THE CANVASS IN ILLINOIS.

TRUMBULL IN REPLY TO DOUGLAS.

LECOMPTONISM CHARGED ON THE LITTLE GIANT.

SUBSTANCE of the SPEECH of Senator TRUMBULL,

DELIVERED AT ALTON, ILL. ON WEDNESDAY, AUGUST 25, 1858.

From The Alton Courier.

I am taken somewhat by surprise by the manifestations of joy, and the vast assemblage by which I find myself surrounded to-night—an assemblage so large, I fear, as to put it out of my power to be heard by you all. To say that I am gratified at this exhibition of my neighbors and friends at the place of my residence, but feebly expresses the emotions I feel; and when I consider what is expected of me—that I am to discuss questions vital to the perpetuity of free institutions, and upon the proper decision of which hang the honor, the hopes and the happiness of this beloved country, which is advancing rapidly to destinies beyond the reach of mortal eye—I am overwhelmed with the greatness of the undertaking, and free to confess that to fulfill the expectations which this assembled multitude shows have been raised, is above my capacity. Actuated by no spirit of unkindness toward any party or any man, I desire to address you as a neighbor and a friend, giving you my views of public affairs in a plain way, not doubting that my words will fall on candid and honest ears. I know we are called by different names—Republicans, Democrats and Americans—but we are all brethren of a common country, aiming alike, I trust, to steer the vessel in which we are all embarked in safety through the conflicting elements of a troubled world. In this spirit I desire to address you to-night; and if there is any man here so blinded by passion or prejudice, or so trammeled by party ties that he cannot give a candid and impartial hearing to the facts which may be presented, and the arguments which may be advanced, let him retire; for he is unfit for self-government, and to such an one I have nothing to say.

Mr. Trumbull then alluded to the presence of his distinguished friend from Missouri, Mr. Blair, who had previously spoken; paid a glowing tribute to his boldness and abilities as the only Representative in Congress from the Southern States who had dared to stand up in defense of the rights and the interests of Free White labor, and predicted for him a future career of which the most favored sons of the Republic might be proud, notwithstanding he had just been stricken down by ballot-box stuffing and illegal voting in the city of his residence.

After tracing the history of Slavery from the organization of the Federal Government till 1854, and showing that its policy had steadily been, during the whole period, not to interfere with the subject of Slavery in the States, but to keep it from spreading into the Territories, he charged that our present difficulties grew out of a departure from that policy in 1854, in the repeal of the Missouri Compromise, and the attempt which was then made to force Slavery into Kansas, and make the General Government an instrument for upholding and spreading it. His remarks in support of the proposition and in relation to Judge Douglas were substantially as follows:

As I will have frequent occasion, in discussing this branch of my subject, to refer to the action of my colleague in the Senate, who is so completely identified with the Kansas question, I will first notice some remarks he is reported to have made with regard to myself. The extract I read is taken from a report of his late Ottawa speech:

"Trumbull, too, was one of our old cotemporaries. He was one born and raised in old Connecticut. Bred a Federalist, he removed to Georgia, and there turned Nullifier, when Nullification was popular. But, as soon as he disposed of his clocks, and wound up his business, he emigrated to Illinois."

There is some truth and a good deal of untruth mixed up in what I have read. It is true, I was born in Connecticut, and my colleague in Vermont, a little further north. I have no reproaches to cast upon either State. Connecticut is a glorious old Commonwealth; she furnished more men in proportion to population than any other State to the army of the Revolution, and the bones of her sons slain in battle on every contested field from Quebec to Charleston, in maintenance of the liberty we enjoy, and to make good the declaration to which they pledged their lives, their fortunes and their sacred honors, that the colonies "were and of right ought to be free and independent States," testify to their patriotism, their devotion, and their bravery, in a crisis which tried men's souls. Yes, I love old Connecticut; I love her rugged rocks, her barren hills, and her sterile soil—for from them sprung much of the pure blood of the Revolution—and I love her as the home of my boyhood. God bless her forever!

It is true that I once resided in Georgia, but it is not true that I was at any time a Nullifier, or that I disposed of any clocks, for I never owned one in the State; nor is it true that I was bred a Federalist. It so happens that my father was a Jeffersonian and a Jackson Democrat. However, I claim no credit for this, nor do I assume that it makes me better or worse than if my ancestors, out of respect to the traitor Arnold, had given part of his name to me. I recognize every man in this free country as the architect of his own reputation and fortune, and would have regarded it as no reproach to have been a clock peddler, or to have followed any other honest calling, and although I honor and respect the memory of my ancestors, and believe they will compare favorably with any man's, I claim no credit on their account. Whatever I am and have, I owe to the sweat of my own brow, the partiality of my fellow-citizens and the blessing of a kind Providence; and God forbid I should never reproach any man on account of the place of his birth, or his parentage. I am too much a democrat for that. The charge that I ever advocated repudiation, and the statement that Judge Douglas went into the House of Representatives and replied to me, is simply untrue, as is also the statement made in another portion of his speech of my having made a bargain with Mr. Lincoln, at any time or in any manner, in regard to the United States Senatorship. These attacks of Mr. Douglas have nothing to do with the questions at issue before the country. It is a matter of no consequence where I was born, who my ancestors were, or where I have lived; and such matters can only be dragged into the canvass to distract attention from the real issue.

