Our Washington Correspondence.

WASHINGTON, Jan. 13, 1855.

The President's Levee—The East Room—The President and His Lady—Side Glances Among the Cabinet—Gen. Houston's Reception—Speaker Boyd—The Belles of the Evening—Key to a Mystery—Vulgarity of the Boston Post—Board of Regents, &c.

The President's levee, the first of the season came off last evening, and, of course, everybody was there. Such of the company as had a penchant to be squeezed—and some ill-natured old bachelors intimated that there were such—had an opportunity of indulging to their hearts content. The magnificent East Room was filled to its utmost capacity with a brilliant display of silks, laces, ribbons and rouge. Just think of the change since the days of Mrs. John Quincy Adams, who, writing to a friend of hers said, "that she could not conceive of the object in view, in the formation of a room of such vast dimensions, and that she had appropriated it to the purposes of drying clothes and raising poultry." The room was finished during the last years of General Jackson's administration, though it has undergone various improvements since, and is now not surpassed in comfort and splendor by any similar room in the world.

The President was rather pale and haggard in appearance, but yet received his company with his characteristic ease and elegance. He seemed, however, worried in mind, and the close observer could detect a slight disposition on his part, as well as on the part of several members of his Cabinet present, to look askant at times, as if each was watching the other's movements. Mrs. Pierce received her friends in the same room with the President's, and did the honors of the White House most handsomely.

While the present ideal of the United States was holding his reception in the greenroom, the President, in expectancy, General Sam Houston, was holding his in the East room, surrounded by hundreds of ladies and gentlemen. The ladies particularly were anxious to greet "General Houston," and the old hero had a kind word for them all. Mr. Speaker Boyd and his lady also appeared to have an opposition reception, so surrounded were they by their friends. The belles of the evening were Miss Emory of Boston, and Miss Wood, a niece of Gen. Taylor's.

The two houses of Congress yesterday did nothing more than to pass resolutions relative to the death of Senator Norris of New Hampshire, and to adjourn over till Monday. Several executive communications were sent into Congress, but their contents will not be known until Monday.

The key to administration opposition to Mr. Clingman's mediation resolution, is now in the hands of the public, and is producing a stir here which will result in another "call for information," by the Senate of the United States. This is a very important item, and the Senate will, in justice to itself, demand to know the information the President may possess relative to the correspondence between Baron Meyendorff, the Russian Ambassador at Vienna, and the Russian Minister in this city, touching American sympathy for Russia in the present war.

The editor of the Boston *Post* opens the floodgates of vulgarity and abuse upon the Washington correspondents of the *Times* and HERALD, for exposing the author of his Washington letters, and defending themselves against his attacks. Although the man of the *Post* tries to relieve his correspondent from the incelicate position in which he has placed himself, he takes particular care not to deny the authorship of his letters, as charged by your correspondent, nor will he deny it. The editor may consider himself "responsible in the premises," but your correspondent disclosed the name of the real author, and exposed a series of erroneous statements relative to Captain Gibbon.

The Board of Regents of the Smithsonian Institution commenced their session yesterday, and are setting with closed doors. Several correspondents made application for a admission to the meetings, but were denied. It is to be a sealed book to the people, and they are to be kept in ignorance of the schemes resorted to to keep the present miserable management upon its legs. The money is spent—nothing is done—the people ask why, and we are informed in reply that the Board of Regents meet only in secret session. What an outrage upon the people is this. And still it is being practised every day in our midst. Will not Congress grant some effectual and immediate remedy for this evil? E.

WASHINGTON, Jan. 12, 1855.

Our Difficulties in Paraguay.

It is now a matter pretty well settled, that difficulties of a serious nature are about to occur between Paraguay and the United States.

So far as we have read the official documents, it appears that a brother of our Consul at Assumpcion, while riding with a lady, was struck by a soldier with the flat of his sword. President Lopez was called upon for the punishment of the offender, and he received three hundred blows for his impertinence. In the correspondence growing out of this assault, the Consul made some allusions to his own services in behalf of Paraguay; and the Secretary of Lopez replied that those services amounted to nothing, that the Consul and his friends were constantly violating the police regulations of the country, and that the American company of which Mr. Hopkins was the general agent, owed the government already about $11,000, and has accomplished nothing but a segar factory.

No further information of an official character has yet reached us; but this we hear, that Mr. Hopkins, in the further course of the difficulty, had his exequatur revoked, and also resigned his office. He has since attempted to withdraw his resignation—most probably because he found his position strengthened by unexpected circumstances.

Lopez, it seems, as a finale, ordered the American company's agents out of the country, attempting, however, to detain Hopkins. The Water Witch, Lieut. Page, happening to be "on hand," interfered, and taking a position to destroy Assumpcion if the Americans were not allowed peacably to embark, succeeded in that arrangement. She carried her passengers to Corrientes, the capital of the State of the same name, near the junction of the Parana and Paraguay, 750 miles from Buenos Ayres. There they remain.

