THE REVOLUTION.

THE NEGOTIATIONS RELATIVE TO FORT SUMTER.

[CONTINUED FROM THIRD PAGE.]

you have expressed in the following words:—"I do not come as a military man to demand the surrender of a fortress, but as the legal officer of the State, the Attorney General, to claim for the State the exercise of its undoubted right of eminent domain, and to pledge the State to make good all injury to the rights of property which arise from the exercise of the claim," and lest this explicit language should not sufficiently define your position you add, "The proposition now is that her (South Carolina's) law officer should, under the authority of the Governor and his Council, distinctly pledge the faith of South Carolina to make such compensation in regard to Fort Sumter and its appurtenances and contents to the full extent of the money value of the property of the United States delivered over to the authorities of South Carolina by your command." You then adopt his Excellency's train of thought upon the subject so far as relates to the suggestion that the possession of Fort Sumter by the United States if continued long enough must lead to a collision, and that an attack upon it would scarcely improve it as property, whatever the result, and if captured it would no longer be the subject of account. The proposal, then, now presented to the President, is simply an offer on the part of South Carolina to buy Fort Sumter and contents as property of the United States, sustained by a declaration in effect that if she is not permitted to make the purchase she will seize the fort by force of arms.

As the invitation of a negotiation for the transfer of property between friendly governments, this proposal impresses the President as having assumed a most unusual form. He has, however, investigated the claim on which it professes to be leased apart from the declaration that accompanies it, and be it here remarked that much stress has been laid upon the employment of the words "property" and "public property" by the President in his several messages. Those are the most comprehensive terms which can be used in such a connection, and surely when referring to a fort, or any other public establishment, they embrace the entire and undivided interest of the government therein. The title of the United States to Fort Sumter is complete and incontestable. Were its interest in the property proprietary in the ordinary acceptation of the term, it might probably be subjected to the exercise of the right of eminent domain. But it has also political relations to it of a much higher and more imposing character than those of mere proprietorship. It has absolute jurisdiction over the fort and the soil on which it stands. This jurisdiction consists in the authority to exercise exclusive legislation over the property referred to, and is therefore clearly incompatible with the claims of eminent domain now insisted upon by South Carolina. This authority was not derived from any questionable revolutionary source, but from the peaceful cession of South Carolina herself, acting through her Legislature, under a provision of the United States. South Carolina can no more assert the right of eminent domain over Fort Sumter, than Maryland can assert it over the District of Columbia. The political and proprietary rights of the United States in either case rest upon precisely the same ground. The President, however, is relieved from the necessity of further pursuing this inquiry by the fact that, whatever may be the claim of South Carolina to this fort, he has not constitutional power to cede or surrender it. The property title to the State has been acquired by the force of public law, and can only be disposed of under the same solemn sanctions. The President, as the head of the executive branch of the government only, can no more sell and transfer Fort Sumter to South Carolina, than he can sell and convey the capital of the United States to Maryland or to any other State or individual seeking to possess it. His Excellency, the Governor, is too familiar with the constitution of the United States and with the limitations upon the powers of the Chief Magistrate of the government it has established, not to appreciate at once the soundness of this legal proposition. The question of reinforcing Fort Sumter is so fully disposed of in my letter to Senator Slidell and