treated, in the intelligent interest that Humphrey showed in the estate, his clear-headed truthfulness on the need of change, and his delicate deference in proposing alteration, that set her heart at rest, made her feel that the "goodly heritage" was in safe hands, and that she had a staff in her hand for the first time since that Sunday in harvest.

Before the next harvest, Hiltonbury bells rang out, and the church was crowded with glad faces; but there was none more deeply joyful than that of the lonely woman with silvering hair, who quietly knelt beside the grey slab, lettered H. C., 1840, convinced that the home and people of him who lay there would be in trusty hands, when she should join him in his true inheritance. Her idols set aside, she could with clearer eyes look to that home, though in no weariness of earth, no haste to depart, but still in full strength, ready to work for man's good and God's glory.

Beside her, as usual, was Owen, leaning on his crutch, but eminent in face and figure as the handsomest man present, and full of animation, betraying neither pain nor regret, but throughout the wedding festivities showing himself the foremost in mirth, and sparring Hiltonbury on to rejoicings that made the villagers almost oblivious of the Forest Show.

The saddest face in church was that of the head bridesmaid. Even though Phœbe was only going as far as the Holt, and Humphrey was much loved, Bertha's heart was sore with indefined regret for her own blighted fact, and with the feeling of present loss in the sister whose motherly kindness she had never sufficiently recognised. Bertha knew not how much gentler and more loveable she herself was growing in that very struggle with her own sadness, and in her endeavours to be sufficient protectress for Maria. The two sisters were to remain at the Vicarswood with Miss Penimore, and in her kindness, and daily intercourse with Phœbe and Cecily, could hardly fail to be happy. Maria was radiantly glad, in all the delight of her bridesmaid's adornments and of the school feasting, and above all in patronizing her pretty little niece, Elizabeth Acton, the baby bridesmaid.

The bridegroom's friend was his little seven years' old brother, whom he had sent for to place at a good school, and who fraternized with little Owen, a brisk little fellow, his h's and his manners alike doing credit to the paternal training, and preparing in due time to become a blue-gowned and yellow-legged Christ's Hospital scholar—a nomination having been already promised through the Falmort City influence.

Robert assisted Charlecote Raymond in the rite which joined together the young pair. They were goodly to look upon, in their grave, glad modesty and self-possession, and their youthful strength and fairness—which, to Honor's mind, gave the idea of the beauty of simple strength and completeness, such as leaves a well-built vessel at her launch, in all her quiet force, whether to glide over smooth waters or to battle with the tempest. Peaceful as those two races were, there was in them spirit and resolution sufficient for either storm or calm, for it was steadfastness based upon the only strong foundation.

For the last time was signed, and with no unsteady hand, the clear, well made letters of the maiden Phœbe Fulmort, and as, above it, the bride read the words, "Humfrey Charlecote Randolf Charlecote," she looked up to her husband with a very half-smile of content and exultation, as though his name were doubly ennobled, as recalling her "wise man," the revered guardian of her imagination in her orphaned girlhood.

There are years when the buds of spring are nipped by the frost or blight, and when summer blossoms are rent by hail and storm, till Autumn sets in without one relenting pause. Then even at the commencement of the decline, comes an interval, a renewal of all that former seasons had proffered of fair and sweet; the very tokens of decay are lovely—the skies are deep calm blue, the sunsets soft gold, and the exquisite serenity and tranquil enjoyment are beyond even the bright, fitful hopes of spring. There is a tinge of melancholy, for this is a farewell, though a lingering farewell; and for that very cause the enduring flowers, the brilliant leaves the persevering singing birds, are even more prized than those which, in earlier months, come less as present boons than foretastes of the future.

Such an Indian summer may be Honor Charlecote's present life. It is not an old age for she has still the strength and health of her best days, but it is the later strength of middle life, with experience added to energy. Her girlhood suffered from a great though high-minded mistake, her womanhood was careworn and sorrowful, but she is not very no more on things of earth, but to satisfy her soul with that love which is individual as well as Infinite; and that lesson learnt, the human affection that once failed her is come back upon her in full measure. She is no longer forlorn; the children whom she tended are her own, and those whom she led by her influence, alike vie with one another in their love and gratitude.

The old house in Woolstone Lane is her home for the greater part of the winter and spring, and her chief work lies in her father's former parish, directed by Mr. Parsons and Robert, and enjoying especially the Sunday evenings, that Owen constantly spends with her in the cedar parlor, in such converse, whether grave or gay, as men rarely seek save with a mother, or one who has been as a mother. But she is still the lady of the Holt. There she still spends autumn and Christmas, resuming her old habits, without feeling them a burden; bemoaning a little, but approving all the while Humfrey's moderate and successful alterations, and loving and delighted above all in Phœbe's sweet wisdom in her happy household rule. It is well worth all the past to return to the Holt with the holiday feeling of her girlhood.

THE END.

The Surrender of the Cutter McClelland.