Despatches from Mr. Hopkins and from Lt. Page have recently reached Washington, and a brother of the consul has returned home to report the state of affairs to the company.

What complicates the matter considerably is the fact that the Brazilian government is about sending up a fleet of steamers to Paraguay to settle an old difficulty about the boundaries of the empire in that quarter, and the English are to follow with a vessel or two "of observation." The newspapers at Rio take the part of Mr. Hopkins, who, it is understood, on his way to the Plate river was consulted by the Emperor as to those very boundaries. The American company will be large losers by this sudden change in their affairs, and will undoubtedly invoke the aid of our government in obtaining damages.

Mr. Hopkins has always been the great eulogist of Lopez, and was some years ago much in favor with him.

A great many complaints about his conduct have, from time to time, reached the department; but as the consulship was of no value, little notice was taken of them. The passengers who went out with him, and the mechanics and engineers who came back, speak very decidedly against him. It may be necessary to send a special agent to Paraguay to settle this matter, as two things are now demonstrated: that the people of Paraguay offer no great market for foreign products, and will not till their social wants are much greater than they are now; and next, that without regular steamers upon the Plate no trade can be profitably carried on by foreign nations.

At the latest dates not a single freight offered for the United States at Buenos Ayres.

LOOKER ON.

[Semi official—Letter from F. J. Grund.]

WASHINGTON, Jan. 11, 1855.

Rumored Resignation of Messrs. Soulé, Buchanan and Mason—Gov. Marcy Determined to Hold On to His Conservative Policy, Come what may—No Relapse into the Cuban Fever.

It is rumored here to-day that Mr. Soulé has resigned his commission, or that he is about to resign it, unless Mr. Marcy will be kind enough to vacate the State Department. It is also rumored that Mr. Buchanan and Mr. Mason will also resign, unless Gov. Marcy quits the State Department, and makes room for a "fast man," who is ready to annex Cuba, "peacefully, if it is possible; forcibly, if there is no other way of doing it." Now, I can tell you most positively that Gov. Marcy has not the most distant notion of involving this country in war; but that, on the contrary, he will continue to hold the reins tight over the numerous filibusters and fast men who happen to represent us now in Europe, in Mexico, and in South America. If the alternative is presented to him, he will sooner resign his place than involve the country in war, or expose our national escutcheon. Let Soulé come home and take the stump against Gen. Pierce and his premier, he will find himself the laughing-stock of the country. It is in vain that every effort is now making to bring on a relapse of the Cuban fever; it is in vain that Northern members are approached to make filibuster speeches in Congress.

The House is cold and frigid on the subject, and so is the Senate. Not three cents of secret service money would be voted in any emergency, and you may just as well set it down first as last that Cuba will not be acquired under General Pierce's administration, and that even the annexation of the Sandwich islands is indefinitely postponed. The line of diplomatic operations extended over too large a space—it took in the islands of the Pacific, Cuba, Dominica, the Amazon river, Sonora, Chihuahua, Tehuantepec, the Galapagos Islands, Central America and a revolution in France and Switzerland. These things, however, were not in the programme of the State Department; they were for the most part undertaken by our energetic diplomatic agents abroad on their own hook, and gave Governor Marcy infinite trouble. If he succeeds in managing those who hold office under him, he will have no difficulty in settling matters with foreign powers.

The Committee on Foreign Relations are quite embarrassed in regard to the Ostend Congress. They would like to expose the doings of that Congress to the American people, if they could do so without incurring the serious dissatisfaction and ill will of England, France and Spain, and suffering somewhat in the estimation of the world. There's the rub—and for this reason, the curtain which hangs over the proceedings of that Congress will never be lifted.

The hostile demonstrations against Paraguay, and the almost bombardment of Assumpcion, the capital, are well calculated to strike terror into every nation that will not peacefully submit to the reasonable demands of our diplomatic and consular agents abroad. This treating with foreign nations at the cannon's mouth, is, nevertheless, a dangerous practice. It may succeed against weak nations, but it alarms all others, and may be the cause of failure in other more important negotiations.

[Correspondence of the North American.]

WASHINGTON, Jan. 11, 1854.

The Kinney Expedition and the Administration—The Galapagos Islands.

The Kinney expedition seems almost to have passed into the hands of the government, and to command its countenance and support. The Washington *Union*, the executive organ, is made the vehicle for conveying to the public the most important information concerning it. It appears from an announcement in this paper that the expedition is to sail in about three weeks, in three vessels, and that it will be much more formidable than at first supposed. The adventurers will exceed a thousand in number. What they are to eat does not so clearly appear, nor what they are to do. But I presume that a small portion of them will settle about the corner groceries in Greytown—that a few will spend a week or a month in prospecting for gold, or in gathering dyewoods—that a portion will take the part of the revolutionists in the civil war raging in Nicaragua, and that the remainder will hurry off to California with all convenient speed, glad to have accomplished half the distance at so little cost, and by so lucky a chance.