others, under date of 22d of January, a copy of which accompanies this, that its discussion will not be renewed. I then said, "at the present moment it is not deemed necessary to reinforce Major Anderson, because he makes no such request. Should his safety, however, require reinforcements, every effort will be made to supply them." I can add nothing to the explicitness of this language, which still applies to the existing status. The right to send forward reinforcements when, in the judgment of the President, the safety of the garrison requires them, rests on the same unquestionable foundation as the right to occupy the fortress itself. In the letter of Senator Davis and others to yourself, under date of the 15th ult., they say:—"We therefore think it due from South Carolina to our States, to say nothing of the other slaveholding States, that she should, as far as she can consistently with her honor, avoid initiating hostilities between her and the United States, or any other Power," and you now, yourself, give the President the gratifying assurance that South Carolina has every disposition to preserve the public peace, and since he is, himself, sincerely animated by the same desire, it would seem that this common and patriotic object must be of certain attainment. It is difficult, however, to reconcile with this assurance the declaration on your part, that is, "a consideration of her (South Carolina's) own dignity as a sovereignty and the safety of her people prompts her to demand that this property should not longer be used as a military post by a government she no longer acknowledges." The thought you so constantly prefent is, that this occupation must lead to a collision of arms and the prevalence of civil war. Fort Sumter is in itself a military post, and nothing else; and it would seem that not so much the fact as the purpose of its use should give to it a hostile or a friendly character. This fortress is now held by the government of the United States for the same objects for which it has been held from the completion of its construction. These are national and defensive, and were a public enemy now to attempt the capture of Charleston or the destruction of the commerce of its harbor, the whole force of the batteries of this fortress would be exerted for their protection. How the presence of a small garrison, actuated by such a spirit as this, can compromise the dignity or honor of South Carolina, or become a source of irritation to her people, the President is at a loss to understand. The attitude of this garrison, as has been often declared, is neither menacing, nor defiant, nor unfriendly. It is acting under orders to stand strictly on the defensive, and the government and people of South Carolina must well know that they can never receive aught but shelter from its guns, unless, in the absence of all provocation, they should assault it and seek its destruction. The intent with which this fortress is held by the President is truthfully stated by Senator Davis and others in their letter to yourself of the 15th of January, in which they say:—"It is not held with any hostile or unfriendly purpose towards your State, but merely as property of the United States, which the President deems it his duty to protect and preserve." If the announcement so repeatedly made of the President's pacific purposes in continuing the occupation of Fort Sumter until the question shall have been settled by competent authority has failed to impress the government of South Carolina, the forbearing conduct of his administration for the last few months should be received as conclusive evidence of his sincerity, and if this forbearance, in view of the circumstances which have so severely tried it, be not accepted as a satisfactory pledge of the peaceful policy of this administration towards South Carolina, then it may be safely affirmed that neither language nor conduct can possibly furnish one. If, with all the multiplied proofs which exist of the President's anxiety for peace, and of the earnestness with which he has pursued it, the authorities of South Carolina shall assault Fort Sumter and peril the lives of the handful of brave and loyal men shut up within its walls, and thus plunge our country into the horrors of civil war, then upon them and those they represent must rest the responsibility. Your obedient servant,