I come now to another extract from a speech of Mr. Douglas, made at Beardstown, and reported in *The Missouri Republican*. This extract has reference to a statement made by me at Chicago, wherein I charged that an agreement had been entered into by the very persons now claiming credit for opposing a Constitution not submitted to the people to have a Constitution formed and put in force without giving the people of Kansas an opportunity to pass upon it. Without meeting this charge, which I substantiated by a reference to the record, my colleague is reported to have said:

"For, when this charge was once made in a much milder form, in the Senate of the United States, I did brand it as a lie in the presence of Mr. Trumbull, and Mr. Trumbull sat and heard it thus branded, without daring to say that it was true. I tell you he knew it to be false when he uttered it at Chicago; and yet he says that he is going to cram the lie down his throat until he should cry enough. The miserable, craven-hearted wretch! he would rather have both ears cut off than use that language in my presence, where I could call him to account. I see the object is to draw me into a personal controversy with the hope thereby of concealing from the public the enormity of the principles to which they are committed. I shall not allow much of my time in this canvass to be occupied by these personal assaults. I have none to make on Mr. Lincoln; I have none to make on Mr. Trumbull; I have none to make on any other political opponent. If I cannot stand on my own public record, on my own private and public character as history will record it, I will not attempt to rise by traducing the character of other men. I will not make a blackguard of myself by imitating the course they have pursued against me. I have no charges to make against them."

This is a singular statement, taken altogether. After indulging in language which would disgrace a loafer in the filthiest purlieus of a fish market, he winds up by saying that he will not make a blackguard of himself, that he has no charges to make against me. So I suppose he considers, that to say of another that he knew a thing to be false, when he uttered it, that he was a "miserable craven-hearted wretch," does not amount to a personal assault, and does not make a man a blackguard. A discriminating public will judge of that for themselves; but as he says he has "no charges to make on Mr. Trumbull," I suppose politeness requires I should believe him. At the risk of again offending this mighty man of war, and losing something more than my ears, I shall have the audacity to again read the record upon him, and prove and pin him, so that he cannot escape it, the truth of every word I uttered at Chicago. You, fellow-citizens, are the judges to determine whether I do this. My colleague says he is willing to stand on his public record. By that he shall be tried, and it he had been able to discriminate between the exposure of a public act by the record, and a personal attack upon the individual, he would have discovered that there was nothing personal in my Chicago remarks, unless the condemnation of himself by his own public record is personal, and then you must judge who is most to blame for the torture his public record inflicts upon him, he for making, or I for reading it after it was made. As an individual, I care very little about Judge Douglas, one way or the other. It is his public acts with which I have to do, and if they condemn, disgrace and consign him to oblivion, he has only himself, not me, to blame. Now, the charge is that there was a plot entered into to have a Constitution formed for Kansas, and put in force without giving the people an opportunity to pass upon it, and that Mr. Douglas was in the plot. This is as susceptible of proof by the record, as is the fact that the State of Minnesota was admitted into the Union at the last session of Congress.

On the 25th June, 1856, a bill was pending in the United States Senate, to authorize the people of Kansas to form a Constitution and come into the Union. On that day Mr. Toombs offered an amendment, which he intended to propose to the bill, which was ordered to be printed, and, with the original bill and other amendments, recommitted to the Committee on Territories, of which Judge Douglas was chairman. This amendment of Mr. Toombs, printed by order of the Senate, and a copy of which I have here present, provided for the appointment of Commissioners, who were to take a census of Kansas, divide the Territory into election districts, and superintend the election of delegates to form a Constitution, and contains a clause, in the 13th section, which I will read to you, requiring the Constitution which should be formed to be submitted to the people for adoption. It reads as follows:

"That the following propositions be, and the same are hereby offered to the said Convention of the people of Kansas, when formed, for their free acceptance or rejection, which, if accepted by the Convention, AND RATIFIED BY THE PEOPLE AT THE ELECTION FOR THE ADOPTION OF THE CONSTITUTION, shall be obligatory on the United States, and upon the said State of Kansas," &c.

It has been contended by some of the newspaper press, that this section did not require the Constitution which should be formed to be submitted to the people for approval, and that it was only the land propositions which were to be submitted. You will observe the language is, that the propositions are to be "ratified by the people, at the election for the "adoption of the Constitution." Would it have been possible to ratify the land propositions "AT THE "ELECTION FOR THE ADOPTION OF THE CONSTITU-"TION," unless such an election was to be held?

When one thing is required by a contract or law to be done, the doing of which is made dependent upon and cannot be performed without the doing of some other thing, is not that other thing just as much required by the contract or law as the first? It matters not in what part of the act, nor in what phraseology the intention of the Legislature is expressed, so you can clearly ascertain what it is; and whenever that intention is ascertained from an examination of the language used, such intention is part of and a requirement of the law. Can any candid, fair-minded man, read the section I have quoted, and say that the intention to have the Constitution which should be formed submitted to the people for their adoption is not clearly expressed? In my judgment, there can be no controversy among honest men upon a proposition so plain as this. Mr. Douglas has never pretended to deny, so far as I am aware, that the Toombs amendment, as originally introduced, did require a submission of the Constitution to the people. This amendment of Mr. Toombs was referred to the Committee of which Judge Douglas was Chairman, and reported by him on the 30th of June, with the words, "AND RATIFIED BY "THE PEOPLE AT THE ELECTION FOR THE ADOPTION "OF THE CONSTITUTION," stricken out. I have here a copy of the bill as reported back by Mr. Douglas, to substantiate the statement I make. Various other alterations were also made in the bill, to which I shall presently have occasion to call attention. There was no other clause in the original Toombs bill requiring a submission of the Constitution to the people than the one I have read, and there is no clause whatever, after that was struck out, in the bill as reported back by Judge Douglas, requiring a submission. I will now introduce a witness whose testimony cannot be impeached, he acknowledging himself to have been one of the conspirators and privy to the fact about which he testifies. Senator Bigler alluding to the Toombs Bill, as it was called, and which, after sundry amendments, passed the Senate, and to the propriety of submitting the constitution which should be formed to a vote of the people, made the following statement in his place in the Senate, December 9th, 1857. I read from Part I, Congressional Globe of last session, p. 21:

"I was present when that subject was discussed by Senators, before the bill was introduced, and the question was raised and discussed whether the Constitution, when formed, should be submitted to a vote of the people. It was held by those most intelligent on the subject that, in view of all the difficulties surrounding that Territory, the danger of any experiment at that time of a popular vote, it would be better that there should be no such provisions in the Toombs bill; and it was my understanding, in all the intercourse I had, that that Convention would make a Constitution and send it here without submitting it to the popular vote."