So far as I can learn, the rumors that the purchase of the Galapagos Islands is a government speculation, is unfounded. The price named for them is entirely fabulous. Three millions of dollars is more than the whole country to which they belong would sell for, if taken with the incumbrances of its foreign debt and domestic revolutions. Senator Benjamin, of La., who, it is understood, was employed in the enterprise of acquiring the group, has returned to Washington. I think it will be discovered that the undertaking is entirely a private one, and that it has thus far been conducted under the auspices of capitalists in New Orleans, Baltimore, and New York.

The United States Senator Question.

[From the Albany Argus, Jan. 13.]

The following are the provisions of the revised statutes applicable to the election of a United States Senator during the present session:—

On the first Tuesday of February next, before the expiration of the time for which any Senator was elected to represent this State in Congress, if the Legislature shall then be in session, and if not, then within ten days after a quorum of both houses shall be assembled at the then next meeting of the Legislature, an election shall be held for a Senator in Congress, at the place where the Legislature shall then be sitting, in the room of such Senator so going out of office.

Such election shall be made by the Legislature in the following manner:—the Senate and Assembly shall each openly nominate one person for the office of Senator in Congress; after which they shall immediately meet, and if they shall agree in their nominations, the person so nominated shall be appointed to the office for which he shall be nominated; if they shall disagree, the election shall be made by the joint ballot of Senators and members of the Assembly.

It will be perceived that the election of a United States Senator from this State, for the term of six years from the fourth day of March, 1855, will be held on the sixth day of February. The detail of the manner in which the election is conducted may not be familiar to all readers.

The presiding officer in each branch of the Legislature causes the roll of members to be called on the day specified by law, and at the hour agreed on by concurrent resolution, and each member, in his place, makes his nomination *viva voce* for United States Senator. If a majority of the State Senators, and a majority of the Assemblymen, a quorum being present of course in each house, in this way are found to have respectively designated A. B. as their choice, no joint ballot takes place, but on meeting and comparing the votes, the person selected by the two houses is declared duly chosen.

If a majority of one house nominates A. B., and a majority of the other house nominates C. D., a joint ballot is had, in which each member of the Legislature has one vote, and a majority of the whole number will elect.

But if either house fails to make any nomination at all, by a majority of a quorum, then the provisions of law which we have quoted become inoperative, no joint meeting of the Senate and Assembly, to compare their respective nominations, can take place, and consequently no election can be had. This happened in 1851, when Gov. Fish was the candidate of the whigs, the Senate not being able to make a nomination—and his party was compelled to resort to a novel mode of proceeding to accomplish their object. Taking advantage of the absence of two opposing Senators, they proceeded without notice, to the election, and succeeded.

We have thus presented the language and explanation of the law upon this subject, because we perceive that the entire subject is much misunderstood by many of our exchanges, some of which labor under the idea that no day is fixed by statute for the election, others that a joint ballot is the only manner of election, &c.

The law has properly fixed the day when this important legislative function shall be discharged. The design was to prevent a surprise, to enable every member to be present and take part in it, and to allow time to confer together in regard to candidates. Instances have occurred where an election has gone over in consequence of the failure of one house or the other to nominate. The case of Gov. Fish, we believe, is the only one where—the day fixed by law having gone by without an election—a subsequent day was assigned by joint resolution for that purpose.

SUICIDE OF A LADY IN NEW ORLEANS—A SAD AFFAIR.—The most deliberate and shocking suicide that we have heard of for many a day, was committed by a married lady named Mary Murphy, at her residence on St. Andrew street, near Magazine, about nine o'clock yesterday morning. She coolly cut her throat with a razor, from ear to ear, severing the carotid artery, and almost instantly fell lifeless upon the floor. She was a lady of refinement, and had been bred in affluence, but being of a speculative turn of mind, and meeting with a reverse of fortune in Ireland, she left her home in the county of Wexford, and in company with her husband and two beautiful children, sought to retrieve her fortunes in the western world. Arriving in this city but a few weeks since, her husband at once invested what means they had brought with them in a small store somewhere in the Fourth district, and having settled down in their new home, fortune did seem again to smile upon this family, when the sad tidings was borne to them by the swift-winged messenger of evil news, that the agent in the old country to whom she had entrusted the settlement of some property she there possessed, had failed and absconded. She was not a strong-minded woman, and had not been used to adversity, else had she laughed at this calamity and mocked the ill tidings; but the blow was too heavy, and her reason fled. From that time forward the only words she uttered were, "My children will starve—we shall all starve," &c. Yesterday morning, shortly after breakfast—her husband having gone to the store—she was in the parlor with her servant and oldest child, when the baby began to cry in the adjoining room. She remarked wildly to the servant, "Oh! my baby will starve; go and see to it." The servant retired, pacified the child, and returned almost immediately into the room, when, to her horror, she beheld her mistress staggering across the floor, with a stream of blood gushing from a wound in her throat. She ran to her assistance, but before she reached her the unfortunate woman had fallen to the floor and expired. On the carpet, in front of the looking glass, was lying a large black handled razor, covered with blood. The Coroner yesterday held an inquest on the body, and a verdict of "Suicide, while temporarily insane," was returned.—*New Orleans Delta, Jan. 7.*

