

Mr. BARKSDALE (Miss.) said the service had been increased on the application of Members of Congress, and complained of the Postmaster General on having extended mail facilities to the hitherto neglected South and West.

Mr. SICKLES (N. Y.) remarked that the amendment would be a positive relief to the Postmaster General, and he could not imagine how it could in any possible sense be offensive to him.

Mr. SEWARD (S. C.) offered an amendment providing that the money shall be spent equally in all the States. He did so to show the utter folly and impracticability of Mr. Garnett's position, that the Post Department should be self-sustaining.

Mr. JOHN COCHRANE (N. Y.) was convinced the Department should not be in an economical or political sense a self-sustaining machine. As to New-York, the receipts were largely in excess of the expenditures.

Mr. LETCHER (Va.) thought the Department should be self-sustaining. It was so in former years, under all the disadvantages now existing.

Mr. JOHN COCHRANE, resuming, spoke in favor of the abolition of the franking privilege as the only way to save the Government from the enormous expense of the franking privilege.

Mr. MOORE (Ala.) said, if the receipts of New-York were largely in excess of the expenditures, it was in consequence of Ocean Mail facilities being conferred on that city.

Mr. SMITH (Va.) made similar remarks. Mr. SICKLES replied, asserting on official data that the service in New-York is self-sustaining, and is in fact the amount of \$100,000 annually.

Mr. FLORENCE (Penn.) thought this rivalry between gentlemen, in and out of New-York, should cease. He trusted that when the Ocean Mail steamer bill came up, gentlemen would exercise a wise discretion and distribute that kind of service all over the Union, to the great benefit of the country.

Mr. BRANCH (North Carolina) favored Mr. Garnett's amendment, while he would make the most liberal liberal arrangements. It was only of late years that the House of Representatives had allowed to call the Public Treasury, and this presented a greater reason why Congress should limit and control his discretion in expenditures.

Mr. GARNETT said his amendment had nothing to do with the Ocean or Overland mails. He merely asked that the purse of the nation shall remain under the Constitution and not at the indiscriminate mercy of any Executive officer.

After further debate, Mr. Garnett's amendment was rejected by Yeas, 24; Nays not counted.

Messrs. AVERY and ATKINS severally replied to the remarks made yesterday by Mr. Blair, and with much earnestness defended the Postmaster-General from the charges that he had been allowed to call the Public Treasury, and this presented a greater reason why Congress should limit and control his discretion in expenditures.

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Senatorial Convention in New-Jersey.

Special Dispatch to The N. Y. Tribune. TRENTON, Tuesday, Feb. 22, 1859. The House of Assembly of New-Jersey have adopted a resolution to go into joint meeting on the 24th of March for the election of a United States Senator.

Later from California. (Via the Overland Mail.) St. Louis, Monday, Feb. 21, 1859. The Overland Mail, with San Francisco dates of the 28th ult., has arrived.

A fight between a party of volunteers, under Capt. Hensick, and a large body of Indians, had occurred in Humboldt County, in which twenty Indians were killed, and a large number taken prisoners.

The Los Angeles Vineyard says there is good reason to believe that a party of fifteen men, belonging to the Stockton and Albuquerque Mail Company, have been massacred on the Colorado by the Mohave Indians.

The fight between the Mohaves and Col. Hoffman's escort is confirmed. Victoria dates are to the 22d ult. A bill to legalize the decimal currency has been introduced in the Vancouver's Island Assembly.

Large amounts of merchandise were being smuggled into British Columbia from the adjacent American towns. Frazer River had risen several feet, and was free of ice, and the miners were generally at work.

A card published in The San Francisco Herald, inviting the address of John Nugent, had caused considerable excitement at Victoria, and several counter cards had appeared.

Considerable rain had fallen in California and along that end of the mail route. Emigration continued from Texas to the Gila River mines.

Capt. Johnson, a passenger from Fort Belknap, en route to Washington, was robbed as he stepped from the train at the Pacific Railroad of \$1,000 in money and several hundred dollars worth of Treasury drafts.

ARRIVAL OF THE STEAMSHIP QUAKER CITY. NEW-ORLEANS, Monday, Feb. 21, 1859. The steamship Quaker City arrived this evening, with San Francisco dates of the 5th inst. and 163 passengers.

