fire. And again, if there was to be war, he preferred that our present defenceless condition should not be exposed to the enemy, but that rather the President and the Senate should confidentially confer as to the measures necessary for a vigorous defence. But, above all things, he enjoined a new trial by negotiation.

Allen supported Cass, tooth and nail, nay, he went so far as to assume that the northeastern boundary question was not yet settled. Archer was indignant, and deprecated all this bravado, as uncalled for; in short, as nothing but a splutter. This very discussion of to-day, he contended, would ruin hundreds of people in the depression of stocks. He dwelt upon the rumors of a war with England about that worthless and sterile country of Oregon, as criminal to be thought of, and absurd. The Atlantic borders of Virginia and the Southern States, would be sure prey to the enemy in the event of war. Their towns would be pillaged, the very cabins along all the rivers burned to the ground, and every pig carried off and wasted by the British on ship-board. The debate was stopped by a resolution from the House, respecting the decease of Mr. Peyton, of Tennessee. To-morrow it may be resumed again, and Mr. Webster may yet have a finger in the pie, and Mr. Calhoun, if he should come in in season, Gen. Cass's resolutions of inquiry will be adopted, and we may expect such a report from the committees by-and-by, as will forestall a reduction of the tariff, and plead to the question to addition to the impositions of the act of '42, of the expediency of establishing a direct tax for additions to the army, the navy, fortifications, &c., and for a thorough outfit of the militia.

The times are pregnant of tremendous events. The whole civilized world is in the condition of a volcano, heated and convulsed from its internal fusion, and the moment of the explosion of the deluge of burning lava may in reality be near at hand.

In this crisis of portentous suspense, all eyes are turned to the restoration of Mr. Calhoun to the cabinet. He is the man who may for a century avert the clash of the tornado of war between Europe and America. He is the man, and he alone can negotiate us out of the difficulty safely, quietly and honorably. In all deference to the sterling abilities of Mr. Buchanan, we must fall back upon Mr. Calhoun, if we would prevent a present revulsion, which before its earthquake ravages were suspended, might perchance endanger the harmony of the Union.

We believe, with Mr. Allen, that we could cope against all Europe in arms; but the loss of life, property, and the cost of the struggle, would retard our onward march to universal dominion for half a century to come.

Should Mr. Calhoun arrive before the passage of the resolutions, we may expect an entirely new phase to be given to the discussion—conclusive of peace.

There was something of a panic created among the multitude to-day from this discussion, and the news, we doubt not, will fall like a galvanic shock among the Wall street stock jobbers.

The Presidency of '48, we guess, has something to do with these resolutions. Good capital, if war should not render it unavailable.

WASHINGTON, Dec. 15, 1845.

The letters of Fouche are playing the mischief here—the office beggars dare hardly speak loud any more, but whisper in knots, for fear some whisper will glide into your humble servant's ears, and through them into the columns of the *Herald*. The plain tales that I told don't suit them any more than the doctrine of Luther suits a sinner's ears, though there are many "anxious seats" well filled here, and many a man slopes off with the conclusion that they can't gull honest "Jim of Tennessee." The weather looks like a scolding wife with tears in her eyes—mist and rain hugging each other with the fondness of a newly married pair, only they hug a great deal longer. A sun-shiny day would be a treat. The Potomac has melted up again, and the rain drops fall whispering from the eaves as I write. The élite crowded to the "cellar kitchen" of the Capitol—I mean the room in which is held the Supreme Court of the United States—to hear the god-like Daniel. I observed the accomplished Mrs. H., of New York, and the splendid Miss R., of Georgia, and the queen-like lady M, all "with eyes and ears attentive bent." It was a dry case, and Mr. Webster was all simplicity and argument. I then lounged into the Senate, where Gen. Cass had raised the tomahawk—and the war cry already begins to echo through our land.

Allen was eloquent, notwithstanding the noise that he made; and, to say the least, it was a fine show of fight.

Col. Sherburne is here, who is bringing out a work, entitled "The Suppressed Administration of John Adams." He was the ardent friend of Jefferson, who wrote him the last letter ever penned by that distinguished patriot and statesman. He served with honor in the last war, and was the agent of the United States to treat with the Seminoles, at the time their brave, Osceola, was so wantonly betrayed by Jessup. He is, indeed, a noble fellow, and cordially do we wish him success.