The following statement, in relation to the surrender of the Revenue cutter Rob't McClelland, is derived from an official source:

The cutter is one of the largest and best in the revenue service, just rebuilt and refitted. Her commander was Capt. Breshwood, of Virginia. On the 19th of January, four days after Secretary Dix took charge of the Treasury Department, he sent Mr. John Hemphill Jones, chief clerk in the First Comptroller's offices in New Orleans and Mobile, to save, if possible, the two cutters in service there. Capt. Morrison, a Georgian, commanding the Lewis Cass, at Mobile, must have surrendered her before Mr. Jones arrived. On the 29th of January, the Secretary received the following telegraphic dispatch from Mr. Jones:

NEW ORLEANS, Jan. 29th, 1860.

Hon. J. A. Dix, Secretary Treasury:

Capt. Breshwood has refused positively in writing to obey any instructions of the Department. In this I am sure he is sustained by the Collector, and believe acts by his advice. What must I do?

W. H. JONES, Special Agent.

To this dispatch Secretary Dix immediately returned the following answer:—

TREASURY DEPARTMENT, January 29, 1860.

W. HEMPHILL JONES, New Orleans:

Tell Lieutenant CALDWELL to arrest Capt. Breshwood. Assume command of the cutter, and obey the order through you. If Capt. Breshwood, after arrest, undertakes to interfere with the command of the cutter, tell Lieut. CALDWELL to overcome him as a mutineer and treat him accordingly. If any one attempts to haul down the American flag shoot him on the spot.

JOHN A. DIX,
Secretary of the Treasury.

This dispatch, it is said, must have been intercepted, both at Montgomery and New Orleans, and withheld from Mr. JONES, and that the conduct of Capt. BRESHWOOD was consummated by means of a complicity on the part of the telegraph line with the states of Alabama and Louisiana, which latter state has accepted the cutter.

IN THE AUTUMN OF 1817, a venerable old gentleman, bald, with thin silvery locks falling smoothly round his head, sat in a box of the old Park Theatre, accompanied by two young ladies. The first act was over, and barely had the drop curtain touched the stage, when a gentleman arose in a box a little way off from where the venerable man sat, and in a loud voice shouted: "Ladies and gentlemen, I announce to you the presence of Hon. John Quincy Adams, ex-President of the United States!" Instantaneously the audience arose and three hearty cheers greeted the patriot statesman and sage. At the instant, too, the orchestra ceased their usual theatre airs, and gave in glorious style, 'Hail Columbia,' 'Yankee Doodle,' and the 'Star Spangled Banner,' in rapid succession. The audience remained standing until the last note had quavered away. These demonstrations were received with that serene modesty which ever dwells with true greatness—by a low, graceful bow, and without the utterance of a responsive word. The ex-President sat out the whole play. The next session of Congress witnessed the close of his memorable life.

PENNY BATHING-HOUSES are proposed in Philadelphia.

THE WEEKLY SUN.

SATURDAY, FEBRUARY 16, 1861.

The Virginia Election.

THE Richmond papers furnish fuller returns of the Virginia election than have been given by telegraph, but they only confirm the fact that the uncompromising secessionists are in a miserable minority. The Richmond *Whig* says that "the predpitators have only four or five representatives in the Convention." The others were elected as Union candidates, with the understanding, however, that compromises shall be offered and accepted. The Lynchburg (Va.) *Whig* rejoices that a rebuke has been administered to "the precipitators," and that Virginia has proclaimed herself to be "in favor of maintaining the Constitution and the Union—but not the latter without the former." It adds:

Virginia is neither for precipitation nor submission. She is opposed to both. She declared by her vote on Monday, that she wants her rights in the Union. Nothing more—nothing less. We dare say it will be alleged; indeed, we know it is already said by the precipitators, who are smarting under their defeat—that 'Virginia will submit to anything.' Well, we hope not. *We are rejoiced, however, that she would not submit to their dictation.*"

The Richmond *Enquirer*, which is the most rabid secession paper in Virginia, and the organ of Ex-Governor WISE, thus reasons since the defeat of its faction:

The secessionists, *per se*, the uncompromising unconditional secessionists will number about thirty; the remaining delegates are men who will promptly adopt a secession ordinance when satisfied that proper guaranties exist and will not be given in the present Union. The condition upon which the Convention will consent for Virginia to remain in the Union, will be the adoption of such guaranties as will secure her rights, *and bring back the seceded states.* While Virginia cannot remain in the Union without the seceded states, she will, before seceding, exhaust every effort to bring back the seceded states upon proper guaranties of their rights.

From Key West.

The U. S. steamer Mohawk arrived on Friday, T. AGNEW CRAVEN, Lieut. Com., from Key West Jan. 31. The U. S. steamship Brooklyn arrived that morning, was coaling and would proceed the following day for Tortugas and Pensacola.

The Crusader was in port, and would sail for New York in a few days. The Wyandotte was expected from Pensacola in the course of a week. The Macedonian was spoken on 30th inst., 10 miles off Sand Key, bound into Tortugas.