J. BOLF, Secretary of War.

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

THE LAST WORDS OF COL. HAYNE.

WASHINGTON, Feb. 8, 1861.

The following is the rejoinder of Colonel Hayne to the communication of the Secretary of War, which was sent to the President to-day, not in time, however, to be sent with the documents which the President communicated to Congress this morning. It closes up the interesting correspondence which has been going on for some time, and precludes any hope of settlement, or of long preventing collision between the federal and State authorities in the harbor of Charleston.

Colonel Hayne expressed the opinion before leaving here that an attack would shortly be made upon Fort Sumter, and that it was the settled determination of the people of South Carolina to take that fort at all hazards:—

WASHINGTON, Feb. 7, 1861.

TO HIS EXCELLENCY JAMES BUCHANAN, PRESIDENT:—

SIR—Your reply, through your Secretary of the War Department, to my communication of January 31, covering the demand of the Governor of South Carolina for the delivery of Fort Sumter, was received yesterday. Although the very distinct and emphatic refusal of that demand closes my mission, I feel constrained to correct some strange misapprehensions into which your Secretary has fallen. There has been no modification of the demand authorized to be made, and no change whatever in its character, and of this you were distinctly informed in my communication of January 31. You had the original demand, as delivered to me by Governor Pickens on the 12th of January, and you have an extract from the further instructions received by me, expressly stating that he (the Governor) was confirmed in the views he entertained on the 12th of January by that very correspondence which you assign as the cause of the alleged modification. You assume that the character of the demand has been modified, yet you have from me but one communication, and that asserts the contrary, and you have nothing from the Governor but the very demand itself, which you say has been modified. What purpose of peace or conciliation your Secretary could have had in view in the introduction of this point at all it is difficult to perceive. You next attempt to ridicule the proposal presented as simply an offer on the part of South Carolina to buy Fort Sumter and contents as property of the United States, sustained by a declaration, in effect, that if she is not permitted to make the purchase she will seize the fort by force of arms. It is difficult to consider this as other than an intentional misconstruction. You were told that South Carolina, as a separate independent sovereignty, would not tolerate the occupation by foreign troops of a military post within her limits; but that inasmuch as you, in repeated messages and in your correspondence, had laid much stress upon the character of your duties, arising from considering forts as property, South Carolina, so far as this matter of property suggested by yourself was concerned, would make compensation for all injury done the property in the exercise of her sovereign right of eminent domain; and this your Secretary calls a proposal to purchase. The idea of purchase is entirely inconsistent with the assertion of paramount right in the purchaser. I had supposed that an interest in property, as such, could be no other than purely proprietary; and if I confined myself to this narrow view of your relations to Fort Sumter, you at least should not consider it the subject of criticism. Until in your letter of yesterday, you chose so to consider your relations in everything which you have written, or which has been written under your direction. It was precisely because you had yourself chosen to place your action on the ground of purely proprietary right that the proposal of compensation was made, and you now admit that in this it (Fort Sumter) would probably be subjected to the exercise of the right of eminent domain. In your letter of yesterday, through your Secretary, you shift your position. You claim that your government bears to Fort Sumter political relations of a much higher and more imposing character.

It was no part of my mission to discuss the political relations of the United States government to anything within the territorial limits of South Carolina. South Carolina claims to have dissolved all political connection with your government, and to have destroyed all political relations of your government with everything within her borders. She is unquestionably at this moment *de facto* a separate and independent government, exercising complete sovereignty over every foot of her soil except Fort Sumpter. Now that the intention is avowed to hold this place as a military post, with a claim of exclusive jurisdiction on the part of a government foreign to South Carolina, it will be for the authorities to determine what is the course proper to be pursued. It is then to ignore the fact that South Carolina is to yours a foreign government. And how, with this patent fact before you, you can consider the continued occupation of the fort in her harbor a pacific measure and parcel of a peaceful policy, passes certainly my comprehension. You say that the fort is garrison for our protection, and is held for the same purpose for which it has been ever held since its construction. Are you not aware that to hold in the territory of a foreign Power a fortress against her will, avowedly for the purpose of protecting her citizens, is perhaps the highest insult which one government can offer to another? But Fort Sumter was never garrisoned at all until South Carolina had dissolved her connection with your government. This garrison entered in the night, with every circumstance of secresy, after spiking the guns and burning the gun carriages and cutting down the flag staff of an adjacent fort, which was then abandoned. South Carolina has not taken Fort Sumter into her own possession, only because of her misplaced confidence in a government which deceived her. A fortress occupied under the circumstances above stated is considered, not only as no cause of irritation, but you represent it as held for our protection. Your Excellency's Secretary has indulged in irony on a very grave subject. As to the responsibility for consequences, if indeed it does rest on us, I can assure your Excellency we are happily unconscious of the fact.

I return to Charleston to morrow.

With considerations of high regard, I am, very respectfully, J. W. HAYNE, Special Envoy.

DEPARTURE OF COLONEL HAYNE AND LIEUTENANT HALL FOR CHARLESTON.

THE ATTACK ON FORT SUMTER EXPECTED TO BE MADE ON WEDNESDAY NEXT.

WASHINGTON, Feb. 8, 1861.

Colonel Hayne and Lieutenant Hall, the joint representatives of South Carolina and Major Anderson, left this morning for Charleston.

Lieutenant Hall has had the final instructions of the Secretary of War to Major Anderson for several days; but has delayed his departure because Colonel Hayne was not ready. Up to a very late hour last evening the latter had decided that he would not leave for several days yet; but for some cause he suddenly changed his mind, leaving much work for Lieut. Hall to execute at a late hour last night. As late as midnight Lieutenant Hall was holding an interview with Mr. Holt, Secretary of War. He had previously called upon the President and Secretary Dix. Colonel Hayne's sudden decision last night to leave here this morning, was undoubtedly in consequence of late advices from Charleston, to the effect that the populace are ungovernable, and are determined to attack Fort Sumter, no matter what overtures the federal administration here may make.