SHOCKING MURDER IN NEW ORLEANS.—About half past eleven o'clock yesterday, Mr. Jacob M. Ober, a well known and respectable gentleman, engaged in the coal business, was shot in the right breast, at the coal office of Mr. Nimmick, on Gravier street, by a young man named William Hogue, a clerk in the employ of John E. Caldwell & Co. Mr. Ober was at once conveyed to the hospital, being in a dying condition, and breathed his last about one o'clock—the murderous shot had done its work of death, and sped the soul of poor Ober on its journey to that bourne whence no traveller returns. He was a native of Sweden, and about forty-two years of age. He had but recently returned from Philadelphia, where he had, in company with his wife and children, been passing the summer. His family are still there, and this will be a heavy blow for his widow and orphans. Hogue has also a family, and has hitherto been considered an honorable and high-minded gentleman.—*New Orleans Delta, Jan. 7.*

Funny Sympathy Meeting at New Orleans.

[From the New Orleans Delta, Jan. 6.]

The following notice appeared in several of the morning papers yesterday, and also in flaming and artistically executed posters put up in every barroom and prominent place throughout the city:—

PATRIOTIC RUSSIAN MEETING.

A meeting of all those who sympathize with the noble and heroic efforts of the Czar of Russia, in defending the integrity of his empire against the combined invasion of the royal robbers of Europe, will be held this (Thursday) evening, Jan. 4, at 7 o'clock, at Banks' Arcade, Magazine street.

The friends of Russia have learned from the Emperor Nicholas that he requires no funds. He is able and willing to support the widows and orphans of the brave fellows who have fallen, or who may fall, in defence of their nationality. All he asks is an honest expression of the sympathy of the American freemen of the great republic of the West, and this he shall have "by the Eternal."

Long before the hour designated in the placards crowds of all classes, nations and politics might be seen wending their way towards the Arcade, and by seven o'clock that spacious bar room was completely jammed, while hundreds were outside, unable to obtain admittance. About half-past seven o'clock, the crowd outside seeing that no preparation had been made on the usual oratorical stand for the accommodation of the officers of the meeting or the press, and that no move was being made in that direction, began to murmur, and finally to denounce the whole thing as a humbug. After a world of noise and confusion, and calls for several mass meeting orators, among whom the name of General George Washington Dixon was prominent, the latter chieftain finally mounted the rostrum amid cheers, yells, hisses, and all the infernal noises that could be manufactured by an excited assembly.

For several minutes after the General mounted the stand, it was utterly impossible to hear a word he said. He looked daggers at the excited crowd below him; and as a lull would occasionally occur in the cheering and yelling, we could catch such expressions as, "I know d—d well you're all drunk;" "You're not Americans;" "You're Bashi-Bazouks," &c., &c. One of the audience, Colonel Torr, finally mounted the stage, and we could see by the pantomime (for we could not hear a word of the dialogue) that that gentleman was urging the General to retire, and that the latter was determined to hold his ground. Colonel Torr, failing to persuade, caught the General with one hand by the nape of the neck, and with the other on his mouth, tried to enforce his silence, and this not succeeding, Colonel Torr at last picked the General up in his arms and tried to carry him off the stage *nolens volens*. The General resisted, and kicked like an untamed colt. The result was that he and Colonel Torr went down together, carrying with them in their fall several beautifully embellished plans of swamp lots, that had been placed on little wooden "horses" on the auctioneer's stand.

After General Dixon was put *hors du combat* there was a lull in the proceedings for a few minutes. The audience, however, soon became impatient, and loud calls were made for "Dreaux," "Christie," "Dixon," "Roberts," &c. After some delay, and a most terrible noise and confusion, Colonel Roberts mounted the stand amidst the most vociferous cheering. He began, as well as we heard him from where we stood, by stating that he came there believing the meeting to be a humbug, but was proud of lending his influence in making it a reality. He would first premise to the audience that he was an American, (cheers,) but in the present struggle in Europe he was a Russian. (Vociferous cheering.) He held it to be a political truism that there could be but two governments on earth—an absolute despotism and a republic. (Prolonged cheers, with such expressions among the crowd as—"We differ in that"—"we'd like a little betwixt and between," &c.) He hoped to see the day when there would be but two such governments, and when the final struggle would be between the freeman and the despot—a struggle which would terminate in the floating of the stars and stripes and the American eagle over every nation on the globe. (Tremendous cheering.)

Col. Roberts, after denouncing the alliance between France and England, and pronouncing Louis Napoleon the greatest man in Europe, closed his speech by giving it as his opinion that the people of this country had nothing to do with the European war, and that they had better attend to their own business.