In speaking of this meeting again on the 21st December, 1857 (*Congressional Globe*, same vol., page 113), Senator Bigler said:

"Nothing was further from my mind than to allude to any social or confidential interview. The meeting was not of that character. Indeed, it was semi-official, and called to promote the public good. My recollection was clear that I left the Conference under the impression that it had been deemed best to adopt measures to admit Kansas as a State through the agency of one popular election, and that for delegates to the Convention. This impression was the stronger because I thought the spirit of the bill infringed upon the doctrine of non-intervention, to which I had great aversion; but with the hope of accomplishing a great good, and as no movement had been made in that direction in the Territory, I waived this objection and concluded to support the measure. I have a few items of testimony as to the correctness of these impressions, and with their submission I shall be content. I have before me the bill reported by the Senator from Illinois on the 7th of March, 1856, providing for the admission of Kansas as a State, the third section of which reads as follows:

"'That the following propositions be, and the same are hereby offered to the said Convention of the people of Kansas, when formed, for their free acceptance or rejection; which, if accepted by the Convention, and ratified by the people at the election for the adoption of the Constitution, shall be obligatory upon the United States and the said State of Kansas.' The bill read in place by the Senator from Georgia, on the 25th of June, and referred to the Committee on Territories, contained the same section, word for word. Both these bills were under consideration at the Conference referred to; but, Sir, when the Senator from Illinois reported the Toombs bill to the Senate, with amendments, the next morning, it did not contain that portion of the third section which indicated to the Convention that the Constitution should be approved by the people. The words 'AND RATIFIED BY THE PEOPLE AT THE ELECTION FOR THE ADOPTION OF THE CONSTITUTION,' had been stricken out."

I am not now seeking to prove that Judge Douglas was in the plot to force a constitution upon Kansas without allowing the people to vote directly upon it. I shall attend to that branch of the subject by and bye. My object now, is to prove the existence of the plot—what the design was, and I ask if I have not already done so? Here are the facts: the introduction of a bill by Mr. Douglas on the 7th of March, 1856, providing that the calling of a convention in Kansas to form a State Constitution should be submitted to the people for adoption; an amendment to this bill, proposed by Mr. Toombs, containing the same requirement; a reference of these various bills to the Committee on Territories; a consultation of Senators to determine whether it was advisable to have the Constitution submitted for ratification; the determination that it was not *advisable*; and a report of the bill back the next morning, with the clause providing for the submission stricken out. Could evidence be more complete to establish the first part of the charge I have made, of a plot having been entered into by somebody, to have a constitution adopted, without submitting it to the people? Now, for the other part of the charge, that Judge Douglas was in this plot—whether knowingly or ignorantly, is not material to my purpose. The charge is, that he was an instrument cooperating in the project to have a constitution formed and put into operation, without affording the people an opportunity to pass upon it. The first evidence to sustain the charge is the fact that he reported back the Toombs amendment with the clause providing for the submission stricken out. This, in connection with his speech in the Senate on the 9th of December, 1857 (Congressional Globe, part 1, page 15), wherein he stated—

"That during the last Congress, I [Mr. Douglas] reported a bill from the Committee on Territories, to authorize the people of Kansas to assemble and form a Constitution for themselves. Subsequently the Senator from Georgia, [Mr. Toombs,] brought forward a substitute for my bill, which, AFTER HAVING BEEN MODIFIED BY HIM AND MYSELF IN CONSULTATION, was passed by the Senate."

This of itself ought to be sufficient to show that my colleague was an instrument to the plot to have a Constitution put in force without submitting it to the people; and to forever close his mouth from attempting to deny it. No man can reconcile his acts and former declarations with his present denial, and the only charitable conclusion would be that he was being used by others without knowing it. Whether he is entitled to the benefit of even this excuse, you must judge on a candid hearing of the facts I shall present. When the charge was first made in the United States Senate by Mr. Bigler, that my colleague had voted for an enabling act which put a Government in operation without submitting the Constitution to the people, my colleague, (Cong. Globe, last session, part I, page 21,) stated:

"I will ask the Senator to show me an intimation from any one member of the Senate, in the whole debate on the Toombs bill, and in the Union from any quarter, that the Constitution was not to be submitted to the people. I will venture to say, that on all sides of the chamber, it was so understood at the time. If the opponents of the bill had understood it was not, they would have made the point on it; and if they had made it, we should certainly have yielded to it, and put in the clause. That is a discovery made since the President found out that it was not safe to take it for granted that that would be done, which ought in fairness to have been done."

I knew at the time this statement was made, that I had urged the very objection to the Toombs bill two years before, that it did not provide for a submission of the Constitution. You will find my remarks, made on the 2d of July, 1856, in the appendix to Congressional Globe of that year, p. 179, urging this very objection. Do you ask why I did not expose him at the time? I will tell you—Mr. Douglas was then doing good service against the Lecompton iniquity. The Republicans were then engaged in a hand to hand fight with the National Democracy, to prevent the bringing of Kansas into the Union as a Slave State against the wishes of its inhabitants, and of course I was unwilling to turn our guns from the common enemy to strike down an ally. Judge Douglas, however, on the same day, and in the same debate, probably recollecting, or being reminded of the fact, that I had objected to the Toombs bill when pending, that it did not provide for a submission of the Constitution to the people, made another statement which is to be found in the same volume of the Globe, at page 22, in which he says:

"That the bill was silent on the subject is true, and my attention was called to that about the time it was passed, and I took the fair construction to be, that powers not delegated were reserved, and that of course the Constitution would be submitted to the people."