The third Senator whom I shall try to hit, will be Thomas H. Benton, of Missouri. He is bold and fearless, and is, in common parlance, here called "Old Bullion;" yet, he looks rather discomfited to see his juniors leap from the people into the Presidency. He has been in the Senate a great number of years, and by looking at the vote that elected him for this term, you will see that he begins to be a little *passé* or unpopular, among the masses at home; and waits—and longs for—something—he don't care what—to ride into the Presidency upon. He feels that he is growing old—and much of his enthusiasm is waning—"hope deferred," &c.; but, like the gambler, he feels that this term is his last throw, and he is nerving up all his strength for a grand *coup de main*. He annoyed his party exceedingly in the manly way he stood by Ashbury Dickens—but it was only a *ruse de guerre*—he wanted them to feel his aid in small, as well as large matters; from the murder of a flea to the slaughter of an elephant. His present course is narrowly watched, and a *faux pas* will ruin his already blighted hopes. With a noble heart, united to a rough manner, he commands a respect for services done for the party, a peculiarity that strongly distinguish the "have been" from the "will be" of that patriotic body, of which he has so long been an honored member. If he was more conciliating, and louder of regular nominations, he would doubtless be better received by the larger proportion of the democratic party; but, this is perhaps owing to the fact, that no provisions had been made in Missouri for the "stated preachings of the gospel." As it is, we leave him to illume with his talents, a bright page of his country's history and his country's fame. The commercial agents, special agents, and secret agents of John Tyler will be a matter that the present Secretary of State means to investigate, if he can find out where they have gone to—some have never been heard of—others skip from one place to another, to avoid their removal. Yet the Secretary has his eyes on them, and will bestow careful attention upon them, and see that all sinecures are at once abolished. The men who have appointments during Mr. Polk's administration, must earn the salt in their porridge. Congressmen are dropping oily words in favor of Tom, Dick, and Harry, which will serve as grease to the guillotine, that will soon begin to work among the fat office holders, here and elsewhere. F. Markoe, jr., the indefatigable advocate and major domo of the National Institute, is trying to raise the steam; and it is laudable, indeed, to have one man stand up to defend and advocate an institution, that has for its aim the promotion of the arts and sciences.

FOUCHE.

WASHINGTON, Dec. 15, 1845.

Two men we mentioned as before the Cabinet for the mission to St. Petersburgh, Major Donelson, of Tennessee, and Major Hogan, late of the secret embassy to St. Domingo. Donelson, it is thought, will get it.

The war question in the Senate is predominant. We are all in a state of fermentation—politicians, parsons, and old women.

A notion is about that Mr. Rives may possibly get the printing for the Senate. Benton, Dix and Dickinson, Sturgeon and Cameron, in addition to the twenty-two whigs, would defeat Ritchie and Heiss, the caucus candidates (as supposed.) Some days may yet elapse before this vexed question is settled and Fisk and Dow are relieved of their present suspense. Had they been a little more cautious they might have counted safely upon these chickens before they were hatched. But we are afraid they have shown their hands too plainly, and have lost the game.

M'Nulty, now in durance vile, (Mr. Leonard withdrawing his moiety of $17,000 bail,) has his trial resumed to-morrow.

The night is terrific, dark and stormy. Verily, we believe the world is coming to an end, for every thing seems to have conspired to precipitate this final catastrophe.

Senate.

WASHINGTON, Dec. 15, 1845.

Since the recess from last Thursday and Friday of the two houses, a strong under-current of war has been in agitation, and to-day it broke upon the surface in the Senate, in a most tremendous ground-swell. The auditory collected in the Supreme Court to hear Daniel Webster, were diverted to the galleries of the Senate to hear of the war. "Gen. Cass is declaring war!" In a short time the report sufficed to fill the galleries with an anxious assemblage of both sexes. "War with England,"—"My God, are we going to have war again?"

In the evening hour, a vast quantity of all sorts o petitions were presented from every quarter of the Union. After which,