The Pacific Mail steamship John L. Stephens, which left San Francisco on the 5th, had on board \$1,400,000 in treasure, of which \$1,000,000 was for New York and the balance for England.

She also had 250 passengers for the Panama route. Business was brisk at San Francisco, and money easy. Coffee had advanced; Rio, 29 1/2c. Admantine Candles, 31c. Domestic liquors advanced.

Arrived at San Francisco previous to 5th inst., ships Menmon from Boston, Mary Whitmore from New York, Boston Light and Penguin from Hong Kong, Friendship from Honolulu, Mary F. Slade from Macao, and Moraine from Cardiff.

[Via St. Louis, we learn that the Penguin and Boston Light arrived previous to the 24th ult.] There had been heavy rains in California, and the whole country was excessively muddy.

The news from the mines is favorable. The California Legislature, by a vote of fifty to one, has requested Senator Broderick to resign.

From Oregon the intelligence is that the Indians were quiet. The Indians in Southern California were troublesome, and Gen. Clark was about to proceed with 500 men to chastise them.

The Southern Pacific Railroad. NEW-ORLEANS, Monday, Feb. 21, 1859. President Fowkes left for Marshall, Texas, on Saturday, to be present at the sale of the road on the 1st of March. He has published a statement, showing a deficit of \$200,000 in the affairs of the company, and says that he shall buy the road for the stockholders of the old company, under judgment of the Court.

From Albany. ALBANY, Tuesday, Feb. 22, 1859. The Governor issues a proclamation for an election in the XXth Senatorial District, to fill the vacancy caused by Mr. Stow's death, on the 15th of March.

The Seminole Bound West. NEW-ORLEANS, Monday, Feb. 21, 1859. The steamship Magoola arrived yesterday from Florida with Major Rector and 71 Seminoles on board bound to the west of Arkansas, and all in fine spirits.

The Steamer Potomack. BOSTON, Tuesday, Feb. 22, 1859. The deck-load of steamer Potomack was washed ashore, but the cargo in her hold has not started. She lays on good bottom, and may be got off after discharging cargo.

CAUSES OF DIVORCE. It is to be regretted that the laws of the different States conflict so greatly on the subject of divorce. Out of this contrariety of statutory enactments there is cause for eternal litigation.

Some States refuse to recognize a divorce granted in another State, while the Court where the decree was given had jurisdiction of both parties. This doctrine has been held in the Supreme Court of New-York, and now a bill is about to be introduced affirming those decisions. We hardly think there is any need of legislation on this question.

If it is law now, what is the use of sustaining it by any enactment? Let us look at the consequence of this conflict of laws. Suppose Brown marries in New-York and afterward goes to Ohio, leaving his better half here, and there obtains a divorce for habitual drunkenness. The laws of Ohio say he is a single man; but here we say his marriage still exists. If he returns he can be arrested for abandonment.

Should he die, our Courts would decree the widow dower. While in Ohio her claims would be repudiated. If Brown remarried in Ohio, would our Courts be obliged to recognize that marriage under the Constitution of the United States, which guarantees in one State the validity of contracts made in another? Aside from the Constitution, it is a principle of international law, that a marriage valid in the place where it is celebrated is valid everywhere. Suppose he dies, leaving both wife, and a child by each of them, surviving him; and that he also leaves property in Ohio and New-York, can the offspring of the second marriage, who is legitimate in Ohio, be declared a bastard here? There both children would inherit equally. The bastard brother in New-York would be a legitimate brother in Ohio.

Suppose a relative of the second wife dies in Ohio after her, and is possessed of personal and real property in this State, her son will be entitled to the property under the statute of distributions as lawful heir, because the distributions of such property are governed by the law of the place where the owner died; and in regard to the real estate, he is deemed a bastard incapable of inheritance. Here is a man in court with a double capacity. Here is a man in court with a double capacity. Here is a man in court with a double capacity.

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ful; both children would take equally, and dower be awarded to the second wife.