Col. Carman next took the stand. He said he came there with the ideas of his friend, Col. Roberts, that the meeting was a humbug. The immense mass before him, however, showed that the feeling of the people was right, and he felt satisfied that if a call had been sent round, it would have been signed by thousands. He did not get up to make a speech, and having had no hand in getting up the meeting, he did not wish to steal other people's thunder. The Colonel resumed his seat amidst the most vehement cheering, and cries of "go ahead, Carman," "go in, old boy," "that's the talk."

After Col. Carman retired from the stand, the audience soon became impatient for a speaker, and loud calls were again made for "Dixon," "Rio," "Ricardo," "Christie," "Magionis," "Gen. Palfrey," "Wood," "Dr. Hines," "Walker," &c.; but it was like calling spirits from the vasty deep; none came forth, and the vast crowd soon after dispersed, in apparently good humor.

Bad Workings of the Maine Law in Connecticut.

In Massachusetts the Maine Liquor law is a mockery. In Connecticut, however, its friends claim that it has made a practical and satisfactory experiment.

Gov. Dutton, it will be recollected, was brought here to testify in its behalf, in order to aid in the delusion under which Gov. Clark was elected. We have, however, a more reliable witness in the Hartford *Times*, which, speaking of the law and its operations, says:—

Now the truth is, as we have heretofore stated, that there is as much, if not more, liquor drank in Connecticut at this time, than there ever has been at any former period. In this city there is quite as much drinking as there was under the former license laws on this subject; and we are credibly informed that the same thing is true of New Haven and other localities. Club rooms are numerous, in which young men congregate for purposes of drinking and social carousing; and liquor is freely offered to visitors in private houses.

The direct tendency of the present law is to revive the old custom of forty years ago, which made it fashionable to keep a supply of spirits on the sideboard of every private gentleman, and offer the same, as an act of common politeness, to all who called. This is already the effect of it in some quarters, and the tendency is increasing. It is notorious that liquor is freely procured at this time, however strenuously the Maine law papers may deny the fact.

The same paper compares certain results, about which Governor Dutton affected to be very positive, with those of corresponding terms of former years. We copy one of these comparisons, premising that the Maine law went into effect in Connecticut in August last:—

NUMBER OF COMMITMENTS TO THE HARTFORD COUNTY JAIL, BEFORE AND AFTER THE PASSAGE OF THE LAW.

	1850.	1851.	1852.	1853.	1854.
August	5	—	2	—	11
September	2	3	3	2	22
October	1	—	2	—	19
November	1	2	1	2	21
December	3	1	1	1	16
Total	11	6	9	5	89

The Erie Riots.

A despatch dated Jan. 12 says:—"Everything is straight to Harbor Creek. The New York and Erie Railroad Company have some dozen omnibuses in service at the latter place, which take the passengers over the break with but little hindrance. The Philadelphia forces will be here to-day, and they will go to laying down the new track to-morrow morning."

The Sheriff and deputies have arrived. The work at Harbor Creek will be commenced to-morrow morning. The road will be ready for use on Monday evening or Tuesday morning.

THE FAILURE OF WADSWORTH & SHELDON.—We were informed yesterday, by a gentleman from Illinois, that $155,000 sent forward to meet the interest due on the bonds of that State, and which was reported to have been lost by the failure of the house of Wadsworth and Sheldon, of New York, is amply secured, by the bonds of these gentlemen. Our informant obtained his information from Mr. Cook, Chairman of the Finance Committee of the Senate of Illinois, who stated that the endorsers of the bonds of that firm, were among the most wealthy and prominent citizens of the State.—*St. Louis Democrat, Jan. 10.*

ECLIPSES IN THE YEAR 1855.—There will be this year four eclipses—two of the sun and two of the moon:—

The first—A total eclipse of the moon, May 1, at 10 o'clock 58 minutes, in the evening; visible.

The second—A partial eclipse of the sun, May 19, at 9 o'clock 9 minutes in the evening; invisible here. Only visible towards the North Pole, Greenland, and the north part of North America, latitude 60 and 61.

The third—A total eclipse of the moon, October 25, at 2 o'clock 35 minutes in the morning; invisible.

The fourth—A partial eclipse of the sun, November 9, at 3 o'clock 39 minutes in the afternoon; invisible here, and only visible at the South Pole.

THE SUSPECTED TORPEDO MAN ARRESTED AT CINCINNATI.—John Wilson, who is the William Connelly, of New York, suspected by Allison, before his death, of having sent him the infernal machine, has been arrested in Cincinnati on a charge of burglary. This is his first visit to the West since the horrible accident took place. Wilson is his alias name. He and Arrison are now lodged in the same jail, although in different cells.

Important to Shipowners.

MARINE COURT.

Before Judge Phillips and a Jury.