The Mohawk was 35 hours in a gale off Hatteras, and experienced other bad weather.

The Mohawk has been for the past 18 months actively cruising on the north coast of Cuba for the suppression of the African slave trade, during which time she has captured four slave vessels, and rescued from slavery 550 Africans. She also saved from shipwreck the American brig Tangier, and rescued the crew of a Spanish brig, wrecked on a dangerous shoal, for which the official thanks of the Government of Cuba were tendered to the officers and crew. She has also afforded relief to numerous other vessels upon her cruising ground. The Mohawk proceeded to the Navy Yard.

It is understood that the Mohawk is temporarily recalled from cruising, to be fitted up as a tender and messenger craft to the larger men-of-war, now concentrating on the coast. She belongs to that portion of the home fleet consisting of the gunboats Crusader, Mohawk and Wyandotte) which has been detailed for intercepting slavers off the Cuban coast; but, since the political atmosphere became somewhat clouded, the peregrinations have been confined to the coast of Florida. Commodore BREESE yesterday telegraphed her arrival to the authorities, and had a berth given her near the receiving ship. She does not look like the old Cromwell coal barge, Caledonia, which she was when purchased. There are about 100 officers and men on board, who express a desire to be allowed liberty on shore.

South Carolina and her Commercial Relations.

An important correspondence between W. F. COLCOCK, collector of Charleston, and A. G. MAGRATH, the Palmetto Secretary of State, in relation to the commercial relations between Carolina and Europe, has been published. Mr. COLCOCK, who was somewhat embarrassed as invalid. Under the circumstances, I would be glad to see your views as to the course of duty I should pursue."

The Secretary of State replies in an elaborate dissertation upon the rights of the state before secession, and the immediate effects of that transaction. He cites the opinion of Attorney-General BLACK in the case of our commercial relations with Peru, contending that the principle of law presented by that officer govern the case that has arisen in South Carolina.

With this supposition, therefore, which a decent and proper regard for the Government of the United States forbids to be questioned, until that Government shall assume the responsibility of doing so itself, it will be convenient for you easily to dispose of each case that may arise. It will be sufficient for you to notify the parties in all cases, that the state of South Carolina is not a part of the United States; that the revenue laws of the United States are not of force within the limits of this state; that all commercial regulations at this port are of force by the authority only of the state of South Carolina; and that no interference will be permitted by the Government of the United States with such regulations as the state of South Carolina has provided; nor will the authority of the Government of the United States be permitted to be exercised within the limits of the state. You will thereupon proceed to discharge your duties as provided in the ordinance of the Convention; and, if it should happen that after such explanation, in any case, other questions may arise than such as are provided for in this note, you will make a particular report to this department. Whatever may be the ability of a foreign Power to secure for its vessels adequate protection, the authorities of this state will regard the attempt of the Government of a friendly Power upon the waters over which the jurisdiction of the state extends, in the same light as if the attempt were made upon a vessel belonging to this state.

The next class of vessels concerning which any question can arise are owned by citizens of states which are still members of the confederacy known as the United States. Such vessels are, of course, bound by the municipal laws of the country to which they belong. And it will be for the Government of that country to impose upon these vessels such penalties as it may choose to provide for what it may consider violations of its municipal laws. The questions which arise in relation to such vessels are to be decided by the Government of the United States. If that Government shall consider it proper to forfeit and condemn the vessels, having subject to money penalties the citizens who are within its jurisdiction, that question affects that Government, and those citizens who are subject to its laws must be subject to its control, however much it may affect them or their property. It shall become the policy of the United States to impose such penalties on their citizens as will be equivalent to a prohibition of all intercourse between them and the citizens of this state, and other seceding states, it will be a matter which exclusively affects them. To such a policy, if it shall commend itself to the Government of the United States, this state has no right to object.

The documents, thus concludes:

You will see that should the Government of the United States, in relation to foreign vessels, change the rule which it has declared applicable to its own vessels, it will be for that Government to explain to foreign nations the reasons which have induced, at this time, that change. And it will be for such foreign nations to determine how far such reasons are satisfactory.

In regard to any interference with vessels owned in this State, or any other State, which has or may secede, you will, of course, give the earliest notice of it to this department.

It will be proper for you to deliver a copy of this note to each consul of a foreign Power who may be resident at this place.

Respectfully, your obedient servant,

A. G. MAGRATH.

The Seceding States.

It is reported that, according to the new census, the population of the six States which have passed ordinances of secession is as follows:

	Free.	Slaves.	Total.
South Carolina,	368,186	497,185	805,371
Mississippi,	407,551	479,607	887,158
Florida,	81,885	63,899	145,652
Alabama,	520,445	435,473	955,917
Georgia,	615,336	467,401	1,082,737
Louisiana,	354,245	312,186	666,430
Total,	2,387,647	2,255,721	4,643,368

Secession in Court.