Whether this statement is consistent with the statement just before made—that, had the point been made, it would have been yielded to, or that it was a new discovery—you will determine; for, if the public records do not convict and condemn him, he may go uncondemned, so far as I am concerned. I make no use here of the testimony of Senator Bigler to show that Judge Douglas must have been privy to the consultation held at his house, when it was determined not to submit the Constitution to the people, because Judge Douglas denies it, and I wish to use only his own acts and declarations, which are abundantly sufficient for my purpose.

I come now to a piece of testimony which disposes of all these various pretenses which have been set up for striking out of the orignal Toombs proposition the clause requiring a submission of the Constitution to the people, and shows that it was not done either by accident, by inadvertence, or because it was believed that, the bill being silent on the subject, the Constitution would necessarily be submitted to the people for approval. What will you think, after listening to the facts already presented, to show that there was a design with those who concocted the Toombs bill as amended not to submit the Constitution to the people, if I now bring before you the amended bill as Judge Douglas reported it back, and show that the clause of the original bill requiring submission was not only struck out, but that other clauses were inserted in the bill, putting it absolutely out of the power of the Convention to submit the Constitution to the people for approval, had they desired to do so? If I can produce such evidence as that, will you not all agree that it clinches and establishes for ever all I charged at Chicago, and more too?

I propose now to furnish that evidence. It will be remembered that Mr. Toombs's bill provided for holding an election for delegates to form a Constitution, under the supervision of Commissioners to be appointed by the President, and in the bill, as reported back by Judge Douglas, these words, not to be found in the original bill, are inserted at the close of the 11th section, viz:

"And until the complete execution of this act, no other election shall be held in said Territory."

This clause put it out of the power of the Convention, had it been so disposed, to submit the Constitution to the people for adoption; for it absolutely prohibited the holding of any other election than that for the election of delegates, till that act was completely executed, which would not have been till Kansas was admitted as a State, or at all events, till her Constitution was fully prepared and ready for submission to Congress for admission. Other amendments reported by Judge Douglas to the original Toombs bill, clearly show that the intention was to enable Kansas to become a State without any further action than simply a resolution of admission. The amendment reported by Mr. Douglas, that "until the next Congressional ap-"portionment, the said State shall have one Repre-"sentative," clearly shows this, no such provision being contained in the original Toombs bill. For what other earthly purpose could the clause to prevent any other election in Kansas, except that of delegates, till it was admitted as a State, have been inserted, except to prevent a submission of the Constitution, when formed, to the people? The Toombs bill did not pass in the exact shape in which Judge Douglas reported it. Several amendments were made to it in the Senate. I am now dealing with the action of Judge Douglas, as connected with that bill, and speak of the bill as he recommended it. The facts I have stated in regard to this matter appear upon the records, which I have here present to show to any man who wishes to look at them. They establish, beyond the power of controversy, all the charges I have made, and show that Judge Douglas was made use of as an instrument by others, or else knowingly was a party to the scheme to have a government put in force over the people of Kansas, without giving them an opportunity to pass upon it. That others high in position in the so-called Democratic party were parties to such a scheme, is confessed by Gov. Bigler; and the only reason why the scheme was not carried out, and Kansas long ago forced into the Union as a Slave State, is the fact that the Republicans were sufficiently strong in the House of Representatives to defeat the measure. I know there is a class of men so governed by prejudice and trammeled by party ties that, with all this evidence before them, they will turn away, and, without being able to controvert or meet the facts, coolly declare it all false. There is no reasoning with or convincing such men, who are ready to deny the evidence of their own senses in order to serve a party purpose. They remind me of a story told of a man by the name of Mike, who had slipped into his neighbor Pilkington's one day, and broken a false face which the old gentleman had, upon which he set a high value. He suspected Mike, and charged him with it, but Mike denied it. A friend of Mike's who saw him do the mischief, meeting him soon after, inquired why he did it. Mike's reply was, "Why, Pilkington charged me with doing it, but I denied it, and that cleared me." So, some persons seem to suppose they have only to deny certain facts, no matter how well established, and that will disprove them.

I shall not weary you by reading further from the record of Judge Douglas, but will refer to a few well-known facts disclosed in his political history. A few years ago he proclaimed the Missouri Compromise a sacred thing, which no hand was ruthless enough to disturb. Shortly afterward, his was the hand stretched forth to abolish it. In January, 1854, he stated in a written report that the repeal of the Missouri Compromise in the organization of Nebraska would be a departure from the Compromise measures of 1850. In less than sixty days afterward he inserted a provision in the Nebraska bill declaring the existence of the Missouri Compromise inconsistent with the legislation of 1850. In 1854, after the repeal of the Missouri Compromise, he declared that the people of the Territory of Kansas had the right, WHILE IN A TERRITORIAL CONDITION, to regulate the subject of Slavery for themselves. Now he indorses the *obiter dicta* of decisions of the Supreme Court, declaring that neither CONGRESS nor the PEOPLE of a Territory have a right to exclude Slavery. To show you how fully he indorses the *dicta* in the Dred Scott case, I will read you an extract from his speech, delivered in Springfield, June 12, 1857. Alluding to the opinions of the Judges he said:

"The Court did not attempt to avoid responsibility by disposing of the case upon technical points, without touching the merits, nor did they go out of the way to decide questions not properly before them, and directly presented by the record. Like honest and conscientious Judges, as they are, they met and decided each point as it arose, and faithfully performed their whole duty, and nothing but their duty, to the country, by determining all the questions in the case, and nothing but what was essential to the decision of the case upon its merits."

To show how completely the opinions of the Judges in the Dred Scott case uproot anything like Popular Sovereignty in a Territory, I will read a single sentence from the opinion of the Court, as pronounced by Judge Taney. After stating that Congress has no power under the Constitution to exclude Slavery from a Territory, Judge Taney says:

"If Congress itself cannot do this—if it is beyond the powers conferred on the Federal Government—it will be admitted, we presume, that it could not authorize a Territorial Government to exercise them. It could confer no power on any local government, established by its authority, to violate the provisions of the Constitution."