We do well to discourage divorce, but in passing laws condemnatory of the laws of other States, we should exercise the greatest prudence. First, we should inquire, will those enactments be recognized by the Federal Courts and the tribunals of other States? Secondly, if so, are they necessary for the guidance of our Judges? These questions have agitated England in regard to Scotch marriages and divorces. Last Winter a law, granting divorces for several causes, was passed by Parliament, to get rid of this annoyance. It must be remembered that at the time English tribunals repudiated Scotch divorces in regard to English marriages, and refused to recognize any second marriage in Scotland, the power of Parliament was not limited in the premises, like the power of our Legislatures.

More than thirty causes of divorce are recognized by the statutes of the different States. In South Carolina not one has ever been obtained. In Virginia there are three causes, namely: natural and incurable impotency at the time of the marriage, idiocy, and bigamy. In Alabama, adultery, or two years' abandonment. In Rhode Island impotency, adultery, extreme cruelty, willful desertion for the space of five years, continued drunkenness, neglect of the husband to provide necessaries for the subsistence of the wife, gross misbehavior and wickedness repugnant to the marriage contract. In New-Jersey divorce is granted for prior existing marriage, adultery, and willful absence for five years. In Vermont for nonage, mental incapacity, impotency, force or fraud, adultery, confinement in the State Prison for three years or more, intolerable severity, willful desertion for three years, absence for seven years unheard of, and where the husband, being of ability, grossly and wantonly neglects to provide for his wife. In Maine for adultery, impotency, desertion for five years, joining the Shakers for five years, confinement in the State Prison of any of the United States for five years, fraud in obtaining the consent of the other party, habitual drunkenness for three years; a marriage with an Indian or mulatto is void; and imprisonment for felony in the State, works a divorce without any judicial proceeding. In Kentucky for habitual drunkenness, condemnation for felony, cruelty of the husband, and for several other causes which we forbear to mention. In Illinois, for impotency, adultery, willful desertion for two years, extreme cruelty, habitual drunkenness for two years. In Missouri, for adultery, willful desertion for two years, conviction of an infamous crime, habitual drunkenness for two years, cruel treatment endangering life, intolerable indignities, vagrancy of the husband. In Iowa the same causes exist as in Missouri, to which is superadded, "when the parties cannot live in peace and happiness, and their welfare requires a separation." The law of Arkansas is the same as in Missouri, except that one year's absence is sufficient to free the abandoned party from the bonds of marriage. In Tennessee and Mississippi the law is nearly similar; while in Florida, to like enactments are added habitual indulgence of violent and ungovernable temper for one year, or drunkenness, or desertion for one year. In North Carolina, impotency, adultery, abandonment, turning the wife out of doors, cruelty or indignity on the part of the husband, or any other just cause. In Texas, impotency, excess, or cruel treatment, or outrages, or desertion for three years; the husband may have a divorce for the adultery of the wife, and the wife when the husband abandons her and lives in adultery. In Maryland the law is the same as in New-York, except that abandonment and three years' absence from the State is a cause of divorce. In Georgia, the old English ecclesiastical law governs. In New-Hampshire and Ohio similar laws to those of Vermont prevail. Extreme cruelty and absence for three years are causes for divorce in Delaware, to which Pennsylvania has added intolerable indignities. Congress has never conferred the power to grant divorce upon the courts in the District of Columbia.

MARINE AFFAIRS. FURTHER FROM THE BLACK WARRIOR. The following letter was received last evening, at 9 o'clock, from Capt. Brown, the Underwriter's agent, by Edwood Walter, esq., Secretary of the Board of Underwriters—dated Steamship Black Warrior, Feb. 22, 1859:

"Since advising you yesterday, I have fully ascertained the position of the ship. She is included in the list and was not, with a large fat seaward, and at 5 p. m. yesterday, could walk dry footed, nearly the length of her on the port side, with only 10 inches water on the starboard side. She was fully equipped with high water, and in a strong gale of saving her the weather continues fine."

THE STEAMSHIP MARION. The steamship Marion, ashore at Oyster Island, has been discharged of all her cargo. She still lies in the same position, is perfectly tight, and has received no damage.

COLLISION. The schooner E. Anderson, while passing through the Narrows yesterday morning, came in contact with an outward-bound schooner, and had all her sails carried away, also damaging her bulwark and head gear.