A New Orleans bank having brought a suit against a prominent St. Louis banker to recover a large sum, the banker has filed an answer in the Circuit Court, asking that the suit may be dismissed, on the ground that Louisiana has seceded from and revolted against the United States, and her citizens have no right to maintain a suit in the Courts of Missouri. This defence, if persisted in to the last resort, would carry the question of the right of a state to secede to the Supreme Court of the United States for a settlement. Its prosecution opens the door to a variety of legal questions, and will be watched with interest.

requires them, rests on the same unquestionable foundation as the right to occupy the fortress itself. In the letter of Senator DAVIS and others to your self, under date of the 15th ult., they say, "We, therefore, think it is due from South Carolina to our states, to say nothing of the other slaveholding states, that she should, as far as she can consistently with her honor, avoid initiating hostilities between her and the United States or any other power." And you now, yourself, give the President the gratifying assurance that South Carolina has every disposition to preserve the public peace, and since he is, himself, sincerely animated by the same desire, it would seem that this common and patriotic object must be of certain attainment. It is difficult, however, to reconcile with this assurance, the declaration on your part that "a consideration of her (South Carolina's) own dignity as a sovereignty, and the safety of her people, prompt her to demand that this property should no longer be used as a military post by a government she no longer acknowledges." The thought you so constantly present, is, that this occupation must lead to a collision of arms and the prevalence of civil war. Fort Sumter is in itself a military post and nothing else, and it would seem that not so much the fact as the purpose of its use should give to it a hostile or a friendly character.

This fortress is now held by the Government of the United States for the same object for which it has been held from the completion of its construction. These are national and defensive, and were no public enemy now to attempt the capture of Charleston, or the destruction of the commerce of its harbor, the whole force of the batteries of this fortress would be exerted for their protection.

How the presence of a small garrison, actuated by such spirit as this, can compromise the dignity or honor of South Carolina, or become a source of irritation to her people the President is at a loss to understand. The attitude of that garrison, as has been often declared, is neither menacing, nor defiant, nor unfriendly. It is acting under orders to stand strictly on the defensive, and the government and people of South Carolina must well know that they can never receive aught but shelter from its guns, unless in the absence of all provocation they could assault it and seek its destruction.

If the announcement so repeatedly made of the President's pacific purposes in continuing the occupation of Fort Sumter, until the question shall have been settled by competent authority has failed to impress the Government of South Carolina as forbearing conduct of his in withdrawing the last few months should be received as conclusive evidence of his sincerity, and if this forbearance, in view of the circumstances *which have so severely tried it*, be not heeded as a satisfactory pledge of the peaceful policy of this administration towards South Carolina, then it may be safely affirmed that neither language, nor conduct can possibly furnish one.

If, with all the multiplied proofs which exist of the President's anxiety for peace, and of the earnestness with which he has pursued it, the authorities of South Carolina shall assault Fort Sumter, and peril the lives of the faithful men who are in it, and shut up within its walls, and thus plunge our country into the horrors of civil war, then upon them and those they represent must rest the responsibility.

Your obedient servant,

(Signed) J. HOLT,
Secretary of War.

To Hon. J. W. HAYNE, Attorney-General of the State of South Carolina.

Death of Dr. Francis.

This well known and much esteemed physician died on Friday morning in this city, in the 72d year of his age. He had been suffering for a long time from a painful disease—a carbuncle in the back. The *Commercial Advertiser* of last evening gives the following sketch of his life:—

DR. JOHN WAKEFIELD FRANCIS M. D., L. L. D., was born in this city in 1789, and was the son of a German, who came to this country in 1783. He graduated at Columbia College, in 1809, and was a pupil and subsequently a partner of Dr. HOSACK. In 1811, he received the first degree conferred by the New York college of physicians and surgeons. In 1813, he was made lecturer in Materia Medica in the last named college, subsequently he has been Professor of the Institute of Medicine in Rutgers Medical College, Professor of obstetrics and female medicine, resident physician of the city, president of the New York Academy of Medicine. He was held as an officer or member of many learned societies.

DR. FRANCIS has always been an indefatigable worker. He was thoroughly a New Yorker, and he watched the wonderful growth and prosperity of his native city, with genuine interest and hearty pride. He was a man of the kindest impulses, a benefactor to all with whom he came in contact. His memory was vast, comprehensive, and accurate, and he delighted to pour forth freely the rich treasures of his well stored mind. In local and personal history he was authority, and few men of our time have enjoyed a larger or more intimate acquaintance with celebrities. His published writings are voluminous.

Last Monday Dr. FRANCIS was elected President of the New York State Inebriate Asylum, an institution to which he was heartily devoted.

Dr. FRANCIS lost a son, JOHN W. FRANCIS, in 1855. Two other sons and a widow survive him.

Foreign Intelligence.

Arrival of the Canada.

Two Days Later from Europe.

Halifax, Friday, Feb. 8.—The steamship Canada, from Liverpool, Jan. 26th, via Queenstown 27th, arrived at her dock at 8 A. M. She has £65,000 in specie. The Austria and Kangaroo had arrived out.

Great Britain.

