nantucket, with the schooner George Engs hence for Boston. The latter sank in ten minutes afterward. The crew were all saved. During the collision Capt. Fisk and Michael Tehoe were severely hurt.

DISASTER TO THE SHIP TELEGRAPH.

BALTIMORE, Thursday, Dec. 20, 1855.

The ship Telegraph, fourteen days out from Baltimore for Australia, was boarded off the Bar to-day, and found to be leaking.

The captain's leg was broken during a gale on the second day out. The disaster was occasioned by the vessel drawing too much water when crossing the bar. She was compelled to proceed to Savannah for repairs.

ATTEMPT AT ARSON.

PHILADELPHIA, Thursday, Dec. 20, 1855.

An attempt was made at an early hour this morning, to set fire to the Northern Temporary Home for Friendless Children in this city.

Fire was kindled in the lower part of the building, but was fortunately, speedily extinguished. One hundred children were sleeping in the upper portion of the building.

THE AMOSKEAG VETERANS

PHILADELPHIA, Thursday, Dec 20, 1855.

The Amoskeag Veterans arrived here this afternoon and were received by the National Guard, Philadelphia Grays and Washington Grays. They were reviewed by Gen. Patterson. This evening they will be entertained by the Washington Grays at their armory.

THE PITTSBURGH AND STEUBENVILLE R. R.

BALTIMORE, Thursday, Dec. 20 1855.

A bill has been reported in the Virginia Legislature giving the right of way to the Pittsburgh and Steubenville Railroad.

SOUTHERN MAIL.

Baltimore, Thursday, Dec. 20, 1855.

New-Orleans papers of Friday last are to hand, but they contain no news of sufficient interest to telegraph.

FROM ALBANY.

ALBANY, Thursday, Dec. 20, 1855.

Louis D. Pillsbury was to-day appointed Superintendent of the Albany Penitentiary for three years from the 1st of March, in place of his father, Capt. Pillsbury, who is now Superintendent at Ward's Island.

MUSICAL AND DRAMATIC.

There were two concerts advertised for last night—Miss Brainerd at Niblo's, and Mr. Gottschalk at Dodworth's. Miss Brainerd has a pure, sweet soprano voice of two octaves, and of faultless intonation. It has been well cultivated for several years, and exhibits a steady improvement in the higher walks of vocalization. As a singer calculated for the concert-room, we think that she will have a successful career. Her merit is enhanced by modesty and private worth.

Mr. Gottschalk was successful in drawing more people than the room—which is not too large for a piano-concert—could hold. He was as decided, brilliant, passionate and precise as ever. A portion of his entertainment was in conjunction with Mr. Wells, an esteemed performer on a second piano. Mr. Gottschalk is of the new school: great grasp of chords, large sweep of action, strong pronunciation mingled with delicacy of touch. He is one of the best players living.

His several new pieces—published by Messrs. Hall & Son—are good elaborations of the power of the instrument, with a commendable success in the form of novelty. The most elaborate is a quasi dramatic sketch called *Jerusalem*, with details equivalent to an operatic transcription worked up with the brilliant pianoisms necessary to effect. His *Banjo* is unquestionably piquant and original.

—Niblo's Theater was well filled to witness among other things a new ballet, in which Mad. Robert and her assistants figured. It was a graceful, elegant affair. Madame Robert is a first class dancer from the Grand Opera, or Academy, Paris. Agile, graceful, distinguished, she is, if anything, of too pure a style for completely popular appreciation. She is well supported. The ballet is inserted between two pantomimes by the Ravels.

—Wallack's now is enriched by the acting of Mr. Placide, especially in the characters of Frenchmen. His last fine piece of painting is that of a French nobleman, an exile in England, become an usher and subject to the shames and persecutions proverbially attached to ushership It is very amusing, and at one point rise to pathos. Considering the ordinary daubing called portraitures of foreign character, especially French, on our stage, Mr. Placide's stand out the more pronounced in its positive excellence.

RESIGNATION OF JUDGE STUART.

OFFICE OF THE CITY JUDGE,
NEW-YORK, Dec 20, 1855.