SUSPECTED OF AN ATTEMPT AT WIFE-MURDER.—An Irish laborer, named Christopher Martin, was arrested on Monday night at 9 o'clock, by the Eighteenth Ward Police, at his residence, No. 160 East Twenty-second street, on suspicion of throwing his wife out of a fourth-story window. The woman, who was inebriate when found, was taken to Bellevue Hospital. Thus far, owing to the inebriation of Mrs. Martin, nothing is further known of the case. The neighbors say that they heard Martin and his wife quarreling very violently; a crash followed, and the woman was found on the sidewalk. Martin says that she jumped out of the window. Justice Quackenbush has held Martin for examination.

THE ANNIVERSARY OF WASHINGTON'S BIRTHDAY was celebrated at the Parker Institute, by the United Order of Americans, on which occasion addresses were made by the Rev. W. S. Studley and others, and the exercises were interspersed with music.

DEATH OF SENATOR STOW.—We learn by telegraph of the death of Horton J. Stow, Senator from the XXIXth District, at Clifton Springs, Water-Cure, on Saturday evening last. He had suffered under an attack of dropsy so severe as to preclude him from taking of his seat this Winter, and the intelligence was by means transmitted. Mr. or "Judge" Stow, as he was commonly termed, was a lawyer by profession, and resided for many years at Buffalo, serving a term as Recorder. He was a delegate to the Constitutional Convention of 1846, where he signalled himself by his stubborn opposition to the innovations then made in our fundamental law. He was particularly hostile to the elective judiciary, and his emphatic denunciations of that policy, as well as his numerous eccentricities, are remembered by all the members of that assemblage. Some years since, Mr. Stow was removed to Lewiston, Niagara County, and gave up the practice of his profession. He abandoned his interest in political life with the dissolution of the Whig party, of which he had been a zealous member, but consented to run as an independent candidate for the State Senate, in 1857, against Alonzo S. Upham, the regular Republican nominee for the XXIXth District. His Republican opponent for the XXIXth District, receiving 6,744 votes, to 4,025 for Upham, and 3,515 for Phineas L. Ely, Democrat. The Americans and Silver Grays generally gave him their support.—[Evening Post.

MR. STOEPPEL'S HIAWATHA.

A fair-sized audience—the Academy being nearly half full—attended the first representation of this work. Having already given a full notice of it, there is no need of particularly left us as to its composition. We consider it a valuable addition to the music of the Concert-room, and, the subject being picturesque and varied, it and other such works ought to take the place of the obsolete oratorios. One of these, by the way, we characterized as a supreme bore—and we are glad to find that the most intelligent of the Boston press, no less than four of them, having found the ice broken for the first time in regard to these Handelian perivertices, are now for the first time saying a true aesthetic word in regard to them. The Boston Courier is closely logical; The Boston Transcript is absolutely witty in the awful infliction of Handel's Israelites in Egypt, with its plagues of frogs, lice, and other delicious materials for music; about as lyrical as bootjacks and old clothes. This dismal rubbish set to twenty odd figures, more or less, very skillful, and as lyrical as the multiplication table, is the sort of stuff that the rubrics would render eternal. But we are in America, not England; neither a George III, nor an Archbishop of Canterbury here can endorse a whole pile of crude musical forms, filled with much of the barbarisms of the day, without even a good melody; wanting in essential logical progress; and with only occasionally a redemptory passage to fit it to mortal ears. Mendelssohn may edit and may improve it, and a due reverence for what is vast is essential to music as to politics or religion; but there is a point beyond which human endurance cannot go. Besides, Mendelssohn wrote for the English people, and pleaded only Church and State. But his knowledge of effective dramatic vocal music never entitled him to play the supreme critic. He never had the force to write an opera, and so he took to the easy art of composing oratorios; oratorios based—shade of Pindar!—on prose extracts from the Bible, which, metrical, defy association with a single melody worth listening to.

On the subject of the choice of words there is no criticism, hence the ignorance of taking prose words here and there from the Bible, and supposing that anything really fit to be sung can be evolved therefrom. The radical Bible oratorio theory is false. It has no solid lyrical facts to sustain it. There are occasionally good pieces—some sublime; but the stand-point of such works is false. If music be metrical, the words must be, and the great mass of the words taken by oratorio writers from the Bible are not good. So think the public, who yawn under the infliction; and so think many of our best musicians, but they have not the courage to say so.