The London *Times* in another editorial on the American crisis is very bitter on President BUCHANAN. It says few men who have been called upon to play so important a political part have been found more utterly unequal to their situation.

The prospectus had been issued of an India Cotton Company. It is proposed to establish agencies in Guzerat, and purchase cotton of the growers direct, and to endeavor to improve the process of picking and cleaning by machinery.

The railway company being unable at present to provide vessels for the mail service, the Postmaster General has issued a notice that the contract is suspended till the 20th of March next, on the understanding that the company will then be ready to carry the fortnightly service in an efficient manner.

Attention is drawn to the fact, that ANDERSON, the fugitive slave, cannot be taken to England at present, inasmuch as he cannot be conveyed through American territory, and no other route will be opened before Spring.

France.

There is great activity in the French arsenals and ports. A camp at Chalons is to be formed early in the spring, consisting of 60,000 men, under Marshal MCMAHON.

Gen. LAMORICIERE, in a letter declining a sword of honor, writes that such distinctions are for battlefields, &c., while his fortune has been the very reverse.

The Bourse on the 25th was quiet but firm; Rentes 67f. 50c.

Italy.

Advices from Gaeta are to the evening of the 23d. The fire of the Sardinians was vigorously continued and slowly replied to.

The London *Globe* learns that FRANCIS II received to hold out at Gaeta, by the advice of the foreign ministers.

It was rumored that negotiations were progressing to replace troops at Rome by Sardinians.

Typhoid fever was making ravages at Gaeta.

Spain.

Rumors had been current of disturbances in certain provinces in Spain, but the *Correspondencia Autografa* says they are unfounded.

Hanover.

A dispatch says, the last difficulties in reference to the redemption of the state dues, are removed.

India and China.

The India and China mails had reached London, and the American portion was put on board the Canada at Queenstown.

Tien Tsin dates are to November 21st. An installment of the Chinese indemnity has been paid.

A great part of the expeditionary forces had reached Hong Kong.

Twenty-five hundred English troops and a quota of French were left at Tien Tsin.

Lord ELGIN and Sir HOPE GRANT started from Shanghae on the 7th December, for Japan.

The Peiho was completely frozen up.

Baron GROS and Mr. WARD had been at Canton.

A steamer had been up the inland waters near Canton, with perfect safety.

The rebels were still in force and gaining strength.

The Yangts was much infested with pirates.

Calcutta dates are to December 30th. A monster meeting had been held, protesting against the government gifts to TIPPOO SULTAN'S descendants.

Troops had been ordered to Darjeling. The Calcutta import market was gloomy.

Cape of Good Hope dates of December 22d have been received. Business was dull.

PRENTICE says many of the South Carolinians not only have Yankee arms in their hands when they muster in warlike parade, but Yankee arms around their necks in the privacy of their own homes.

THE COLD OF THE 13th, which, at Rochester, was at 2°, was very severe east and north, as at Albany it was 18° below, New York 5° below, Saratoga 32° below, Ogdensburgh 30° below, in Massachusetts, at Pittsfield, 20 to 21° below, Boston 8 to 11° below, Winchester 15° below, New Bedford 7° below, West Cambridge 12 to 15° below, in Vermont, at Montpelier, 40° below, at which point the mercury freezes solid.

THE LATEST COMPOSITION OF ROSSINI for the piano is entitled "A Railway Journey." It commences with an *allegro vivace*, imitating the noise of the train under way and the jar of the machinery. But towards the end of the piece a sudden terror succeeds to the light gaiety, and a funeral march announces an impending disaster. ROSSINI, however, ends here, and does not attempt to imitate a railway accident on a piano-forte.

Interesting from Washington.

The Demands of South Carolina.

THE PRESIDENT'S REPLY.

Washington, Feb. 8.—The President of the United States in a message transmitted to both Houses of Congress today, says that all the correspondence which occurred in December last between the commissioner from South Carolina and himself, was sent in with his message of January 8th. On the 14th of that month Colonel HAYNE called and informed him that he was the bearer of a letter from Governor PICKENS, which he would deliver next day. He (HAYNE), however, was induced by the interposition of Hon. JEFFERSON DAVIS and nine other Senators from the seceded and seceding states, not to deliver the letter on the day appointed, nor was it communicated to the President until the 21st of January, when Colonel HAYNE's letter of that date was also communicated. The letter of Hon. JEFFERSON DAVIS and the nine southern senators urging this delay, bears the date of January 15, and was the commencement of a correspondence, the whole of which, in the President's possession, he now submits to Congress. Most of these letters have recently been published. The following is the concluding part of Colonel HAYNE's letter, dated January 31st:

"I advert to this point for the purpose of saying that to send reinforcements to Fort Sumter could not serve as a means of protecting and preserving the property, for it must be known to your government that it would inevitably lead to immediate hostilities, in which property on all sides would necessarily suffer. South Carolina has every disposition to preserve the public peace, and feels, I am sure, in full force those high Christian and moral duties referred to by your secretary, and it is submitted, that, on her part there is scarcely any consideration of mere property, apart from honor and safety, which could induce her to do aught to the prejudice of that peace, still less to inaugurate a protracted and bloody civil war. She holds her position on something higher than mere property. It is in consideration of her own dignity as a sovereignty, and the safety of her people which prompts her to demand that the property should not longer be used as a military post by a government she no longer acknowledges. She feels this to be her imperative duty—it has in fact become an absolute necessity of her condition. Repudiating as she does the idea of coercion, avowing peaceful intentions, and expressing a patriot's horror of civil war and bloody strife among those who were once brethren, it is hoped that on further consideration you will not on a mere question of property refuse the reasonable demand of South Carolina, which honor and humanity alike compel her to indicate. Should you disappoint this hope the responsibility for the result surely does not rest with her. If the evils of war are to be encountered, especially the calamities of civil war, elevated statesmanship would seem to require that it should be accepted as the unavoidable alternative of something still more disastrous, such as national dishonor or measures materially affecting the safety or permanent interests of a people, that it should be a choice deliberately made and entered upon—war and its set purposes. But that war should be inevitable or accident attempts on policy professedly peaceful and not required to effect the object which is avowed as the only end intended, can only be excused where there has been no warning given as to the consequences. I am instructed to further say, that South Carolina cannot, by her existence, assent to acquire the imputation that she was guilty of an act of unprovoked aggression in firing on the Star of the West. Though an unarmed vessel, she was filled with armed men entering her territories, against her will, with the purpose of reinforcing a garrison held within her limits, and against her protest. But forbears to recriminate by discussing the question of the propriety of attempting such reinforcement at all, as well as of the disguised and secret manner in which it was intended to be effected, and on this occasion she will say nothing as to the manner in which Fort Sumter was taken into the possession of its present occupants. The interposition of the Senators who have addressed you was a circumstance unexpected by my government, and unsolicited certainly by me. The Governor of South Carolina while he appreciates the high and generous motives by which they were prompted, and while he fully approves the delay which in deference to them has taken place in the presentation of this demand, feels that it cannot longer be withheld.

Col. HAYNE then concludes with an abstract from the last instructions received by him from the Government of South Carolina, to obtain the President's reply to his demands as soon as possible.

The following is Mr. HOLT reply:—

WAR DEPARTMENT, February 6, 1861.

SIR:—The President has received your letter of the 31st ult., and has charged me with the duty of replying thereto. In the communication addressed to you by the President, a copy of which you informed to send to you the Hon. J. W. HAYNE, the Attorney-General of the State of South Carolina, and have instructed him to demand the surrender of Fort Sumter, in the harbor of Charleston, to the constitutional authorities of South Carolina. This demand I have made of Major ANDERSON, and which I now make of you, is suggested because of my earnest desire to avoid the bloodshed, which a persistence in your attempt to retain the possession of that fort will cause, and which will be unavailing to secure to you that possession; but induce a calamity most deeply to be deplored. The character of the demand which was authorized to be made, appears under the influence, I presume, of the correspondence with the senators to which you refer, to have been modified by the subsequent instructions of his Excellency, dated the 26th, and received by yourself on the 30th of January, in which he says: "If it be the purpose of Fort Sumter is held as property, the rights, whatever they may be, of the United States, can be ascertained, and for the satisfaction of these rights on the pledge of the state of South Carolina, you are authorised to give the full scope." The precise purport of your instructions, as thus modified, you have expressed in the following words: "I do not demand military man to demand the surrender of a fortress, but as the legal officer of the state, its Attorney General, to claim for the state the exercise of its undoubted right of eminent domain and to pledge the state to make good all injury to the rights of property which arise from the exercise of the claim," and lest this explicit language should not sufficiently define your position, you add: "The proposition now is that her (South Carolina) law officer shall demand, under the authority of the Governor and his council, distinctly pledge the faith of South Carolina to make such compensation as regard to Fort Sumter and its appurtenances and contents, to the full extent of the money value of the property of the United States delivered over to the authorities of South Carolina by your command." You then adopt His Excellency's train of thought upon the subject, so far as relates to the suggestion that the possession of Fort Sumter by the United States, if continued long enough, must lead to a collision, and that an attack upon it would scarcely improve it as property, whatever the result, and if captured it would cease longer be the subject of account. The proposal now presented to the President is simply an offer on the part of South Carolina to buy Fort Sumter and contents as property of the United States, sustained by a declaration in effect that she is not permitted to make the purchase she will seize the fort by force of arms. As the invitation of a negotiation for the transfer of property between friendly governments, this proposal impresses the President as being assumed a most unusual form. He has, however, investigated the claim on which it professes to be based, apart from the declaration that accompanies it (and it may be here remarked that much stress has been laid upon the employment of the words "property" and "public property" by the President in his several messages) Those are the most comprehensive terms which can be used in such a connection, and surely when referring to a fort or any other public establishment, they embrace the entire and individual interest of the government therein. The title of the United States to Fort Sumter is a complete and incontestible. Were its interests in the property proprietary in the ordinary acceptation of the term, it might probably be subjected to the exercise of the right of eminent domain. But it has also political relations to it of a much higher and more imposing character than those of mere proprietorship. It has absolute jurisdiction over the fort and the soil on which it stands. This jurisdiction consists in the authority to exercise exclusive legislation over the property referred to, and is therefore clearly incompatible with the claims of eminent domain now insisted upon by South Carolina. This authority was not derived from any questionable revolutionary source, but from the peaceful cession of South Carolina herself, acting through her legislature, under a provision of the United States Constitution. *South Carolina can no more assert the right of eminent domain over Fort Sumter than Maryland can assert it over the District of Columbia.* The political and proprietary rights of the United States in either case rest upon precisely the same grounds. The President, however, is relieved from the necessity of further pursuing this inquiry by the fact that whatever may be the claim of South Carolina to this fort, he has not constitutional power to cede or surrender it. The property title in the state has been acquired by the force of public law, and can only be disposed of under the same solemn sanctions. The President, as the head of the Executive branch of the Government only, can no more sell and transfer Fort Sumter to South Carolina than he can sell and convey the capital of the United States to Maryland or any other state, or individual seeking to possess it. His Excellency, the Governor, is too familiar with the constitution of the United States, and with the limitations upon the powers of the chief magistrate of the Government to be ignorant of the fact that the President is not at liberty to make such compensation as he may think the soundness of this legal proposition. The question of relinquishing Fort Sumter is so fully disposed of in my letter to Senator SLIDELL and others under date of the 22d of January, a copy of which accompanies this, that its discussion will not be renewed. I then said, "At the present moment, it is not deemed necessary to reinforce Major ANDERSON, because he makes no such request. Should his safety, however, require reinforcements, *every effort will be made to supply them.*" I can add nothing to the explicitness of this language, which still applies to the existing *status*. The right to send forward reinforcements when in the judgment of the President the safety of the garrison