The idea of sustaining Popular Sovereignty in a Territory and the doctrines of the Dred Scott decision in the same breath, is so utterly inconsistent that one or the other had to be abandoned; hence, we now find Mr. Douglas contending that Popular Sovereignty means the right of the people of a Territory, when they come to form a State, to regulate their own affairs—a right never denied by any one.

Having thus completely established the complicity of Douglas in the attempted fraud upon the people of Kansas by this overwhelming array of testimony, Judge Trumbull then directed the attention of the audience to the extraordinary extravagance of the present Democratic Administration. His remarks on this subject were replete with statistics, showing a wastefulness and recklessness of the people's money that ought to brand an Administration with shame, and good cause, of itself, for hurling it from power.

Of the relations of Douglas to the Administration, Judge Trumbull spoke with marked effect. In but a single issue (the Lecompton question), had he differed with the administration, and now he stood as squarely on the Cincinnati platform and the Dred Scott decision as it was possible for Buchanan himself to do. All who supported Douglas were helping to strengthen the hands of the very party which attempted to force a swindle on the people of Kansas, and which now would repeat the same thing, and endeavor to force Slavery into any other Territory against the will of its people, if the slave power should demand it at its hands.

Judge Trumbull then reviewed the Republican creed on the subject of Slavery, utterly disclaiming for it any intention to interfere with that institution in the States, while the efforts of the party were directed to preserving the Territories from its baneful influences. He contended that the safety of the country depended on the success of that party, and its defeat would be a blow aimed at the rights of free white men and free labor most disastrous in its consequences.

At the conclusion of his speech, Judge Trumbull retired from the stand amid the most prolonged and enthusiastic applause.

Official returns have been received from every county in Kentucky but Letcher County. Revill's official majority is 13,065. The vote of Letcher is 363 for Revill and 117 for McKee. This would give Revill a majority of 13,341.

LATEST FROM QUARANTINE.

From Our Special Reporter.

QUARANTINE, Monday, 4 p. m.

The work of erecting the temporary buildings ordered by the Board of Health of New-York for hospital accommodations until permanent structures shall be completed by the Commissioners of Emigration, is progressing rapidly. Fifty carpenters are already employed, and the number is increasing. The office of the Health Officer is already completed. A hospital building of 100 feet in length by 25 feet in breadth was commenced to-day, and will be completed by the middle of the week, and the only result that has been effected by the incendiaries has been the deprivation of the sick of good accommodation leaving them for days unsheltered, and the murder of Mathews. Others will probably die from exposure, who might have been saved by careful nursing and treatment, and another result that will probably be propitiated by the lawlessness is an increased taxation upon Richmond County to pay the damage sustained by the State through the riotous proceedings of its citizens.

There were two alarms last night. The police stationed at the west wall of the Quarantine grounds disliked being in immediate proximity to a quantity of bedding piled near them, fearing it might contain the infection. The sergeant in command of the company gave orders to burn the bedding, and it was at once set on fire. The flames were observed at the United States Government storehouse, and two revenue officers ran down and gave the alarm to the police. The whole force was immediately called out. They fell into line, and literally "marched up the hill, and then—marched down "again." Again, at 12 o'clock, a few of the men who had not retired to rest in their tents, to vary the monotony of their life, took a stanchion and pushed over the north wall of the gate-keeper's lodge. It fell with a tremendous crash, and the sound, to the sleeping policemen, was like a fire of musketry. In an instant the whole camp was aroused and in arms; but the cause of the alarm being explained, they retired once more to their tents.

The rumor of an attempt to fire Kramer's shanties on Saturday night has no foundation in fact; and since the advent of the police I have heard of no further intended demonstration against property. There is no assurance, however, based upon the present quiet that on the completion of the temporary accommodations, they will not be destroyed in their turn, unless a force is kept on the grounds to defend them against the incendiaries. There is probably no immediate intention of withdrawing the force. Drs. Freligh and Mott, police surgeons, visited the camp this afternoon, and are to render a report to the Police Commissioners to-morrow. They recommended that the present force be retained here, as they have become inured to camp life, but that arrangements be made at once to have bedding furnished them and better facilities for cooking.

Last night, the surgeon of the Sabine came on shore to visit the marines quartered at the Government store-house, some of whom had been complaining. Some fears were expressed that the yellow fever had broken out among them. An examination proved that the fears were groundless. Only one man was sick, and he with an ordinary fever. To-day he was conveyed on board the Sabine.

This morning five additional parties, alleged to have participated in the incendiarism, were arrested. Charles Stebbins voluntarily gave himself into the custody of Officer Wilder, at Burns's Hotel, learning that a warrant had been issued for his arrest. John Carroll, M. P. O'Brien, Thomas Garrett and Patrick O'Hare, also came to the Quarantine landing and gave themselves into the custody of Officer Devoe. The prisoners were all conveyed to the city.

Thos. C. Burns, the proprietor of Nautilus Hall, the headquarters of the incendiaries, and who was a prominent actor in the scenes of Wednesday and Thursday nights, though professedly attempting to put out the fire, has recovered from his sickness, and has gone to the city. He was formerly the officer of the Commissioners of Emigration employed at Castle Garden to discharge immigrant ships, and was paid a salary of $1,000 per annum. The Board are satisfied with his services at least for the present, and have suspended him from employment pending the consideration of the question as to what relation he sustained to the rioters on Wednesday last.