I am satisfied from positive information received direct from Charleston, that the attack has only been postponed until they can erect a sufficient number of batteries to accomplish their purpose; and the moment that is done they will open fire upon Fort Sumter without reference to anything that Colonel Hayne may be doing here. His hasty return undoubtedly has reference to this state of things. If a fight is to be precipitated, there having been no yielding to the demands of South Carolina, he desires to make the attack in a formal official way, and not allow it to be made by a disorganized mob.

The time for withholding reinforcements to Major Anderson will cease the moment Lieutenant Hall returns to Fort Sumter.

I learn from a reliable source that Wednesday next has been fixed upon as about the time when the secessionists will be ready to commence the assault upon Fort Sumter.

Four or five ships belonging to the Gulf squadron will soon return to Northern ports, most of them to New York.

The impression here among gentlemen who are well acquainted with the subject is, that no apprehensions need be entertained relative to an immediate attack on Fort Sumter, as that question will be referred to the Southern Congress; meanwhile the South Carolina authorities will keep stricter guard of the coast to intercept any attempt to reinforce Major Anderson; all domestic supplies and mail facilities are to be denied, and every possible means taken to weaken and starve out the garrison.

Major Anderson has written to Senator Crittenden, relative to the charge that on his movement in retiring from Fort Moultrie to Fort Sumter he took the act initiative of a declaration of war. Major Anderson furthermore declares that if he had been, or is, attacked under his present instructions, he will defend the fort to the last; and, before he will surrender, he will blow up the works.

THE MICHIGAN DEMOCRATIC STATE CONVENTION.

DETROIT, Feb. 8, 1861.

The Democratic State Convention, to nominate a candidate for Judge of the Supreme Court, met in this city yesterday. Resolutions declaring devotion to the Union, opposing coercion, and favoring compromise, were adopted. These resolutions are to be forwarded to Washington, the Convention claiming to represent a majority of the people of the State. The Convention adjourned to the 7th of March, without making a nomination.

THE PEACE CONVENTION.

WASHINGTON, Feb. 8, 1861.

The Peace Congress made but little progress to-day. Their session was brief, lasting about an hour. The committee who are arranging a plan of settlement, however, were in session most of the day. They have all the various propositions which have been introduced into Congress before them in printed form, out of which they will probably be able to bring something tangible.

The committee of the Peace Congress were engaged today on measures looking to an adjustment. Nearly all the Commissioners have arrived, including those from Massachusetts and New York.

The committee will, it is understood, agree upon a plan embodying many of the points in the Crittenden, Bigler and border State propositions. At least this is the drift matters are now taking.

As soon as this committee get their report before the Convention, with the various plans of adjustment, there will follow a very lengthy and protracted debate upon them.

The Convention was very agreeably surprised upon entering the hall this morning at finding a full length portrait of Washington suspended back of the President's chair. The Messrs. Willard had procured this from the authorities of this city, to be used during their sittings.

The compromise feeling among republicans exhibits at present the appearance of mild cases of scarlatina. In a few instances the fever has struck inwardly.

David Dudley Field, the introducer of the Wilmot proviso into the New York Democratic Convention in 1847, and David Wilmot, of Pennsylvania, author of that proviso, are here as members of the Peace Conference.

Mr. Wilmot, it is supposed, will abide by his original determination not to take a seat in the Conference, although he was active among republicans on the floor of the House to-day. He was telegraphed to come here for consultation.

Mr. Frelinghuysen, one of the Peace Commissioners from New Jersey, has received a letter from the leading New York bankers and Wall street brokers, to the effect that unless there is a settlement of the present political troubles, these capitalists would not advance one cent to the incoming administration, in taking their loans and keeping up the credit of the government.

This letter will, doubtless, have a marked effect upon the action of Commissioners from the Northern States. Its warning is a most ominous one. Many of the gentlemen who signed this letter are among those who have taken most of the loans for years back.

VIEWS OF THE NEW YORK CAPITALISTS ON THE CRISIS, ETC.

WASHINGTON, Feb. 8, 1861.

It is reported here to-night, that New York bankers have decided not to loan money to the government unless present difficulties are settled.

Mr. Kellogg, of Illinois, broke from the party traces to-day, and in a speech on the state of the nation supported his proposition, published in the HERALD some days since.

The democrats were delighted, but the republicans generally expressed great dissatisfaction at the efforts of Kellogg. His proposition is similar to the one reported by the Border State Committee.