JAN. 13.—*George Coleman vs. Benjamin A. Mumford, Henry E. Scott and John Ellsworth.*—This was one of several suits to recover seamen's wages. In August, 1850, plaintiff with others shipped as mariners on board the ship Palestine, belonging to the defendants, at San Francisco, "for one or more ports in Peru, and thence to a port of discharge in one of the Atlantic States of the United States, with permission to touch at any intermediate ports," at $75 per month "to a port in Peru, and the going wages afterwards." The ship arrived in ballast safely at the Chincha Islands, took in a cargo of guano, and proceeded to Callao. On the homeward voyage the ship sprung aleak, and was with difficulty navigated into the port of Pernambuco, where surveys were called and the ship condemned as unseaworthy. This the plaintiff claimed was a discharge from his contract, and demanded his wages up to the time of the arrival of the ship at Pernambuco, with interest, and an allowance, in lieu of wages, to pay his passage to the United States. It was admitted on the trial that the cost of shipping the guano from Pernambuco to Baltimore exceeded the amount the ship was to receive for freight, and consequently no freight was earned. The defence to the action was as follows:—

1. The ship having carried no freight, the defendants are not liable for seamen's wages.

2. That the plaintiff and others of the crew deserted and abandoned the ship at Pernambuco, without the permission of the master, and that he thereby forfeited all claim to wages. In support of the second branch of the defence, the log book of the ship, kept by the mate, was put in evidence by the defendants, in which entries appeared, and on which they relied to prove the plaintiff's desertion. The plaintiff offered parol proof to show that plaintiff did not desert, which the Court excluded, but allowed to him to prove that the log book contained interpolations not made at the time the entries were written, and not in the mate's handwriting.

Judge Phillips, in charging the jury, said that it was an ancient maxim of the law that "freight is the mother of wages." In other words, if the ship carried no freight, the mariner was not entitled to wages, but that there were exceptions to this rule, harsh and often inequitable in its effects. It was adopted many years ago, when each seaman had an interest or per centage in the earnings of the ship by way of wages. A practice similar to that now obtains among whalers, but since that time the custom on this subject has changed and a fixed sum agreed to be paid seamen, and yet while the necessity for the principle is destroyed, the courts, both in England and America, have, until a comparatively recent date adhered to the doctrine. In many respects it is a salutary one—impress upon the seaman that he has an interest in the success of the voyage, and thus secure the faithful performance of his duties. The courts have recently, however, relaxed this rule and a number of exceptions to it are now recognized. It is not necessary to recapitulate them, but to notice that under which I deem this case to be placed. In the case of the Saratoga, 2 Gallis' R., 175; the Two Catharines, 2 Mason's R., 319; 5 Peters' R., 675; 3 Sumner, 286; Ware's Rep., 485; and numerous other cases, it was held that if the owner has chartered his ship to take a freight at a foreign port, and none is carried on the outward voyage, the mariner is entitled to wages, although no freight has accrued. For the purpose of giving the defendants a fair exception if I err in this respect, I instruct you that the case before you is an exception to the rule, and no cargo having been taken with the outward voyage, so far as this objection is concerned, the plaintiff is entitled to recover. Upon the second point of the defence the laws of the United States provide that when a seaman leaves his vessel without the consent and permission of the master, or officer in command, for more than forty-eight hours, he shall forfeit all wages due him. The law requires that the mate, or other officer having charge of the log-book, shall make an entry therein of the name of the mariner on the day on which he shall so absent himself, and makes this entry conclusive evidence of the desertion. Entries in the log book the defendants claim comply with the statute. This statute is highly penal and the courts have given it the strictest construction. The log-book is with you, gentlemen, and in my judgment not one of the entries on which the defendants rely are in compliance with the law. Some entirely omit the names of the seamen—others do not state that the men are absent without permission of the master, and thus all are defective. But, if this were not so, it is shown by one of the seamen on board, afterwards promoted to the office of second mate, that he occupied the same room with the chief mate—saw him make the entries in question in the log; that at that time the interpolations were not there, and that they are not in the handwriting of the mate. It is a principle of law that "false in one thing, false in all," and I know of no case where this principle more powerfully applies than in the present. The law makes the entry of desertion in the log-book a conclusive evidence of the desertion. At common law this would not be even *prima facie* evidence of the fact; surely then, in a case where the statute is so stringent, it is competent to show that fraud and forgery exists, and I charge you, gentlemen, that if you from the testimony, and on inspection of the entries and interpolations believe that the entries have been falsified, you may disregard them altogether. It is a question of fact of which you are the sole judges, and upon which the court will not volunteer an opinion. If you come to the conclusion to disregard these entries, then there is not the slightest evidence of desertion on the part of the plaintiff proven, and he is entitled to your verdict. If you find for the plaintiff, it will be at the rate of $75 per month from San Francisco until the arrival of the ship at Callao, and at the "going wages," or $30 per month from that time until the plaintiff left the ship at Pernambuco. The dates are as follows: Shipped at San Francisco, August 20, 1850; arrived at Callao, October 30, 1850, two months and ten days. Left ship at Pernambuco, March 24, 1851; four months and twenty-four days, with interest at 7 per cent from that date, deducting $75 paid him at San Francisco. You may also allow him, in lieu of wages, to discharge his passage to the United States, a sum not to exceed two months' pay at $30 per month. The jury found a verdict for plaintiff for $308 and costs.