SINCE THE TRIBUNE, six years ago, gave a full statement on the bad character on English poetry as generally expressed in its meters—we wrote some three columns on the subject—there has been a change from the tri-corned lambics. Mr. Longfellow was the first to see the force of our theory, for his Hiawatha is trochaic, and is a wonderful improvement. Mr. Stoepfel could not have written twenty decent consecutive bars on the ordinary poetry, and not ten on prose words. Now he has produced a fine work, which will live. We do not really believe in any melodies as thoroughly poetic except those for the scene, and when there is the right to set off the music with appropriate gesture and movement. But a more tranquil style of melody, and one which is an agreeable relief, may be found in works conceived after the pattern of Hiawatha. There, of course, must be a difference in the bounding dactyl, or tragic grief of a character on the stage, and the narrative of the same thing, or the unreal egotism of the reciter "in children's dress." The one can be intense, the other cannot. But this apart, there is a wide field for vocal-instrumental music in the concert-room. The advance, too, is the ease of rehearsing such a work, where nothing is committed to memory, all being sung, book in hand; and there is no fierce bother, or crushing expense, as to dresses, scenery, action, and no stage-police.

We have to add a word on the orchestration of Mr. Stoepfel. It is elaborately beautiful. It holds the singer in strict time, which is proper enough for concert music, but would not do for the stage. This long-drawn style of accompaniment requires softer playing for the piano passages than was generally vouchsafed. At the times the singers were but imperfectly heard. The vocal parts were well sung by three good voices—one, Dr. Guilmette, much renowned and admired here; another, Mrs. Harwood of Boston, who has a very sweet voice and a nice mode of singing, suited to the simple simplicity of the character; the third, a very agreeable tenor, Mr. Millard, likewise of Boston.

The solo of the Great Spirit, the Barcarole and the Love-song, the Death song, etc., were all well received. One of the choruses, the Harvest song, was encored. The Mendelssohn Organ distinguished themselves. They were in great force. An admirable Society this. It wants only more tenors. The orchestra was very good, and strong; numbering fifty performers. It was led by M. Stoepfel. Mrs. Stoepfel read, amid loud applause, the literary portion of the work. Her dramatic pathos, toward the close, excited intensely strong approval. The piece succeeded, and merited success. It should be heard again. It would be well to try it at a Matinee in the Academy, so that many persons unable to come at night may enjoy it.

BULL'S HEAD.—It is now pretty certain that the operators for a rise have got the upper-hand of the butchers, and will hold it until we have a considerable increase in the supply of beefs, which will not happen this week. We found the number of bullocks yarded on Tuesday at Forty-fourth street a little larger in number than last week, but the number of pounds of beef was not much increased, and we judged, from the number on hand and reported to arrive for this week's supply, not much, if any greater than last week. Of the retailing market beef sold on Tuesday at less than 10 cents per pound; and all first quality beef cattle sold at 11 cents and upward, and extras at 12 to 15 cents, and upon the average half a cent higher than the same qualities sold last week. The number of cattle sold on Tuesday was not quite as large as usual, the butchers manifesting a good deal of indisposition to pay the advance, while the brokers held their stock very firmly at the advance, trusting to obtain it to-day.

The day was unusually fine for business, and cattle looked well, though not generally of as good quality as on the previous week, though there were some cattle of high value, that is, \$125, \$140 and \$150 a head, and one sold for \$225.

It will be well for buyers and sellers to look at our Albany cattle-market report.

BANK DEFEALATION.—A defealation was discovered yesterday, in the accounts of the Paying Teller of the Atlantic Bank of Brooklyn, Mr. Field. Mr. F. left the bank on Monday afternoon, and has not been seen or heard of since then. His non-appearance at the bank yesterday aroused suspicion, and the fraud was discovered. The amount which has been abstracted, or the whereabouts of the abstractor, are as yet unknown. The officers of the bank are busily engaged ferreting out the one, and the officers of the police as busily at work searching for the other. Mr. F. has heretofore borne a spotless character, and been regarded as above suspicion.

THE FIRE ENGINES.—A trial of skill of the various fire engines in and around New-York, divided into three classes, took place yesterday at the corner of West Broadway and Franklin street. The proceedings commenced at 12 o'clock, and were witnessed by 5,000 to 8,000 people during the whole time, until 8 o'clock, when the third-class engines were adjourned to next Monday at