The following members congratulated Mr. Kellogg, of Illinois, upon his strong compromise speech to-day:—McClernand, of Illinois; Gilmer, of North Carolina; J. Morrison Harris, of Maryland; Sims, of Kentucky; Maynard, Quarles and Nelson, of Tennessee; Larrabee, of Mississippi; Pendleton, of Ohio; John Cochrane, of New York; Davis and Holman, of Maryland, and others—democrats and Americans, but no republicans. After the session he was congratulated by Judge Douglas, who said:—"In these times there are but few men who are sufficiently patriotic to look beyond their party and party platforms for a settlement of existing difficulties."

Mr. Kellogg's speech was the topic of conversation until a late hour to-night. As evidence of the feeling among republicans, ex Governor Ford, of Illinois, shook hands with Mr. Kellogg, and remarked that he had listened with great pain and mortification to his speech; that it did great injustice to Illinois, and that he (Mr. Kellogg) owed it to the people of his district to resign his seat and return home.

The suicide of Commander Edward G. Tilton, United States Navy, creates profound sensation in naval and other circles here, where himself and family have been known for years, and universally esteemed. The melancholy act was committed about half past four this afternoon, at the residence of the deceased, No. 154 North F street, about the time his family were at dinner. He retired from the table about that hour to a room up stairs. Shortly afterwards a heavy fall was heard, and, on entering his apartment, he was found covered with blood and dead, having shot himself with a pistol ball through the head, near the left eye. He was about fifty years old, and leaves a family of grown up children, daughters and sons, one of the latter being engaged in the Coast Survey.

Commander Tilton was born in Delaware and entered the service in May, 1822, as a citizen of Maryland. His present commission bears date August 1, 1853, and he has seen nine years sea service. About a year since it was supposed he was laboring under a malady known as softening of the brain. Lately he has been very desponding, and his melancholy has been accelerated by the unfortunate position of the country. It is presumed that in a moment of aberration, superinduced by this cause, he was led to the fatal act of self-destruction.

A large number of influential gentlemen from nearly all parts of the country are constantly arriving, embracing many members of the Virginia Legislature.

Gen. Hamilton, of Texas, has advices from his district. The people there do not accept the determination of the seceding Convention as a finality. They will vote upon the question; and Texas at this moment may be considered in the Union. Senator Wigfall will remain in the Senate to vote on the Morrill tariff bill.

The near approach of the day, next Wednesday, for counting the votes for President and Vice President, gives rise to no new apprehensions of difficulty.

The Morris Select Committee of the House on the Indian bonds robbery have made up their report, and today it was submitted to the full committee, and unanimously agreed to. It will produce a new sensation, from the fact that the members of the committee and the clerk and reporter have all been placed under the most sacred injunction of secrecy in regard to the testimony before them. Hence some testimony has necessarily been taken that has not leaked out and been printed in the HERALD.

The testimony of ex-Senator Benjamin, of Louisiana, is said to be the strongest adduced against Secretary Floyd, concerning the acceptances, which will amount to several millions more than the public have any idea of. The report will be offered on Monday.

A special committee of the Peace Congress has been appointed to ascertain the names of the Southern delegates in that body who manifested deep indignation at the parading of United States troops on Pennsylvania avenue, and who regard such movements on the part of the United States troops as a menace and threat on the part of the North, and if any such men exist to ascertain whether, in their opinion, a company of United States soldiers is a distinct Northern institution; and if so, whether the sight of such corps moving quietly through a city is considered a menace. The committee have leave to report at any time.

The republicans of New Hampshire have determined upon calling a State Union meeting to consider the important political questions of the hour; and, a private letter says, will hold a preliminary meeting at Concord on the 11th inst., to which they have invited all other law abiding, Union loving citizens.

George G. Fogg, secretary of the National Republican Committee, has been here for several days, battling against all compromises or concessions. He came here from Springfield, Illinois, and has gone to New York and New Hampshire. The Senate Committee on Territories to-day agreed to report in favor of organizing Arcotah and Nevada Territories upon the same basis of Colorado, leaving the nigger out altogether.