To His Excellency, MYRON H CLARK, Governor, &c:

SIR—It is known to yourself and the public that I was lately charged with an offense in my official character of City Judge, and that I have since been tried and acquitted by a Jury of my fellow-citizens. Of that trial, with the circumstances and matters that led to it, I will not speak in this communication, except so far, indeed, as is necessary in respect to the course I feel it my duty to pursue: for, however without guilt in the late calamity under which I have suffered, it is my purpose, for the reasons following, to withdraw from the Bench—my resignation herein tendered, to take effect at the end of the present month. The cause that has led me to the course adopted is, that there are those among my fellow-citizens who are of the opinion that although acquitted in fact of the charge preferred against me and innocent in truth of all criminal conduct in the matter complained of, the late terrible ordeal through which I have passed has, in a greater or less degree, impaired my present usefulness as a Judge, and will, if I remain upon the bench, to some extent injure the administration of public justice at my hands. It is believed by many that the late melancholy event by which I was surrounded would, for a time at least, in a measure, deprive me of that confidence on the part of some which is so essential from all to qualify a Judge for a valuable discharge of official duty. Besides, the personal relations between the District Attorney, Recorder and myself are not such as would conduce to harmony in the Court of which we are members. Under these circumstances, and in view of the delicacy and importance of a judicial office, with no wish that misfortune to me—although without crime, and by whom or however brought—shall in any manner affect the interest of public justice, or be made to reflect upon those to whom I am indebted for the place I occupy, I feel it to be a duty of honor and principle to resign. In the consideration of this matter, I have been apprehensive that a surrender of the place might upon first thought, with some, be construed to the prejudice of my innocence, but those with whom I have advised assure me that no such inference will or can be drawn by even the most uncharitable or least friendly; but that every fair and just citizen will ascribe my resignation to the cause assigned. In the presence of my God, to you, Sir, the first officer of the State, and to the public at large, I declare my entire innocence of all criminal conduct or intentional wrong in the matter from which I have been made so seriously to suffer. Influenced, under feelings of deepest pain and sorrow, alone by the reasons and motives stated, I have, after many years of devoted duty and earnest industry in the criminal departments of this city, without reproach or censure from any; but in the confidence and praise of all, in poverty, with wounded hopes and broken health, but a conscience free from guilt, voluntarily surrendered an office of honor and emolument for private life, trusting to Providence and my best exertions for what may come to me in the future. Believing, Sir, that the confidence of the great body of the people in my integrity is still unshaken, and that the course my convictions of propriety has led me to adopt, will be approved of by my friends and the community in which I live,

I have the honor to be
Your Excellency's most obedient, humble servant,
S. H. STUART.

THE KANSAS WAR.

AN INTERESTING PIECE OF HISTORY.

A U. S. Arsenal Robbed by the Ruffians.

GREAT EXCITEMENT AT LEAVENWORTH.

Correspondence of The N. Y. Tribune.

GREENWICH STATION, Huron Co., Dec. 17, 1855.

The following is a full and correct copy of a letter received by Mr. Ladd Dow, father of the late Chas. W. Dow, who was murdered in Kansas, written as it was immediately after the murder, and before the arrest of Branson. I consider it the most reliable information that can be had of the transaction. R. S.

HICKORY POINT (K. T.), Nov 23, 1855.

Mr. LADD DOW—*Dear Sir:* It is my painful duty to inform you that your son Charles W. has been murdered. On Wednesday morning last he discovered that a person named Franklin Coleman had been burning lime on his claim; cutting and burning his timber without leave, and in disregard of the rights which every manly settler acknowledges and endeavors to defend. Your son, as he should, forbade him, and ordered him to desist; trespassing on his rights, and in consequence Coleman left. After this, your son had occasion to go to the blacksmith's, which led him directly by the house of Coleman. While at the blacksmith's a person named Buckley, a friend of Coleman, grossly insulted and abused him, cocking both barrels of his gun and declaring he would shoot him. Buckley, however, did not shoot him. After the blacksmith had done what your son wished him to do, he left for home. On the road ahead of him sat Coleman, armed with his gun and apparently awaiting his approach. When he came up with him some conversation ensued: they walked along together and, as is supposed, talking of the difference between them. When they arrived opposite Coleman's house, C. turned to go there, and your son kept on. After going a few steps he heard a cap snap, turned and saw that Coleman was preparing to shoot him. Coleman deliberately recapped his gun, aimed, fired and shot him dead. His body lay there four hours beside the road without any person coming to inform me of it. Uneasy at his long absence I went twice up to the Santa Fe Road, to the lime-kiln which he and myself were burning, and to the spot where he had his trouble with Coleman in the morning—as he said he should go to each of these places on his return. Not finding him there I was about starting for the blacksmith's, when a neighbor came and informed me that he was murdered and that his body lay by the side of the road. With assistance afforded me by neighbors I took his body home, had it carefully prepared for burial, and to-day, in company with a few of his friends and neighbors, carried him to his grave. After I got the body home I sent immediately to inform the neighborhood, in order to arouse them so that we might catch the murderer and bring him to the punishment he so well merited. No persons came until after dark, and indeed it was impossible that they should come before. Early next morning, having received force sufficient we searched the houses of Coleman and his friends, found that Buckley and Coleman had fled, and gathered the facts concerning the murder above related, and which happened after he left for the blacksmith's. Coleman is a Pro-Slavery man, so is Buckley; and they and their Pro-Slavery friends undoubtedly planned the murder when they saw him go by to the blacksmith's. From all we can learn, it was witnessed by no less than half a-dozen persons, who, after the deed was done, aided and counseled the murderers in their escape Not one came near to inform me until after they had gone and then not until I had been told by another, who was informed by a passing traveler that the dead body of a man lay by the road side. The community are much excited. Lynching, the burning down of their houses, and the extermination of every Pro-Slavery man connected with the foul and damning deed, are threatened. On Monday we are to hold a meeting and decide what course to take. I know not what course they may take, but as for me, mine is marked out. His murder *shall* not go unpunished. Having lived with me and my wife nearly a year, we looked upon him as a brother, admired and loved him as such, and mourn over his loss as deeply as can a parent or a brother mourn for the loss of those they dearly love and esteem. He died like a brave man. His murderer has sought refuge in Missouri—the home of villany and nursery of villains. He had a first-rate claim adjoining mine, and all his other property is in my possession. We wish you to come on or send your son, or write and inform me immediately how I shall dispose of his property. Inclosed I send you some of his hair, and a piece of his shroud. Respectfully yours, J. R.