The Boston *Traveller* tells a "story from New Orleans," of one of the Maine ships at that port, the WM. SINGER. She is a fine large ship, and arrived at New Orleans in November. She was understood to be owned by one of the most ultra Republicans in Maine, a member of the Legislature, and no broker in New Orleans would procure a freight for her, no planter or factor would ship a bale of cotton in her, and no office in New Orleans would insure a dollar on her cargo. The owner was not frightened, but sent word to the captain to haul her up and wait for more peaceful times. A few days ago, after every other ship had been taken up, her captain put her into the market, and obtained a full cargo of cotton for Liverpool, at the highest rate which has ever been paid at any time since the cotton trade became a regular business, equivalent with the conditions of despatch and a selection of cotton to one and a quarter penny, or two and a quarter cents a pound.

A NOTE AND QUERY FOR KING THWAITES.—We want to know (and the bearer waits for an answer) if your Subterranean and Serene Majesty could inform us whether a Sewer derives any particular gratification, when it's being *diverted?*

Senate.

Washington, Feb. 7.—Mr. THOMPSON (N. J.) presented several petitions in favor of the Crittenden resolutions.

He also presented the resolutions of the Legislature of New Jersey, which his colleague had presented during his absence, and said he entirely dissented from the views of his colleague. He considered that the instructions in the resolutions were the real views of the majority of the people in the State and it was a state that had a right to instruct her Senators whenever they chose to do so. He was very much surprised at the course of his colleague. He thought the people of New Jersey never were more in earnest than they are now in the opinion that the South have some ground for complaint, and that some guarantee should be given them. Yet he must say that the course of the South in seizing the forts, arsenals, &c., had not much to weaken kindly feeling in the Northern States.

He deprecated civil war, and made an appeal to save the Union by concessions to the slaves.

Mr. TEN EYCK (N. J.) replied, and said he had no desire to avoid a direct reply to his colleague's address. He contended the resolutions did not express the calm feeling of the people as shown by the votes of the recent election, but the resolutions sent have been rushed through the Senate of New Jersey when four members were absent.

Mr. COLLAMER (Vt.) presented a petition from the citizens of Vermont, asking Congress to adopt an amendment to the Constitution similar to the border states propositions. He said he was willing to deal in the power of Congress, but not anything which was not allowed by the Constitution, which says that Congress may propose amendments to be submitted to the states. And further, if states want amendments let them say so by a convention, and Congress must say so. If the states call such a convention and adopt amendments, Congress must send them to the states for ratification. But does the government need more delegated power? He contended that the provisions of the constitution was perfectly plain, but none of the complaining states have taken any means to secure amendments in a constitutional way, yet Congress was asked to make amendments which somebody conjectures the states need. He never would attempt to make any such amendments, and he knew the states, he said, wanted. Suppose two or three states present amendments, asking Congress to submit them to the states. In his judgment Congress could not pass on the merits of such amendments, but present them to the states as the request of certain states. He could not vote for some of the former amendments made in 1780, when Congress took the same course. His views would govern his vote.