A cause has recently been argued before the Supreme Court involving the question whether the maritime laws now operative upon the high seas are also applicable to the commerce of the lakes.

On one side it was contended that the lakes are inland waters, on which common carriers are subject to liabilities which do not obtain as to transporters on the high seas; and on the other, that they are great national highways, subject to the same laws and regulations with ocean routes. This is the first time the question has been brought to the attention of the Court, and as it has been variously decided by courts below, much interest is manifested in commercial circles as to the result.

George Hibbard, Esq., of Buffalo, N. Y., made an argument showing that the lakes are in no commercial sense inland waters. It was highly complimented by Chief Justice Taney and Judge Nelson for its originality and signal ability. Decision reserved.

The Select Committee on the President's special message upon the crisis, will make a report to the House in a few days, sustaining the action of the administration and General Scott in the course they have pursued in concentrating in this city a sufficient military force to prevent the development here of any conspiracy against the government, growing out of the disloyalty of seceding States; and they will give good reasons to justify them in their conclusions, without divulging highly important facts satisfactorily presented to them of treasonable intentions towards the government on the part of parties who have figured extensively in official circles in Washington.

In the Circuit Court to-day the contested case of Wallace against Berret for the Mayoralty of this city was brought up, and postponed on motion of Berret's counsel until the May term. Wallace was ready, and, it is said, could prove his case.

Berret, who now holds the place, has always claimed that he could easily show that he was legally elected, hence his failure to be ready to do so to-day causes considerable surprise.

Mr. Spaulding, representative in the House from the Buffalo district, will act with Mr. Seward in the compromise propositions. He will accept the Charles Francis Adams doctrine, which, in fact, is not very dissimilar to that of Daniel Webster in his speech of March 7, 1850, when he enunciated his "physical geography" idea relative to slavery, and for which he was denounced by the republicans in Massachusetts, from Berkshire to Cape Cod, in the most virulent terms.

At the last session Mr. Adams voted to repeal the slave code law of New Mexico, while at this he votes to confirm that law, with the admission of New Mexico as a State recognizing slavery.

The ratio of population for representation in the Thirty-eighth Congress, a fact noticed in the late report of the census statistics, will be 127,600. It is now 91,340.

The proposed new Tariff bill does not receive much favor, either at a distance or at the seat of government.

It is stated that Hon. John B. Haskin, of New York, will propose in the House, as a substitute for the whole bill, the tariff of 1846, with a few modifications. It is probable the bill will, in any event, be shorn of its twenty millions dollars loan feature.

The Postmaster at Mobile denies to the Post Office Department that letters passing through his office have been violated.

IMPORTANT FROM MONTGOMERY.

Adoption of the Constitution of 1789.

FREE TRADE TO BE ESTABLISHED.

An Export Duty to be Levied on Cotton.

The Immediate Formation of a Provisional Government, &c., &c., &c.

WASHINGTON, Feb. 8, 1861.

While the republicans here are busily engaged in oppressing the consuming interests of the whole country with an iniquitously onerous tariff, the Southern Congress at Montgomery is opening the ports of the cotton States to the commerce of the world.

This startling movement of the seceding States is viewed with great alarm, and presents the question of the revolutionary movement at the South in its most practical aspect.

Special despatches received here to-day by distinguished secession leaders, indicate that an export duty is to be laid on cotton, which, in itself, at half a cent a pound, will yield a heavy revenue. A poll tax is also to be levied, so as to make the burthen fall equally on the consuming and producing interests. Free trade will readily induce the people to pay the increased rate of taxation.

The republicans do not affect to conceal their consternation at this revolutionary movement, bearing as it does so practically on the pockets of their people.

The Southern seceding States will raise annually for export four and a half million bales of cotton, with an aggregate weight of two hundred and twenty-five million pounds. An export duty on this of one-half cent per pound would yield a revenue of nearly twelve million dollars, which, with other sources, could be easily increased to twenty-five million dollars; more than ample to defray the expenses of their federal government.

MONTGOMERY, Ala., Feb. 4, 1861.

There have been unusually heavy rains within the past few days throughout South Carolina, Georgia and Alabama, and as a consequence the creeks and rivers are full, and some of the rivers mark a higher stage of water than has been known for many years. It is unnecessary to state that much damage had been caused at Atlanta, Ga., on Saturday night. The trains on the State Railroad were twelve hours behind time, and fears were entertained that some of the bridges on that route had been washed away or otherwise damaged by the floods.