Gen. Cass moved the adoption of the resolutions which he submitted last week, to wit: instructions to the Committee on Naval Affairs, to inquire into the condition of the navy, and to the Military Committee to institute a similar inquiry into the condition of the land defences, and to the Militia Committee respecting its reorganization—all of which enquiries were to be considered with the view of an efficient preparation by land and sea, against the dangers apprehended of a foreign invasion.—Gen. Cass said, it was impossible to read the annual message of the President, and the commentaries of the public press, without the apprehension that a crisis is arriving which will demand the cordial co-operation of the whole country. The President tells us in his message that negotiations are closed—that the claims of the two nations have failed to be settled by arbitration. The influence of England with the European powers, from which an arbitrator would have had to be chosen, had doubtless decided our authorities against the process—that we had better hold on than submit to a royal arbitrator. Conceding his entire and cordial adhesion to the views of the President, in the present attitude between the two nations arising from their conflicting claims, what are we to do? Shall we recede, or stand still, or go on? To recede was not to be thought of at this state of the question. There was nothing to be gained from national pusillanimity—we cannot purchase present peace at the expense of the national honor. It would be "sowing the wind and reaping the whirlwind." No! He (Gen. Cass) would now repeat what he had expressed heretofore, that it was better to fight for the first inch of Oregon than the last—better to meet the enemy at the threshold, than await his approach to the hearth-stone. And, however separated now by party differences, or by space, all parties, throughout the Union to its extremities, he knew would be united in defence of the national rights. Our destiny is onward—its westward movement cannot be resisted: you might as well attempt to stay the waves of the Pacific, as the tide of our emigration setting in that direction. We cannot recede—we cannot stand still—our claim must be maintained or abandoned. Our hardy population of Oregon demanded the support of the government, or they would establish a government of their own. We had an explicit and able memorial upon this very subject last week, setting forth that the memorialists were tired of waiting for you, and would cast off all diplomatic chicanery and national pusillanimity, and set up for themselves. It was impossible that a people under two distinct governments at the same time, as are the people of Oregon, could, under the existing state of things, long remain so. This joint government was not designed for a civilized and growing community, nor adapted to them; and if continued could not fail to lead to bloodshed and intestine war. If we can neither, therefore, retrace our steps nor check them, we must go on. We must give the twelve months notice, and prepare for the alternative that awaits their expiration. Peaceful in its character as will be the notice required, if at the termination of the time designated, it it shall be required, and Great Britain persists in her claim, it must amount at once to a declaration of war—it must at once bring on the struggle. It was to be hoped that England would yield, rightfully and honorably, in order to the peaceful settlement of this question. But will she? It was safest to act upon the conclusion that she will not. When did she, in any case where she had fastened upon a claim to territory or power, relinquish it of her own accord? Never. She had exhibited no symptoms of relaxation of her hold upon Oregon.—[Here Gen. Cass referred to the London *Morning Chronicle* of April 5th last, and read extracts from the debate in Parliament of the previous day, particularly from the speeches of Lord John Russell and Sir Robert Peel, bullying Brother Jonathan upon the Oregon title—the President of the United States having assumed that our title to the whole of Oregon is "clear and unquestionable," Sir Robert Peel on the contrary, roundly asserting that the British claim was "clearly irresistible." Gen. Cass, in his commentaries, here dwelt upon the rapacities of England, and congratulated our country that we secured Texas in spite of her collusions to wrest it from us.]—Recurring to what he esteemed as almost an inevitable alternative of the future, Gen. Cass briefly reviewed in the aggregate the power and dominion of Great Britain. This little narrow island on the western frontiers of Europe, held dominion over one hundred and fifty three millions of people, or nearly one-fifth of the population of the globe. She held subject to her laws an aggregate territory of 3,812,000 square miles, or nearly one-eighth of the surface of the habitable earth, all of which, from the subjugation of Ireland, (saving the acquisition of Scotland, and certain discoveries in the South seas,) she had torn from the original possessors by the sword. It afforded no pleasure to review her ambitious policy; but we could not shut our eyes to the fact, that she had been prosecuting and is now pursuing a systematic attack upon our institutions. And yet we had been charged as an ambitious and grasping nation. To this, we can reply that we have made but three acquisitions of territory, (Florida, Louisiana, and Texas,) all of contiguous territory, and all peacefully, and with the assent of the possessors and the inhabitants, and our latest acquisition and best, (Texas) was a proud example of the moral power of our Republican system. It was our latest acquisition, but he hoped not our last. He would go for all future extensions of our general area where they could be rightfully made. There was nothing to fear from the extension of our borders. The spirit of our institutions, and the temper of our people, were better than fleets and armies to the security of internal concord. And, if this administration could secure the peaceable acquisition of California, it would receive the lasting gratitude of the people. [Voices on the whig side of the Chamber—"California"—"Of course, California"—"We must have that"—"And then Cuba"—"We have started, and must go on."] We must give the twelve months notice; and if England persists in her claims, war must inevitably follow. And it will be a war in which all the strength and the prejudices of both nations will be brought into force. Let us then make adequate preparation. Let us show to the world that we are a united people, anxious for peace, yet prepared for war. The President had discharged his duty ably and fearlessly. Let us co-operate with him, and sustain him, not by words but by deeds. The only means of preventing war, is an immediate preparation for prosecuting it with all the means and energies we can command. Vast portions of our country are but sparsely settled, and they are without defences—our navy is not in a condition for active and efficient protection of our coasts. Means and materials are wanted—men are always ready. We have to do with a people who have arsenals, depots, dockyards, &c. filled to repletion, and with a government better fitted than ours for prompt action. But let us show to our constituents that we are ready for duty; and that we meet the assumptions of England, not in a spirit of deprecation, but in a tone of firmness and self-reliance. Let us show to the world that republics are jealous of their rights, and prepared to defend them as well as monarchies.

Mr. MANGUM, in a very energetic and eloquent manner, followed against the adoption of the resolutions. We regret that our time will not permit even a thread of his remarks. He argued that the resolutions and the remarks upon them by the Senator from Michigan were injudicious. This matter could be more properly confided to the Executive—he could advise the Senate with closed doors, of the means of defence required; and this would be wiser than inviting the enemy by an exposure of our weakness. Besides, the committees would inquire, of course, into the subjects introduced in the resolutions, without instruction. He was opposed to plunging the country into a war—he prayed to God that this worst of all evils might be averted; but if it did come, then there would not, he believed, be an anti-war man on the continent. He believed, however, there would be no war; but that this dispute would be yet satisfactorily and amicably adjusted. If a war were to break out, it would be not a war for Oregon; but a war between the antagonistic systems of the European monarchies and republican institutions. It would enlist every man on this continent on our side, and half of Europe would revolt against it. He hoped the resolutions would be permitted to lie over. But the Senate refused.