The Quarantine grounds form a portion of an estate belonging originally to Gen. Lovelace, who was Governor of the colony after its cession to the English by the Dutch. Miss Lovelace, a niece of the Governor, married a gentleman named Duxbury, to whom the whole farm, numbering several hundred acres, was given. This occurred nearly a century and three quarters since. Mr. Duxbury, by will, bequeathed the whole farm to St. Andrew's Church on Staten Island for its support, and from the church, by act of Legislature, the portion of the farm occupied as the Quarantine grounds was purchased by the State. It is stated that if the Quarantine is removed, the St. Andrew's Church will attempt to recover possession of the grounds, basing its claim on the fact that the ground was ceded for Quarantine purposes; so that, under any circumstances, the State occupies a dubious position. If they attempt to retain the Quarantine on its present location, the Staten Islanders threaten to burn the buildings; if they remove, St. Andrew's Church (if the statement be true) will seek to take the property from the State.

No deaths have occurred to-day within the grounds to the present hour. Dr. Walser stated, however, that he does not expect one patient suffering from yellow fever to survive the night. The Cinderilla arrived an hour since from the Lower Bay bringing one case of yellow fever; the patient was conveyed to the barn on the hill.

Intelligence has just been received from New-York to the effect that Gov. King intends issuing a proclamation declaring the County of Richmond in open rebellion against the laws of the State, and ordering a military force to be placed here to prevent the recurrence of the acts of violence on Wednesday and Thursday. The announcement has created considerable excitement, notwithstanding the fact that as yet it is a mere rumor.

The Castleton Board of Health held a secret session at Burn's Hotel. They met at 8 o'clock this morning, and sat until noon. During their sitting Mr. Frean moved the appointment of fifty men in addition to the four Constables of the town to patrol the town and guard all the places of entrance and exit to and from the Quarantine ground inclosure, at a compensation of $1 50 per diem; that twenty-five men be on duty during the day, and twenty-five during the night, alternately. Mr. De Forrest seconded the motion, which was unanimously carried. It was then moved and carried that Messrs. Freau and De Forest draw up the rules and regulations for the gouernment of this force, force, and submit the same to the Board at the next meeting, which is expected to tace place to-morrow morning. During the afternoon a number of the policemen rendered efficient service in pulling down such portions of the ruins of the principal building as in any manner jeoparded the lives of those who had occasion to pass to and fro. The police also succeeded in rescuing from the ruins of the same building an iron safe, containing some silver spoons, and a large number of private papers and memorandums belonging to the institution. The safe was quite hot when extricated from the building, and on knocking a hole through the bottom, and thereby admitting air, the papers and light partitions within instantly ignited. The flame was extinguished by the application of a pail or two of water; but, with the exception of two dozen silver table spoons, the same number of teaspoons, and a small quantity of silver which had been melted, this was the only property saved from destruction. All the papers, bills, &c., were burned to a crisp.

About 5 o'clock p. m. a fire engine was brought to the Island on board the steamer Dr. Kane, and immediately set to work playing upon the immense heaps of burning coal. Up to 7 o'clock p. m. all remained quiet, both in the village and Quarantine enclosure, with every appearance of remaining so for the rest of the night.

The bark Ama, from Sagua la Grande, arrived and reported that she had had several cases of yellow fever on board during the passage. Two mates had died, and two of the crew besides. The vessel was ordered to be cleased and fumigated.

A woman, sick of the fever, was brought from the infected portion of Tompkinsville into Quarantine on Monday, and it is said cannot survive until morning. It appears that great quantities of the bedding used in the burned Hospitals were stolen on the night of the fire, and are now in use. From the contageon caused by these, it is supposed that the case above mentioned originated.

The are now 31 cases of sickness under the charge Dr. Walser, and of these most are yellow fever.

WHY THE POLICE WERE NOT SENT TO QUARANTINE?

The excuse that Gen. Tallmadge, Superintendent of Police, gave to Mayor Tiemann, at the Telegraph dinner, on Thursday evening, for not sending down a police force to protect the Quarantine buildings was, that he had not been required to do so—that he had not received any requisition. The General added that he did not think there would be much of a shower, in other words, he thought that there was a great deal more excitement than there was any occasion for; they had, he believed, done all the burning they intended to do, and he had contented himself with sending down several detectives to hunt up the ringleaders. Then the General went to his turtle soup and wine, and the Staten Island incendiaries about the same time resumed their carnival.

As soon as the mob commenced their work of destruction at Quarantine, Wednesday night, the Harbor Police boat was dispatched to the city, and at 2 o'clock, Thursday morning, Gen. Tallmage was waked up by a Sergent of the Harbor Police, accompanied by Capt. Weed of the Second Ward. The condition of affairs at the Marine Hospital was reported to Mr. Tallmage, and he was further informed (which was the rumor), that the Health Officer was shut up in his house, defending himself against the mob. Capt. Weed told the General-Superintendent that if he would give him the authority he would have a force of 100 policemen, well armed, ready to go to the Island by the first boat (6 a. m). Gen. Tallmage replied, "No, there is no use in exposing the men's "lives, the mob have burned up everything by this "time, and it wont do any good to go down now." Then Mr. Tallmage returned to his bed.

In the morning Mayor Tiemann telegraphed for Mr. Tallmadge and Gen. Gen. Nye; neither of them could be found. He sent messengers after them with the same result. Subsequently he met Capt. Crabtree, who told him that Gen. Nye had promised to send down sixty armed men at once, which satisfied him.

Capt. Crabtree, Vice President of the Commissioners of Emigration, states that on Thursday morning early he went down to the Quarantine grounds and returned in the 1-o'clock boat. At half past 2 o'clock he went to the office of the Commissioners of Police and stated that he had good reason to believe that the remaining buildings at Quarantine would be burned down that night, if there was no police force there to protect them. Gen. Nye, the only Commissioner present, asked what force the Commissioners wanted? The captain replied sixty good able men, whom he would supply with volcanic repeating rifles. Mr. Nye said, very well. The captain then asked him if there was anything more which was necessary for him to do; could he rely upon these men being sent. Gen. Nye replied, "Yes, certainly, they should be sent before night." Capt. Crabtree then went and engaged the rifles at the warehouse in Broadway, telling the proprietor to deliver them on presentation of an order from him. Capt. Crabtree then gave the order to Mr. Casserly, Secretary to the Commissioners of Emigration, telling him to take it to the Commissioners of Police, and tell them when their men marched down to the boat, to take the order and stop in at the store for their arms and ammunition. Mr. Casserly did as ordered, and Capt. Crabtree, being sick, went home.