From The St. Louis Democrat Dec. 17.

By the politeness of a gentleman in this city, we have been shown a private letter from Leavenworth City, under date of Dec. 8, giving the following startling intelligence:

"The people of Leavenworth are greatly excited—bands of Missourians from the border counties, known here as "ruffians," have come over into Kansas and are threatening Lawrence with destruction. A company of some fifty, headed by a man called Eastin, editor of *The Herald* of this city, all drunk, and a majority of them border Missourians, started from here and marched off for the *seat of war*, as our sister city is now called.

"The origin of the grave calamity which now threatens to stir up strife was as follows: A private difficulty arose between two individuals about the rights of both to a claim. The upshot of the matter was, one of the two got killed. A false rumor, from this circumstance, reached the ears of the Governor that the Sheriff was resisted in executing the laws. At this time no writ had been issued and no complaint made by which to arrest any person supposed to have been guilty of violating the law.

"Those who bore the report to the ears of the Governor, however, knew their man; and as he had blustered a good deal at the hustings and on the stump that he would enforce the laws, and so on, he seized the occasion, on the faith of a flying and partisan report, without making inquiry, as a prudent man should have done, to learn how the difficulty was, foolishly and hurriedly to order out the militia of the Territory, and to publish a terrible proclamation, calling upon "law and order" men to aid in enforcing the law. This proclamation of the Governor did the work it was intended to do by those who were instrumental in having him issue it. It was intended as a cover for an attack long since meditated on Lawrence by the fire-eaters. It has swept the scum of the border counties of Missouri over into our Territory, vowing death to every man in Lawrence.

"General Richardson, a well disposed man, and of some prominence in our Territory since the excitement, has been to Lawrence and had a talk with her people. He reports that they declared that they were always and are now ready to deliver up to the authorities any one of their number for whom those authorities had a writ; but, rescued, as sensible men would, to suffer one of their number to be arrested by an irresponsible mob.

"It is perfectly understood here that Gov. Shannon's proclamation and bluster were intended to play into the hands of Atchison, Stringfellow and gang. Volunteer companies were raised in the border counties of Missouri with wonderful alacrity, immediately upon its promulgation. It is said there are now encamped near Lawrence from 1,000 to 2,000 armed men, and other companies are hurrying on to join them. Most of them are resident Missourians, and Atchison and Stringfellow are out urging an attack.

"The Lawrence men stand firm, and will not yield till they are forced. They have nicely calculated their strength, and they hold to the belief that it will take 3,000 men to take Lawrence, and even then with the loss of much blood. The Lawrence men are intrenched, have experienced commanders, and are well armed to a man. They are calmly and resolutely awaiting an attack. Col. Lane of Lawrence has sent a dispatch requesting aid from this city. He says fight is inevitable. Col. Sumner, commandant at the fort, is awaiting orders from Washington. Richardson, commander of the militia, has been striving to bring about an amicable settlement, but Stringfellow, Eastin and gang say no. Although the Lawrence men have shown a disposition to do what is right, it seems that they must fight or take the alternative of being massacred. Lawrence has at this time 600 men under muster; their weapons of defense are Sharp's rifles and revolvers. It is said that the Missourians have five pieces of cannon in addition to their small arms.