[Message from the President.]

Mr. ALLEN hoped the resolutions would be adopted without a solitary vote against them, and asked if we were so much afraid of Great Britain as to hesitate upon an inquiry into the state of our national defences. He dwelt somewhat at length upon this idea; and seemed to have less faith than Mr. Mangum in the expected patriotism of the whole continent, if we might be permitted to look back to the history of the late war.

Mr. ARCHER, in the outset of his remarks, deprecated the insolence which would question the patriotism of any man or any part of the people in the crisis of war.

Mr. ALLEN explained what he had said; and then demanded of the honorable Senator over the way, to know what interpretation was to be put upon the remarks he had just delivered.

Mr. ARCHER explained that he did not mean to implicate any man, and declined to say anything in defence of his own character, if that character would not justify itself. Pursuing his remarks, Mr. Archer sided with Mr. Mangum, and in the event of war, he forcibly depicted the horrors which might ensue to the sea-board from the steamships of Great Britain. In the course of his remarks frequent explanations were exchanged between himself and Mr. Cass; and once, while Mr. Archer was denouncing "the splutter" which was attempted to be raised, he was called to order by Mr. Mangum.

Further discussion was arrested by a notice from the House of their resolutions in memory of Hon. J. H. Peyton, of Tennessee.

Mr. JARNAGIN spoke an eulogy for the deceased, and offered the usual resolutions of respect, when the Senate accordingly adjourned; and a large portion of the auditory returned to the Supreme Court to hear Mr. Webster.

House of Representatives.

WASHINGTON, Dec. 15, 1845.

After the reading of the journal, several unimportant communications were laid before the House from the War Department, and ordered printed.

Mr. ROCKWELL, of Connecticut, called up the resolutions of his State, relative to Texas, and made some judicious remarks on the subject. He complained of a want of courtesy on the part of the House, in refusing to dispose of the resolutions of a sovereign State in the usual way. He said he had no alliance with the Liberty Party. He owed his election not to them. He spoke for his State, which considered herself aggrieved by the overbearing manner in which the whole annexation business was carried on. Connecticut did not intend to make any pacticus opposition, nor to place herself in an attitude of defiance toward other States, but he hoped that milder counsels and a more conciliatory course would be pursued.

Mr. BOYD, of Kentucky, explained that in moving to lay the resolutions on the table, he was not influenced by any hard feeling toward the State. The Committee on Territories had already reported on the subject of Texas. Their report was now on the table, and he merely moved to lay these resolutions there too.

The resolutions were then laid on the table and ordered printed.

Mr. BOWLIN, of Missouri, then moved that the rules be suspended to enable him to offer a bill for the establishment of a government over the Oregon Territory. The motion was lost.

Petitions were then called for from the several States. A good many petitions were presented from Maine against the admission of Texas into the Union as a slave State, but as Maine had voted for Polk and Dallas, Texas and Oregon, of course the petitions were "no account."

Mr. NORRIS, of New Hampshire, presented the resolutions of the legislature of the granite State on Oregon, and in condemnation of British intrigue in that territory as well as in Texas. They were referred to the Committee on Territories and ordered printed.

Mr. PETTIT, of Indiana, still full of his notions against paying chaplains, presented a petition from some 400 citizens of Cincinnati, praying that chaplains in the Navy be no longer paid from the U. S. Treasury.

Mr. MCCONNELL, of Ala., moved to lay it on the table, which was carried.

Mr. SCHENCK, of Ohio, presented a petition from ——, praying for compensation for services rendered in the whiskey rebellion. (Laughter.) He moved its reference to the committee on the Militia. (Laughter.) It was so referred.

Mr. DIXON, of Ct., presented the memorial of Hon. W. W. Ellsworth, recently Governor of the State of Connecticut, and two hundred and eight other influential citizens of Hartford, praying Congress to submit proposals to other governments for a Congress of nations, to settle international difficulties. Referred to the Committee on Foreign Affairs.

Mr. WINTHROP, of Massachusetts, presented the resolutions of the Legislature of Massachusetts, on the naturalization laws, and moved their reference to the Committee on the Judiciary.

Mr. LEVIN, of Pennsylvania, proposed to refer them to a select committee, to be raised on this subject.

Mr. MCCONNELL, of Alabama, moved to lay them on the table.

Mr. LEVIN said he would debate that question, and so the resolutions went over.

One or two petitions, also, were presented on the naturalization laws.

Mr. ADAMS presented the resolutions of the Massachusetts Legislature on Texas.

Mr. JOHNSON, of Tennessee, moved to refer a piece of paper, which he held in his hand, with the resolutions.

It was read by the Clerk, and contained two or three advertisements for runaway slaves, published in the Boston papers about a century ago. Mr. Adams laughed heartily during the reading of these records of the olden time.

Mr. MCCONNELL moved to lay the resolutions on the table.