The regular passenger train from West Point, due here at near noon, when within about three miles of this city, met with a serious accident to cars and wheels, but no person was injured. The track was broken up for about fifty feet. The baggage and express cars were considerably smashed and thrown disengaged from their trucks. On the train were several delegates to the Convention—Honorables A. H. Stephens, Robert Toombs, James Chesnut, T. J. Withers, T. R. R. Cobb and others, whose names I have not learned. All escaped unhurt.

There are not, so far as I can learn, more than twenty of the delegates now present. The others may reach here this forenoon. Like all other conventions, there is much speculation indulged as to the gentleman who will be elected as permanent President; but it is generally considered that the Hon. Howell Cobb will be chosen. Other names are mentioned, but that of Mr. Cobb appears to be the most talked about.

What will the Convention do? I do not pretend to be able to state, but I am satisfied that a provisional Southern government will be formed, and that the constellation will be a few months number fifteen of the bright particular stars in the old confederacy. It will embody as much intellect, experience and statesmanship as ever convened in one country. But the Convention meets to-day, and I am writing only a few words before its session commences.

There is nothing new from Pensacola. Some few, or perhaps a dozen, of the soldiers who were stationed at Pensacola are here now on furlough. They say that there are a few United States armed vessels off the port, and more are expected there. All was quiet. It is true that the Postmaster General has abolished the Post Office at Pensacola, but there has been no material trouble experienced about it. Mails are made up and forwarded independent of the Post Office Department, and so it will be wherever post offices are abolished.

The streets here are in a bad condition, and the Alabama river is up higher than for many years before.

There appears to be considerable trouble in the Legislature about the passage of the Stay law. The House passed a Stay law; but the Senate amended it in so many ways that it is now considered very doubtful whether any law satisfactory to both branches can be passed.

The Congress has received an official copy of the act of Alabama appropriating half a million dollars for the support of the provisional government of the seceded States. But a short time was spent in open session.

The committee on the plan of a provisional government reported in secret session. It was discussed four hours, with much unanimity of feeling, when the constitution of the United States was adopted, with some addition in relation to free trade with all the world.

Adjourned to eleven o'clock to-morrow.

AFFAIRS IN FLORIDA.

TALLAHASSEE, Fla., Feb. 7, 1861.

Both houses of the Legislature have resolved to adjourn on the 14th inst.

A bill providing for carrying the mails has passed the Senate, and will pass the House.

The Free Negro Expulsion bill has been indefinitely postponed in the Senate.

MONTGOMERY, Ala., Feb. 7, 1861.

Advices received here from Pensacola represent matters as in *statu quo*.

WASHINGTON, Feb. 8, 1861.

Letters from Pensacola reaffirm the fact that the Post Office there has been abolished by the Postmaster General, but state that no material inconvenience arises, as mails are made up and forwarded independent of the Post Office Department.

The Mississippi regiment that returned home, numbered eight hundred men. A few Alabama troops have gone home on furlough.

AFFAIRS IN TEXAS.

AUSTIN, Feb. 6, 1861.

Delegates are to be appointed to the Montgomery Convention as members of the Conference, until a vote is taken on the ordinance of secession by the people.

THIRTY-SIXTH CONGRESS.

SECOND SESSION.

Senate.

WASHINGTON, Feb. 8, 1861.

Messrs. SEWARD, (rep.) of N. Y., and HALE, (rep.) of N. H., presented petitions from citizens of Philadelphia asking for the preservation of the Union and the enforcement of the laws.

Mr. BIGLER, (opp.) of Pa., presented petitions in favor of the Crittenden resolutions.

THE M'CORMICK REAPER PATENT.

Mr. WADE, (rep.) of Ohio, asked to take up the resolution extending the time for taking testimony in regard to the patent for McCormick's reaper.

Mr. FESSENDEN, (opp.) of Me., asked if the Senator did not know if the Commissioner had the power to extend the time as long as he pleased?

Mr. DOUGLAS said he knew nothing about it. He never had a patent case in his life.