The policemen were not sent down, and Dr. Bissell, who, counting upon their aid, as promised, had made preparations to defend the property of the State, was obliged to stand by and see the lawless mob consummate their work unmolested.

On Friday morning, Gov. King, Mayor Tiemann and Gen. Nye met the Commissioners of Emigration. Capt. Crabtree related to the Board the particulars of his interview with Gen. Nye, and his promise to send a force to Quarantine.

Gen. Nye said he wished to make some explanation. After receiving Capt. Crabtree's requisition, he sat down and wrote an order, to which he signed his name as President of the Police Commission, for sixty men, to be sent down immediate to Quarantine to maintain the peace and protect the buildings at the Marine Hospital.

This order he addressed to Mr. Tallmadge, the General Superintendent. He was surprised at the Telegraph dinner, in the evening, to find, on communicating with Gen. Tallmadbe, that he had not obeyed the order. It was then too late to send any men down, so the buildings were burnt. Gen. Tallmadge's reason for not sending the men was that if he sent them they would have to remain in Quarantine during the entire sickly season, as it was an infected district. The General therefore thought he would not execute Mr. Nye's orders without the action of the full Board.

Gen. Tallmadge was suspended yesterday for insubordination, and will probably be removed.

From this statement it will be seen that the entire responsibility of allowing the mob to destroy the remainder of the Quarantine buildings, with all the attendant suffering to the unsheltered sick, rests with Frederick A. Tallmadge.

WHAT GOV. KING INTENDS TO DO.

It was stated yesterday, and we learn it from good authority, that Gov. King intends to issue a proclamation to-day declaring the County of Richmond in a state of insurrection, ordering the military of the State to protect the Quarantine and maintain the peace in Richmond County, calling upon the authorities to construct indestructible buildings at Quarantine in place of those destroyed by the mob; directing the Attorney-General to investigate the origin and authorship of the riots, and prosecute the ringleaders for arson and the county for damages. Gov. King left for Albany for that purpose last evening.

THE QUARANTINE WAR IN THE SUPREME COURT.

Yesterday afternoon, upon the application of Mr. Wm. H. Anthon, counsel for Thomas Garrett, one of the men arrested for violating Quarantine, Judge Davies granted a writ of habeas corpus, directing the Warden of the City Prison to produce him forthwith.

The following is Garrett's petition:

The petition of Thomas Garrett of the County of Richmond shows that he is detained and restrained of his liberty in the City Prison of the City of New-York; and that he is not committed or detained by virtue of any process issued by any Court of the United States, or by any Judge thereof; nor is he committed or detained by virtue of the final judgment or decree of any competent tribunal of civil or criminal urisdiction, or by virtue of any execution issued upon such judgment or decree; that the cause or pretense of such detention, according to the best of the knowledge and belief of your petitioner, is as follows: That your petitioner was this day arrested under an order or warrant granted by Jas. H. Welsh, esq., one of the Police Justices of the City and County of New-York, on a complaint made against your petitioner for an alleged invasion of the Quarantine ground, in the County of Richmond, and an alleged interference with one R. H. Thompson, Health Officer of the Port of New-York, in the performance of his duties; that your petitioner was brought before said Justice Welsh in accordance with said warrant, and did then and there elect to be tried at the Court of General Sessions, to be held in and for the City and County of New-York, according to the requirements of the statute, protesting, however, against any trial, except before a Jury of the County of Richmond; that your petitioner did also waive an examination, and did demand to be held to bail, and did tender to said Justice a good and sufficient surety for that purpose; that said Justice refused to examine into the sufficiency of said surety, and did commit this petitioner to the City Prison of the City and County of New-York. Wherefore, your petitioner prays that a writ of habeas corpus issue, directed to the Sheriff of the City and County of New-York, commanding him to have the body of the said Thomas Garret before Henry E. Davies, esq., one of the Justices of the Supreme Court, immediately after the receipt of this writ. Dated the sixth day of Sept., 1858.

(Signed.) THOMAS GARRETT.

Shortly before 1½ o'clock, the prisoner was produced in Court.

The Warden returned the commitment issued by Justice Welsh.

Mr. Anthon contended that the Quarantine laws were unconstitutional and commented on the conduct of Mr. Thompson, the Health Officer.

Judge Davies remarked that his duty in this case was to hear and decide it under the laws as they existed.

Mr. Anthon argued that the Constitution of the State made offenses triable in the county in which they were committed, while the Quarantine act takes away that right and makes him triable in this county. The magistrate was in error in refusing the prisoner his liberty on bail, and the magistrate could not compel him to go on after he had waived the same.

Mr. Sedgwick, the Assistant District-Attorney, claimed that the Justice had a right to go on with the examination for the people, and that the examination of the prisoner himself and his witness only could be waived by him. When public interests required it, the magistrate had the power of holding the prisoner until the examination was concluded.

The Judge reserved his decision until he had consulted with Judge Ingraham. Meantime the prisoner is to remain in the custody of the officer. Judge Davies said he would give his decision on Tuesday at 12 o'clock m.

THE COMMISSIONERS OF POLICE.

THE GENERAL SUPERINTENDENT OF POLICE SUSPENDED FROM DUTY.

Yesterday morning about 11½ o'clock the Board of Commissioners of Police met at headquarters, and went into secret session. All the Commissioners were present, as was also his Excellency, Gov. King.

The meeting was called relative to the trouble at Quarantine, and the principal subject discussed was the non-fulfillment of an order issued to General Superintendent Tallmadge by the President of the Board.