Mr. ADAMS called for the ayes and nays, which were ordered. Yeas 83, nays 57. So they were laid on the table, and ordered printed.

Mr. ADAMS also presented the resolutions of the Massachusetts Legislature, on the difficulties between that State and South Carolina and Louisiana, arising from the banishment of the agents appointed by the former to the two latter States. He moved that a special committee be raised, to which this matter should be referred.

Mr. BURT, of South Carolina, moved to lay them on the table. Yeas and nays ordered - yeas 90, nays 68. They were, therefore, laid on the table, and ordered printed.

Numerous petitions were presented, during the day, from almost all the free States, against the admission of Texas as a slave State, particularly by Mr. Adams and Mr. Giddings. They were all laid on the table.

A curious scene occurred in calling for petitions. Louisiana being called, Mr. Haralson rose to present a petition, which the Speaker did not notice, but called for petitions from Ohio. Mr. McDowell rose and commenced reading the substance of his petition, while Mr. Haralson also was reading his. Both got through, however, about the same time, each unconscious but that he had the floor for the time being. Both petitions, however, were probably as well presented as if there had been but one at a time.

The several States having been called for petitions and resolutions, reports from committees were called for, when a motion was made and carried to adjourn till to-morrow, when Texas is the special order of the day. See to-morrow's proceedings.

PHILADELPHIA, Dec. 16, 1845.

A deplorable accident occurred this morning, which has destroyed the life of a promising lad and plunged his parents and a most amiable family in the deepest distress. The deceased is a son of Mr. Wm. Stevens, a worthy citizen of Philadelphia, residing in Lombard street, near 9th. He was walking hand in hand to school with two young companions, and when in Market street, near 8th, the three were overtaken by a runaway horse, which had taken the foot way in his flight, were knocked down, and young Stevens instantly killed. He was about fourteen years of age, and was considered by all who knew him as a fine promising lad. It is a dreadful blow to his afflicted relatives. The two other lads were uninjured.

The small pox is fearfully prevalent in our city, particularly in the suburbs. In the township of Passyunk it rages more than in any other, and our medical faculty and board of health are at their wits' end to devise means to put limits to its ravages.

The Delaware is rapidly being freed from ice.

The Seguins drew a crowded house last night, and for to-night every seat in both tiers of boxes is taken. The "Bohemian Girl" is the play.

The stock market is down to-day, as will be seen by the following quotations, and brokers talk ominously of our foreign relations:—

Sales of Stocks at Philadelphia.

FIRST BOARD, Dec. 16.—$600 State 5's 70½; 900 do 70; 50 shares Reading Railroad 27; 5 Farmers' & Mechanics' Bank 45.

AFTER SALES.—50 Reading R R, cash, 26⅞; 100 do b5 26⅞; 150 do cash 26¾; 50 do rw 26⅞.

SECOND BOARD.—$10,500 State 5's, cash, 70; 5000 do 3 ds 70½; 350 Wilmington b5, 23½; 7 Schuylkill Bank 9½; 20 Girard Bank 8¾; 2500 Texas notes 23; 1000 Pittsburgh 6's b5 96.

AFTER SALES.—150 Reading R R, 5 ds, 26¾; 200 Wilmington b5 23½.

BALTIMORE, Dec. 15, 1845.

A Stormy Sunday—Madam Augusta—Trade with Liverpool—Important Rumors from Washington—Markets.

From Saturday night at ten o'clock, until about the same hour on Sunday night, we had one continual shower of rain, sweeping away all vestiges of Jack Frost's doings during the past week; whilst, this morning the sun is shining out gloriously, with the thermometer several degrees above the freezing point.

Madam Augusta will have one of the greatest houses of the season, this evening, as I learn the lower tier of boxes and the orchestra boxes are all secured. Miss Walters, I observe, also dances the trial dance with her, and she is a great favorite in Baltimore.

The ship Palestine cleared at this port a few days since from Liverpool, with a cargo of 3,000 barrels of flour, 500 ditto turpentine, 13,170 bushels of corn, 250 boxes of candles, 8 hogsheads of tobacco, and 1 ton of sassafras root. The ships Grace Brown, and Powhattan, and the barque Chenango, are also loading for Liverpool at this port. I hear no further mention, however, of the promised line of Liverpool packets, about which so much has been said.

It is rumored here to-day from Washington, on pretty good authority, that Mr. Calhoun is to be forthwith called into the cabinet of Mr. Polk, in case the difficulties with England should continue, as his quiescent policy is the only one that will prevent a war, if all signs are not deceptive. The same rumor assigns Mr. Walker to the bench of the Supreme Court, and Mr. Buchanan to the Treasury, though I scarcely think it probable that Mr. Buchanan would consent to take a retrograde movement in the cabinet. The height of Mr. Walker's ambition, at present, is a seat on the Bench, with the understanding that in case of the death or resignation of Chief Justice Taney, during the present administration, he is to be promoted to the head of the Court.

There is nothing new stirring in this city, worthy of note.