"These cannon were got by them in the following manner: About 100 of them broke into the arsenal at Liberty, Clay County, Missouri, secured the man in charge by tying him, took the cannon, shells, &c., on hand, and marched off to Lawrence. Col. Sumner has sent a force to recover the arms stolen, and to protect the arsenal from further plunder. Atchison, it is said, is encamped with some 25 men, about fifteen miles from Lawrence, waiting for reëinforcements. There is a report afloat that Shannon is much agitated, and is trying to advise the Missourians to go home—having at last convinced himself that this is the only way to avoid a collision. He is obliged, however, to advise with Atchison and Stringfellow, and they, I believe, require the Lawrence men to surrender their arms. This they consider as equivocal to laying down their lives, and of course they will not consent. Negotiation and compromise thus far have been fruitless. It is thought that the crisis in Kansas affairs has come at last; the fight is expected to begin to-day or to-morrow, and if so it must be a bloody one, for the Lawrence men will fight with no expectation of quarter. It is thought by the Free-State men here that the Missourians will attack this city, whether successful or not at Lawrence; they have avowed the destruction of *The Register* press, and may throw it into the river, as they did *The Parkville Luminary.*

"Possibly Col. Sumner, in endeavoring to retake the arms stolen from the arsenal, may bring about a collision between the United States troops and the border ruffians.

"In the present condition of the public mind a trifle may turn the strife into quite a different channel from that anticipated by those who originated it To give you an idea of the excitement in this place I need only state that business is entirely suspended, and groups of men are on the streets talking of the war, as if a terrible calamity was impending which cannot be averted."

CARD FROM MESSRS MASON BROTHERS.

To the Editor of The N. Y. Tribune.

SIR: Without any provocation on our part, on the 12th instant you made a personal attack on ourselves. The circumstances are these: *The American Publishers' Circular*, a weekly periodical, published by, and the organ of, the New-York Publishers' Association, contained an article in relation to the newspaper press, in which the charge was brought that there are many newspapers whose critical opinions of books are influenced by pecuniary considerations. No charge was brought, directly or indirectly, or intended against any particular journal, or the journals of any city. THE TRIBUNE sees fit to regard this charge as against itself Instead, however, of answering it in any fair way, or of holding the Publishers' Association, or its regularly appointed committee, under whose supervision, by whose authority, and at whose request, even, the article in question was written and published, THE TRIBUNE chooses to hold us, a private firm, responsible for a charge never made, even by *The Publishers' Circular*, and to reply to it by a personal attack. This, although the editor of THE TRIBUNE was personally informed by one of the editorial committee of *The Publishers' Circular* that they held themselves responsible for the article in question.

The attack of THE TRIBUNE upon us is as follows:

"Upon inquiry of the responsible conductor of the paper in which these wholesale allegations are put forth, we learn that their author is a Mr. Mason, one of the house of Mason Brothers of this city. What experience Mr. Mason has had with other 'not obscure and uninfluential' journals we do not know, though we have little doubt that his insinuations are as false in respect to them as in respect to The Tribune. As far as we are concerned, we can say that that house have made repeated efforts to control our columns for their own purposes and have been repeatedly disappointed. Extensive advertising has failed to secure the admission of notices of their books prepared by their own editor, or to obtain for them any more favorable revisions than their intrinsic merits would justify. Some of those disappointments have been the occasion of anger privately manifested; all of them have very likely contributed to the bad opinion which Mr. Mason now expresses respecting the 'not obscure and uninfluential' New-York press in general."

In reply to this, we assert that neither we, nor any persons authorized by us, have ever endeavored to control the editorial columns of THE TRIBUNE for our own purposes, or endeavored to secure the insertion of any notice of one of our books, prepared by ourselves, or under our direction, excepting in one instance, and that, in this instance, the notice written by one of our firm, of a book published by ourselves, did substantially appear as editorial in THE TRIBUNE. We have paid THE TRIBUNE thousands of dollars for advertising within the last two years; yet we have never claimed that this gave us any right to any favoritism whatever, nor have we asked any favors in consequence of it We have never held that advertising in any paper gave the right to the advertiser to claim any partiality in its editorial columns. We appeal to the hundreds of journals in which we have been advertising extensively for years for proof that we have always acted in strict accordance with this principle. Having had somewhat extensive deal