Alonzo M. Greenes vs. Benjamin A. Mumford and others.—Chas T. Stewart vs. The Same.—The plaintiffs in these actions were seamen on board the ship Palestine, and the cases present the same features as the case of Coleman, as above reported, with the additional one offering the rate of interest to be allowed. By consent, a jury was waived, and the case submitted to his Honor, Judge Phillips, who delivered the following decision:—Having disposed of all the legal questions presented in these actions, as they arose in Coleman's case, I shall only notice the additional one which now arises. The plaintiff put in the statutes of California in 1850, (under the defendant's objection,) to prove that the rate of interest allowed in that State was ten per cent per annum, and claimed that as these contracts were made there, he was entitled to recover at that rate. At the time of the offer I was inclined to rule with the plaintiff. But on reflection, and looking at authorities, I have arrived at a different conclusion. It was held in Foden vs. Sharp, 4 Johnson's Reports, 183, that where a bill of exchange was drawn in England, and made payable there, the holder could only recover five per cent—that being the legal rate in that kingdom. It is true that this contract was made in the State of California, but it was not to be performed or terminated there, and I shall, therefore, hold that the rule in the case cited applies in these actions, and the plaintiffs can only recover seven per cent interest. Judgment is therefore given for plaintiff, Gray, for $439, with costs, and $12 allowance by statute; and for plaintiff, Stewart, for $371 64, with costs, and $12 allowance by statute.

Davis Hall vs. Benjamin A. Mumford and others.—This action is based on the same contract as the three preceding ones. In this, Judge Philips said the defendants claimed that the plaintiff was paid in full by the American Consul at Pernambuco, and gave a receipt to that effect. Is it a receipt in full for plaintiff's wages? The receipt is in the following words:—"Received, May 15, 1851, of James Wright Gordon, Consul of the United States of America, for the port of Pernambuco, two hundred and sixty-six thousand one hundred and sixteen reis, (266,116,) currency of Brazil, in full of my proportion of the net proceeds of the ship Palestine, of New York, condemned and sold at this port for wages due me as seaman on board said vessels. DAVIS HALL."

"Pernambuco, May 15, 1851."

It will be observed that this discharge is not in full for plaintiff's wages, but "in full of my proportion of the net proceeds of the" sale of the ship. The plaintiff has shown that wages were due him at given rates up to the time of his discharge, and unless payment in full is shown, he cannot be barred from a recovery. It has been repeatedly held, and Judge Ware, in the David Pratt, Ware's reports, 496, delivered a most elaborate and eloquent opinion upon the subject of receipts and releases obtained from seamen, and decided upon plain authority, that a receipt, or even a receipt and release under seal, were not a conclusive bar to a suit for a balance of wages; for the reason that seamen are generally careless and ignorant of their legal rights, and masters and ship owners wary, sharp sighted, and cunning in securing their own interests, courts are always jealous in watching, that the gallant and self-sacrificing seamen shall not be entrapped by any cunningly contrived instrument. But in this case I cannot conceive how the plaintiff has parted with his right of action for balance of wages due. If my ruling in the preceding cases is held to be correct, this plaintiff has the same claim, and has not receipted in full for wages, but only in full for his proportion of the sale of the vessel—what that proportion was in not in evidence. In computing the amount paid plaintiff, the reis is by consent fixed at a value, which makes the sum $141 04 paid him at the port of Pernambuco. Judgment for plaintiff for $311 96 and costs, with $12 allowance by statute.

George W. Quintard, M. Franklin Merritt and Edward H. Tracy vs. Wm. E. Mulligan.—This action was brought to recover the value of work and labor bestowed in hoisting out old and putting in new boilers in steamboats Splendid, North America and one not named, to the amount of $178 69. The defendant resisted the demand, on the ground, first, that the labor, &c., was done under a special contract by which the plaintiffs were bound to perform it for a less sum than charged; second, that he had a counter claim in damages by reason of delay in performing the work. In deciding the case, Judge Phillips said that the plaintiffs performed the labor as charged, or the major part of it, is not disputed, but the main question on which the case turns is, did the defendant comply with his contract to send the boats to the wharf at a certain time? If he did not, then clearly the plaintiffs are not bound to respond to him in damages for any delay caused in the performance of the work. The testimony as to when the boats were sent is conflicting, but on careful examination of it, I have arrived at the conclusion that the Splendid did not reach the dock until after the 1st of March, beyond the time specified in the contract. As to the North America, the foreman of the defendant testified that she waited five or six days to have her new boilers put in, and that was in March. There is no dispute as to the work on the nameless boat. Under the view that the defendant was in fault as to time, I cannot allow his claim of $25 for hoisting in the Splendid's boilers. There seems to have been no notice to plaintiffs to complete the job; but the floating derrick was hired for the convenience of the defendant. Taking the contracts as a fair basis of the value of the services rendered, and $23 for the boilers of the nameless steamer—making in all $163, and adding nineteen months interest—I give judgment for the plaintiffs for $182 and costs, with $12 allowance by statute.