THE MARKETS.—On Saturday morning there was no change in the flour market. Small sales of Howard street, by the dray load, were made to-day from stores at $5 87½. The last large operations, however, were at $5 75, which price some holders are willing to take, whilst others ask an advance. The market is considered more firm. Both buyers and sellers have in a measure retired from the market, awaiting further advices from England. Nothing doing in City Mills—the last important sales were at $5 75, though holders now ask more.

☞ The Secretary of State has given notice of the receipt of the following quarantine and passport regulations made by the Turkish government:

"All persons wishing to visit the Ottoman empire must have their passports certified by the Ottoman consul. All vessels going to any port of the same empire must be provided with a bill of health, duly certified by the Ottoman consul.

U. S. SUPREME COURT.—George Smith, plaintiff in error, vs. William Turner, health commissioner for the port of New York. The court-room was crowded on Thursday last, to hear the argument of Mr. John Van Buren, attorney general of the State of New York, in favor of the plaintiff in error. His speech was distinguished by great ability. To-day, Mr. Webster replied, on the other side, at length. The question before the court involved the constitutionality of the law of New York imposing a tax of one dollar upon the immigrant passengers from abroad to this country. Mr. Van Buren maintained that the New York law was a *police* regulation, clearly within the constitutional competency of the State. The basis of the argument to support the authority of the States, in this particular, was, that that which had not been *prohibited* to them, might be exercised *concurrently*. Mr. Webster, on the contrary, assumed the position that the tax imposed by the State of New York, was, under the very words of the constitution, an *impost*; and, in effect, a *tonnage* duty, clearly beyond the power of the State to levy.—*Union, Dec. 15.*

SUPREME COURT, December 15, 1845.—John M. Scott, Esq., of Philadelphia, John Wilson, Esq., of Missouri, and Stephen Strong, Esq., of New York, were admitted attorneys and counsellors of the court.

No. 39.—George Smith, plaintiff in error, vs. William Turner, health commissioner, &c. The argument of this cause was concluded by Mr. Webster, for the plaintiff in error. Adjourned till to-morrow, 11 o'clock.

ALBANY, Dec. 13, 1845.

Opinions relative to Oregon—The Normal Schools—Effect of a War—Visit to the Catholic Church—Fairs, Theatricals, Cold Weather, &c. &c.

The correspondence published in the *New York Herald* between the American plenipotentiaries, Messrs. Webster, Calhoun, and Buchanan, and the British plenipotentiary, Mr. Pakenham, is the chief subject of remark in this city at the present time. It has been remarked that that portion of the correspondence emanating from the American Secretaries is highly creditable to the United States Government, and worthy of the distinguished source from whence it originated. Some hazard the opinion that our title, by every human and divine law, to Oregon, is clearly established. There is always a variety of opinion, as it is termed, upon such topics. Others think that Pakenham has got the American commissioners "on the hip," to use a trite expression; that the exclusive right of occupation is vested in England, and that there should be and will be a "balance of power" on this continent. As I have before announced to you, the general impression seems to be that there will be an appeal to arms before this vexatious question is finally and forever put at rest. The democrats charge the whigs with attempting to excite a war panic, but the opinions of the radical press—the independent conservative press of the metropolis, has the greatest weight with the masses, and exercises a most decided influence upon the minds of the political and social *cliques* of all grades and degrees.

His Excellency the Executive of this State, in company with Mr. Benton, visited the Normal school in this city on the day before yesterday, for the purpose of inspecting the various departments and deciding upon the merits of the pupils. The governor expressed himself as delighted with the arrangements of the institution and the progress of the scholars. Col. Young fills the place of the Rev. Dr. Potter (resigned) in the Executive Committee of this school.

The circulation of the banks here was never greater than this fall. There is nothing on deposit, and operators in bread stuffs have borrowed and begged endorsers, in order to convert every dollar into material for consumption.

Meetings have been held in the several wards in this city, and delegates appointed to represent them in the County Convention to be held at New Scotland on the 20th inst.

In my last letter to the New York *Herald*, I hazarded certain intimations, which were no doubt deemed positively ridiculous and absurd, to wit: that if the country were precipitated into war with England, there might not be perfect unanimity in such an emergency, among the American people. I wish to be understood as echoing the sentiments of other men, whose opinions are at least entitled to consideration. Few men in America ever dreamed that in a game where our republican institutions would be the stakes, all minor differences, political or social, would not be, for the present, buried in oblivion. This may be true, or it may not be true.

I followed Governor Wright into the Post Office a day or two since. He carried in his hands a bundle of letters, and was anxious to have them despatched per next mail. I wonder what those letters were. Probably private and confidential opinions on Mr. Polk's message, and a general review of his policy on the tariff, perhaps, together with the Oregon question, and Mr. Polk's plan for the "safe keeping and transfer of the public money?" I stepped up to his Excellency, touched my "shocking bad hat," and said, very impudently—"Gov. Wright, what's in the wind?" (It was a villanous cold day, 12 deg. below zero, and the snow was falling finely.) His Excellency turned about, and answered in an *apropos* sort of way—"Fine particles of ice—very keen and cutting!" I didn't wait for an interpretation. "Good morning, sir," with an elevation of my fingers to my hat again. "Good morning," said his Excellency.