The following resolutions were unanimously adopted, and a copy of the first three sent forthwith to the General Superintendent:

Resolved, That because of the non-execution of an order of the President of this Board, dated Sept. 2, addressed to the General Superintendent, directing him to detail a force of men to guard the Hospital at Quarantine, the General Superintendent be and he is hereby suspended from duty until the further action of this Board.

Resolved, That until such action the Deputy Superintendent of New-York be directed to discharge the duties of the General Superintendent.

Resolved, That this Board do meet on Friday, the 10th inst., at 2 o'clock, to investigate the cause of the non-execution of the order refered to, and that the General Superintendent be notified of such meeting.

Resolved, That the present number of men detailed at Quarantine be continued, but that Capt. Walling have power to relieve the men on duty from time to time, and the acting General Superintendent be directed to send young and able-bodied men in their place.

Resolved, That two of the Police Surgeons proceed to Quarantine to see that the policemen there stationed be encamped where there will be no danger from infectious or contagious disease, and to report to this Board forthwith on the foregoing, and in reference to the general condition of the men; and that the Surgeons be designated by the President of the Medical Board.

The Board adjourned at 3 o'clock.

COMMISSIONERS OF HEALTH.

A meeting of the Health Commissioners was held yesterday, at which the reporters were again admitted.

The Mayor presented the following correspondence:

COMMANDANT'S OFFICE, NAVY YARD, NEW-YORK, Sept. 4, 1858.

To the Hon. D. F. Tiemann, Mayor of the City of New-York, and President of the Board of Health Commissioners.

SIR: I have the honor to inclose a copy of a communication received this day from the Navy Department, directing me to make application to the proper authorities for the release of the United States ship Susquehanna from Quarantine. Pursuant to this direction, I have the honor to make the application, and request your early reply.

I am, Sir, very respectfully,
Your obedient servant,
L. KEARNEY, Commandant.

NAVY DEPARTMENT, Sept. 3, 1858.

SIR: Be pleased to make an application to the proper authorities for the release of the Susquehanna from Quarantine.

I am, respectfully, your obedient servant,
ISAAC TOUCEY.

Com. L. KEARNEY, Commandant Navy Yard, New-York.

The matter was referred to the Health Officer to report.

Dr. Thompson stated that on the Quarantine grounds yesterday, Capt. Rich, who commanded the marines, applied to him for a pass to admit a friend of his to dine with him. He responded affirmatively; but on learning that the friend was Ray Tompkins, he said he could not give a pass to such a man.

At the request of the captain he put the refusal in writing, and Capt. Rich and Mr. Locke, the Revenue Boarding-Officer at Quarantine, went away together. Since then he had learned that Rich and Locke went with a barge to the steamboat landing, and there took in Tompkins, and brought him back within Quarantine limits, where the three dined together. He also learned this morning that the same parties took him back in the same way.

This action on the part of Tompkins and the Federal officers, was a violation of Quarantine laws, and on the part of the officers, of United States statutes; so that all these parties engaged in smuggling him in were guilty of violating not only the State, but the United States laws.

Mr. Miller said straws sometimes showed how the wind blew, and this matter seemed to show that the Federal authorities were in complicity with the Staten Islanders, in the late destruction of public property at Quarantine.

He moved that the Health-Officer be directed to procure affidavits of the facts he had stated, and report to this Board, with a view to instituting prosecutions. Carried.

Mr. Thompson said, on Friday and Saturday last fourteen cases of yellow fever were brought up from the shipping in the lower bay. These cases had been placed in the tents on the Marine Hospital grounds. Those tents were but slight protection even to the well from the weather, and the sick in there in jeopardy of their lives. The policemen had found the tents inadequate to shelter them from storms. Better shelter should be at once afforded, not only for the sick, but for the officers and employees, and better accommodations every way, to enable them to live there.

The Mayor said they would bring up the matter this afternoon at the meeting of the Commissioners of Emigration. This board could not go beyond providing temporary accommodations.

Dr. Rockwell moved that the Mayor be requested to lay the matter before the Commissioners of Emigration to-day. Carried.

The Mayor suggested that the $30,000 appropriated for Quarantine in another place be transferred to rebuilding the burned buildings. The Governor could take that course if he chose, and would be sustained in it, although it would not be strictly legal.

Mr. Bean, the boss stevedore at Quarantine, applied to the Board for one hundred muskets or rifles to arm his men with.

The Mayor promised to lay the matter before the Commissioners of Emigration, and thought the arms would be forthcoming.

Mr. Olney, who has charge of the barges, also applied for arms for twelve men to protect the barges. He thought he could find that number who would be reliable.

Some other business was transacted, and the Board adjourned.

The Mayor this morning received petitions, numerously signed, praying that steps may be immediately taken "to provide, at the Quarantine grounds, "substantial and noncombustible structures, in place "of those which have been so wantonly destroyed."

COMMISSIONERS OF EMIGRATION.

The Board held a special meeting yesterday afternoon, the Hon. Gulian C. Verplanck, esq., in the Chair, and Messrs. Cummings, Curtis, Hunt, Jellinghaus and Hunt, Governor King and Dr. Rockwell, present. Governor King had a private conference with the Commission in reference to future action. The President of the Board reported that he had informed the Commissioners of Health of the state of the Quarantine establishment, and that the Commission was not authorized to use their funds for the reconstruction of the Hospitals.

The following letter from Dr. Bissell was received and read:

OFFICE OF THE COMMISSIONERS OF EMIGRATION, New-York, Sept. 6, 1858.

To the Board of the Hon. Commissioners of Emigration:

I have to inform you that Mr. Locke, the United States Boarding Officer at Quarantine, has taken possession of the building heretofore used as a wash-house for the institution, and refuses to allow us to occupy it for this or any other purpose, but says he will allow us to remove the Commissioners' property from