Mr. CAMERON (Pa.) presented a petition signed by 5,000 citizens of Philadelphia, representing probably 50,000 or 40,000 people in favor of the CRITTENDEN-BIGLER resolutions.

The President's message was taken up, and after a secession speech from Mr. WIGFALL (Texas), on motion of Mr. WILSON (Mass.), the subject was postponed till Monday. Adjourned.

House of Representatives.

The House proceeded to the consideration of the bill reorganizing the Patent office and amending the Patent laws. It came from the Senate last session, and was now passed by the House with amendments.

The House resumed the consideration of the report of the committee of Thirty-three.

Mr. O'NEILL (Ohio) gave notice that he will not move to close the debate till to-morrow week, in order to give all gentlemen an opportunity who desire to speak.

Mr. DAVIS (Md.) said that the people have been demoralized by our early and premature excesses. The government has been shorn of every aspect of dignity and law, and the President has ceased to be accompanied by forces and the emblems of supreme authority. The successor of GEORGE WASHINGTON is expected to meet every demand with wreathed smiles and gracious condescensions. The struggle for party power has brought two of the only causes to be assigned for the extraordinary phenomenon presented. Within one month of a Presidential election according to the forms of law, without any grievance or menace, we find six states have usurped the extraordinary prerogative of rebelling against the supreme law of the land, and assuming to be independent powers, seizing forts, ships, etc., and insulting the national flag. We have seen a Cabinet Minister distributing the public arms in the South, for the benefit of those who are about to resist public authority and wage war; we have seen a commissioner flagrantly in violation of the Constitution, wandering from state to state, stirring up rebellion, we have seen a Cabinet Minister, still holding his commission, and still bound by oath to support the Constitution, going himself, as a commissioner from one state to another, for the purpose of organizing another of the final schemes of rebellion; we have seen a President neglecting the most solemn warning of the first military officer of the age, in allowing the forts to be taken possession of; we have seen him subsequently, making bargains for peace with the disunionists, until he shall be relieved from the responsibilities of office, instead of defending the public property and vindicating public honor, and, without remonstrance, permitting the work of disintegration to go on. His aversion to supreme force shows his utter incapacity for the Presidential honors showered upon him. We have seen, too, recently, a late cabinet officer President of the Southern Confederacy, declaring it is their purpose finally to sever their connection with the United States, and take all the consequences of establishing a sovereign and independent republic. We are driven to one of two alternatives. We must recognize what we are informed is an accomplished fact not to be recalled, or we must refuse to acknowledge it, and accept all the responsibilities attached to that refusal. He did not wish to quarrel about words, but the Constitution and laws of the United States must be enforced; and those who stand across the path of that enforcement must either destroy the power of the United States, or it will destroy them (applause in the galleries.) He trusted that this condition was centuries or thousands of years distant. The revenue may be collected on ship board and the laws of commerce enforced by not allowing vessels to pass out without papers from the United States authorities, and the postal facilities can be continued or suspended, according to the circumstances of the locality, and the course of justice may be supported as in Utah, or their jurisdiction be extended in the states where there is no disturbance. These are clearly peaceful measures for enforcing the laws, and the United States Government is vested under the Constitution, with adequate power to meet such emergencies and may dispose of the troops and sink ships without war. After further discussion, he said he could speak for Maryland, (applause in the galleries,) who has confidence in the strength of the great government which protects her.

Mr. KUNKEL (Md.)—If you speak for the State of Maryland, I desire to be heard.

Cries of "order," from the Republican side.

Mr. DAVIS—I decline to yield the floor.

Mr. KUNKEL, (amid cries of "order")—Do not speak for Maryland. Speak for yourself.

Mr. DAVIS—I represent the 4th Congressional district of Maryland, and can say whether I was elected by the vote of Maryland or not. I will speak for what I know to be the sentiment of the people of Maryland. (Enthusiastic applause, particularly in the galleries.)

Mr. DAVIS remarked that his friends would confer a favor by refraining from expressing their approbation.

The Speaker hoped that persons in all parts of the hall would preserve order.

Mr. DAVIS resumed, repeating that Maryland does not recognize the right of secession—she does not recognize the right to repeal the supreme law. If any convention should be called there, of whatever character, and under whatever auspices, those who should presume to inaugurate a revolution would meet with revolutionary resistance on the soil of Maryland, under the stars and stripes. They will not allow either the majority or the minority to drag them from the Union. Within Maryland are men who will assume resistance to anything looking to armed rebellion.

Mr. KUNKEL—Does my colleague inaugurate it now?

Cries of "order" from the Republican side.

Mr. DAVIS, resuming, expressed his contempt for platforms as they were sails to catch popular breezes, and, in conclusion, advocated the report of the majority of the committee.

Mr. SENDWICK (N. Y.) was opposed to any compromise but would consent that the slave States should go into a new and separate confederacy with the full consent of all the parties and provide for a gradual emancipation of the slaves in such of the slave States as might remain with the North.

Mr. VALLANDIGHAM (Ohio) offered a proposition to am