Washington is, of course, the centre of attraction to eyes political, during the sitting of Congress, from whence diverges the *radii* of fun, of mighty events, of legislation for the million, and, in fact, of everything which interests the world in general, and the United States in particular; but I predicate that my deplorable location in this country town, among the wolvernes, will, after all, afford me a small chance of successful competition with your Washington letter writers. You'll see. There will be a greater excitement here this winter than there was in Canada during the rebellion in 1835, or than there is in London, now, on account of the death of Mrs. Caudle.

A couple of countrymen from Otsego county, stepped into a Catholic Church in this city last Sunday, to witness the proceedings. They had never been inside of a Catholic sanctuary before, and were quite frightened from their propriety, at the strange way of worship, and they exhibited their surprise to the congregation, by sundry nods, winks, and shrugs, and occasional audible laughter; at the close of the service, as the gentlemen were proceeding to the door, an old woman seized one of them by his coat collar, and commenced a very vigorous attack upon his person, in which she developed the character of a real amazon. The fellow got upon his knees and promised never to disturb a Catholic congregation again, and the old lady very graciously permitted him to slope.

The dear beautiful girls are holding several fairs in the city for various charitable purposes. The rooms are crowded every evening by gentlemen desirous to pay their homage at the shrine of the beautiful part of creation. A lady has but to tender a gentleman an article, and he tenders his purse in return.

Dempster sang last evening at the Delavan House. He gave "The May Queen," and "I'm sitting on the style, Mary," with great effect. The dining hall of the Delavan was crowded with a fashionable audience. Among the audience I remarked the State printer and his lady. Professor Whitney gives his last elocutionary lecture in this city on Monday evening next.

The Rev. Dr. Baird lectured last evening at the chapel of the Female Academy. Mr. Rice's the atrical company continue to draw crowded houses. Mr. Warren is in himself a host. I think he is a first class comedian, and in some characters Dan Marble or Yankee Hill would lose the palm in competition. Mr. Eddy, a young tragedian playing here, is deserving of notice. He evidently has the calibre for a tragedian, and by a proper course of training, promises to be excellent. Mrs. H. Hunt makes her *deout* for the winter season next Monday evening. I learn that she will appear in a number of her most popular characters, and that a gentleman of talent and power has volunteered to sustain her. This gentleman has never appeared upon the stage, but he has the necessary qualities for a splendid tragedian. Miss St. Clair is a beautiful girl, and is winning "golden opinions."

When Bonaparte vacated Moscow with his army, the thermometer marked 20 degrees below zero—thousands of his men perished in that campaign. Well, the thermometer on the outer door of my office marks 12 degrees below zero to-day—8 degrees higher than the Russian winter. It is a little the coldest weather I ever experienced in America.

Four horses were drowned yesterday, in attempting to cross the river on the ice, opposite this city.

A three story brick building was consumed by fire this morning, in Broadway. Some two or three families suffered severely.

Markets.

NEW ORLEANS, Dec. 6, noon.—The Sugar market is firm, but there is only a limited business doing; prices range from 4¼ a 6¼ cents per lb. Molasses is in good request at 22 cents per gallon.

There is quite a pause in the Flour market, and common brands of Ohio could be bought this morning at $7 12½; $7 has been refused for a lot of 1000 bbls.—*Correspondent of the Baltimore American.*

COMMERCIAL.

New York, Tuesday, Dec. 16.

ASHES.—The demand is not very great for either description. Pots at $3 75, and Pearls $4 26.

BREADSTUFFS.—Flour to-day is very firm at our yesterday's quotations, but transactions we believe have been limited, particularly for export. The advance in the rates of freights to London and Liverpool has materially checked operations in this branch. The transactions for home use have been small at $6 37½ for Genesee; in Southern Flour there was a li tle more life than on Saturday, and prices range from $6 25 a 6 37; Georgetown and Brandywine commanding the latter. In Wheat there might be considerable done if holders could but slightly moderate their views, there are many purchasers in the market at $1 32, which is refused. The demand for Corn for export is good—a sale of some 12,000 bushels took place at 80 cents per 56 pounds. Rye, 80 a 81c.

COTTON.—The Cotton market is very inactive, but prices are firm at our quotations.

LIVERPOOL CLASSIFICATION.