The West Indies.

We have files of the St. Thomas *Times* to the 16th ult.

From the *Times* of this date we learn that the Island of Kitts was suffering heavy mortality from cholera. Out of a population of 24,000, as many as 2,665 had been carried off within a very short time.

St. Lucia was healthy. Heavy rains had fallen almost incessantly for several days. Preparations are about being made for sugar making. Trade was dull. The "patriotic fund" has already commenced to occupy the attention of government.

St. Vincent's was said to be free from disease, but the President had prohibited the issue of clean bills of health until after public thanksgiving. A new Lieutenant Governor was expected out immediately.

In Grenada the importation of a quantity of the eggs and cocoons of a variety of the silk worm which feeds on the leaf of the palma Christi, had excited some interest. For this acquisition the colony is indebted to Sir William Reid, formerly Governor General of the Leeward Islands, and now Governor of Malta.

The British screw steamer-of-war Harrier run on the Anegada reef, on endeavoring to make the port of St. Thomas, and was compelled to throw six of her guns overboard. She did not sustain much injury, however, and the guns were subsequently recovered.—*N. O. Picayune, Jan. 6.*

A Specimen Subscription to a Great Railroad Loan.

OFFICE NEW YORK AND ERIE RAILROAD CO.,
NEW YORK, Jan. 10, 1855.

SIR:—You are hereby notified that your offer to subscribe for $5,000 of the bonds of this company, at eighty per cent, on the terms of the proposals for a loan of $4,000,000, dated October 23, 1854, has been accepted. The first instalment of ten per cent is payable on receipt of this notice, at the transfer office, No. 45 Wall street. The other instalments are payable as follows:

20 per cent on the.....20th January.
30 " " .....1st February.
20 " " .....15th February.
20 " " .....1st March.

Respectfully yours, NATHANIEL MARSH, Secretary.
To Thomas Picton, Esq., 17 Beekman street.

OFFICE NEW YORK TRUE AMERICAN,
No. 17 Beekman street, Jan. 12, 1855.

DEAR SIR:—Your liberal offer, as Secretary of the New York and Erie Railroad Company, informing me of your permission for my subscription to the bonds of that company, I am reluctantly compelled to decline. At the same time allow me to assure you that this line of conduct originates in no want of confidence in the abilities of your directors, nor in a disbelief in the productiveness of the investment, but is forced upon me simply and solely by the fact that the first instalment of ten per cent on the amount you so magnanimously permit me to pay in, exceeds the full value of my real and personal estate, over and above my legal debts, by $399 98. I must really compliment you on the liberality of time offered for subsequent instalments; but as the first one is the solid stumbling block in my financial progress, I lament that even an intended acquiescence in their terms will be of little avail until the chief impediment is effectually removed. Under all these considerations, I am sorry to inform you that the amount, purporting to have been bid in by my name, will have to be taken up by some other person possessing a larger fortune than, and a similar name, with your obedient servant,

THOMAS PICTON, Editor New York True American.
To NATHANIEL MARSH, Esq., Secretary, &c.

Personal Intelligence.

G. P. R. James, British Consul at Norfolk, will deliver an address before the Petersburg, Va., Library Association on the 25th inst.

ARRIVALS.

At St. Nicholas Hotel—Hon. Robert C. Schenck, Ohio; Major T. D. Corneal, Kentucky; Col. Peyton, Virginia; Hon. A. J. Hopkin, Baltimore; G. Taylor Jenkins, do.; E. Baldwin, New Orleans; J. B. Wilcox, St. Louis; Hon. John P. Cook, Iowa; J. C. Cash, U. S. M.; Hon. G. R. Babcock, Buffalo; H. Vanderlyn, Chicago; W. McFerson, St. Louis; Gen. Thos. Powell, Dayton, O.; T. A. Handy, Cleveland; E. A. Blanch, Texas; E. B. Kirby, St. Louis; E. V. Ellicott, Baltimore; H. Vacard, Madrid; S. M. Willson, Va.; H. M. Warfield, Malboro; Wm. Bruk, Rochester; Hon. A. Birdsall, Binghamton; Hon. R. A. Pringle, Charleston; B. A. Sanford, Montreal; G. B. Sargent, Iowa; John H. Walker, Erie; B. Han, St. Louis.

At the Metropolitan Hotel—Hon. G. Schnabel, Pa.; Maj. J. W. Barton, Boston; Col. Wm. S. Rand, Kentucky; J. A. Osborn, Paris; Wm. B. Haseltine and family, St. Louis; Col. Wm. Smith, Illinois; Hon. E. W. M. King, Tennessee; E. W. Wentworth, Chicago; F. G. Perry, Memphis; W. D. McLaughlin, Nashville; Tal. P. Shaffner, Kentucky; H. H. Garber, U. S. A.

At the Prescott House—Jonathan Gillett, Esq., T. P. Handy,