	Upl. & Flor.	Mobile & N.O.
Inferior	— a—	6¼ a6¼
Ordinary	6¼a 6½	6¾a 7
Middling	6¾a 6¾	7¼a 7½
Good middling	7 a 7¼	7¾a 7⅞
Middling fair	7¾a 7⅞	8¼a 8½
Fair	7⅞a 8	8¾a 8⅞
Fully fair	8¼a 8½	9 a 9¼
Good fair	8¾a 8¾	9¾a 9¾
Fine	8¾a 9	10 a10¼

NEW YORK SALES OF REAL ESTATE, Dec. 16.—1 lot on 7th street near 3d avenue, 22x60, $3000; 1 on 2d avenue near 6th st, $3000; 4 on 7th street near 2d avenue, $2000; 1 do do, $2550; 1 do near 1st avenue $2400; 1 on St. Mark's place near 2d avenue $3000; 1 on avenue near do $3050; 1 on avenue near 1st avenue, $3000; 2 on 7th st near do, $4300; 1 on 8th street near do, $3350; 1 on do adjoining, $3100; 1 on do near 1st avenue $3000; 1 on do near avenue A, $3000; 1 on do do, $3000; 1 on St. Mark's place near 1st avenue, $3300; 1 on 9th street near do, $2850; 1 on do near 2d avenue $2500; 1 on 10th street near do, $2400; 1 cor 1st avenue and 10th st, $3000; 1 on 1st avenue near do, $2550; 1 on 9th street near avenue A $2500; 1 on 10th street near do, $2300; 1 on avenue A near 9th street, $3350; 1 on do near 10th street, $4000; 1 on 2d avenue near do, $8900; 1 on 10th street near 2d avenue, $3200; 1 on 11th street near Stuyvesant street, $1600; 1 on do adjoining, $1600; 2 on 12th street near 1st avenue, each $1300; 3 gore lots on Stuyvesant near 13th street, each $1100; 1 lot on 13th street adjoining, $1250; 1 on avenue A near 13th street, $1700; 1 gore cor avenue A and Stuyvesant street, $2600; 1 lot on avenue A adjoining, 1700; 1 cor avenue A and 13th street, $1800; 1 on avenue A adjoining, $1550; 1 on 12th street near avenue A, $1400; 1 on do near avenue B, $1400; 1 on avenue B between 12th and 13th streets, $1650; 1 on 13th st near avenue B, $1850; 1 on do near avenue A $1500; 1 corner avenue A and 14th street, $2300; 3 on avenue A adjoining, each $1500; 1 on 13th street between avenues A and B, $1250; 1 on do near avenue B, $1300; 1 do do $1150; 5 on 14th street between avenues A and B, each $1500; 1 on 13th street near avenue B, $1400; 1 on avenue A between 9th and 10th streets, $3450; 4 on 8th street between avenue A and 1st avenue $10,700; 1 on 13th st near avenue B, $1200; 2 on 13th st near do, each $1200; 2 on 2d avenue near 10th street, each $3000.

Flour Market.

ALBANY, Dec. 13—There is nothing doing in the Flour market, except sales of lots on Eastern account at $6¼ a ⅞.

BUFFALO, Dec. 12.—The advices from New York respecting the effect of the late European news upon the market at that point, corroborate the quotations given by us yesterday, $6 50, and cause most buyers in our own market to stand aloof. The highest price we hear offered to-day for good common brands, is $4 75, and holders are offering to some extent at $5, but we hear of no sales.

ROCHESTER, Dec. 11.—There is not quite as much anxiety to operate in Wheat as there was before the arrival of the Cambria. The decline in the New York market, and the prospect of Flour receding still further, is the cause. The scarcity of wheat in the city, however, sustains prices to 121 to 122 cents for wheat.

Pork Market.

Cincinnati *Gazette* of the 13th, says:—In the course of last week, hogs fell gradually from $4 50, the highest point attained, to $4 a 4 25. At the opening of this week, there were some settlings at $4 12½, but good pork hogs brought generally $4 25. Since, the sales have been quite free at a ruling rate of $4 a 4 25; dividing on 200 lbs wt. Yesterday and this morning some 2500 head were taken in several lots, averaging 205 to 210 lbs, at $4 25 all round. Some light bacon hogs have been offered to-day at $3 80½; and the owners of a large lot which was yesterday held at $4 30, was this morning seeking a buyer at $4 25.

Passengers to Sail.

LIVERPOOL.—Packet ship New York—J A Dumbolton, F C Germon, M G Stanwood, G W Harrington, G W White, G W Felham, of New York; Wm J Niles, Thos Niles, Boston; Thos Risk, Liverpool; J R Callender, Glasgow.

MARITIME HERALD.

PORT OF NEW YORK, DECEMBER 17.

SUN RISES.....7 27 | MOON RISES.....8 28 E
SUN SETS.....4 33 | HIGH WATER.....10 57 M

Cleared.

Ship Stephen Lurman, ——, Liverpool, Cook & Smith.
Ship H Allen, Wilson, Charleston, Geo Sutton.
Barque Rosina, Doty, Rio Grande, W W De Forest & Co.
Brig Smith Tuttle, Bush, Guadaloupe.
Brig Natahnis, Rollins, Kingston, Ja, Badger & Peck.
Brig Caroline, Von Hagen, Angostura, Oelrichs & Kruger.
Brig Sarah, Potter, St Johns, NF, C N S Rowland.
Brig Harriet, Purrington, Bth, Schmidt & Bolchen.
Schr H W Safford, May, Philadelphia, N L McCready