Mr. FESSENDEN said it was perfectly understood, and everybody ought to know it. He thought that the Senator, when he practiced law, had learned not to admit anything for fear of the consequences.

Mr. DOUGLAS said that he had always seen, when men fail in argument, that they took to making indecent remarks.

Mr. FESSENDEN wanted to know what he meant by indecency.

Mr. DOUGLAS—I will tell the gentleman what I mean. When he said that if I had practiced I ought to know something about it, that this was an indecent insinuation, which a gentleman ought not to make.

Mr. FESSENDEN—The Senator and I may differ, but when it comes to talk about what is decent, I will put myself against him or any other man, anywhere.

Mr. DOUGLAS—I will not put myself against him in that way.

Mr. FESSENDEN—Very well; the gentleman can do as he pleases.

THE CHAIR said—I must call the gentlemen to order.

Mr. DOUGLAS, in a loud voice—I think so, and I call the Senator to order. Mr. Douglas then proceeded to argue, that it was evident that the resolution intended to refuse Mr. McCormick's rights. Gentlemen acting as agents for close him taking testimony.

Mr. FESSENDEN said he could ask anybody whether the insinuation of others being lobby agents was decent, as applicable to members of the Senate. He supposed that was a specimen of the Senator's idea of decency in a debate, and, when coupled with a loud voice and imperious manner, must make it out to the satisfaction of everybody. If the Senator had had the good sense, for even great men may be lacking in that, to notice that the remark he (Fessenden) had made was in perfect good nature, instead of going into a rage, would have appeared better than he did. He then proceeded to argue that it was plain that the Commissioner had the perfect power to continue the time, and that Mr. McCormick should have all opportunity he wished.

The discussion was still further carried on.

Mr. DOUGLAS moved to amend the resolution so as to read, "taking testimony in favor or opposition to the renewal of the patent." Lost by yeas 18, nays 25.

The resolution was then passed by yeas 28, nays 18.

The President's message was taken up and read, and with the accompanying documents, was ordered to be printed.

Mr. KING, (rep.) of N. Y. presented a petition against any alteration of the warehousing system.

Mr. SIMMONS, (rep.) of R. I. moved to take up the Tariff bill. Agreed to by yeas 26; nays 23.

Pending the consideration of the bill the Senate adjourned.

House of Representatives.

WASHINGTON, Feb. 8, 1861.

The House has passed a bill for the adjustment of the claims of the Puget's Sound Agricultural Company, under the treaty of Great Britain. It authorizes persons residing in Washington Territory, within one year, to make application for confirmation of the title to the lands claimed by them. Passed.

THE CORRESPONDENCE BETWEEN THE PRESIDENT AND COLONEL HAYNE.

The SPEAKER laid before the House the message of the President, including the correspondence between himself and Colonel Hayne, of South Carolina. Referred to a select committee of five, and ordered to be printed.

SPEECHES ON THE CRISIS.

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

Mr. HARRIS, (opp.) of Tenn., contended, with regard to the principal question at issue—namely, slavery in the Territories—that question has been decided in favor of the South, and slavery was entitled to protection in the Territories. It was complained that those rights were not respected, and upon this ground some of the States say that they will secede, while others have seceded; but Tennessee would seek no such remedy for wrongs. She would deem herself humiliated and disgraced if she abandoned the constitution of their fathers and help to dismember this glorious Union. He protested against his State being dragged in the wake of the reckless and selfish leaders of the cotton States.

Mr. KELLOGG, (rep.) of Ill., said that if the country is to be saved parties and platforms must be sunk and buried in oblivion. He cared for no party and no platform in the face of the momentous crisis before them, and his principle of action in this dread emergency would be that the Union must and shall be preserved. No matter at what abandonment of party or platform, so long as there would be no abandonment of honor and conscience. The questions at issue were such as might easily be adjusted if they were approached with deliberation and calmness, and with feelings free from the trammels and prejudices of party. Let this be done, and peace and harmony would once more be restored to our distracted country. Revolution, unfortunately, is a fact, and history has recorded it that six States, and perhaps seven, of the outer circle of the States of the confederacy have withdrawn their light and brightness to set—unless they return as legal States—to set in that darkness forever which disloyalty to truth and freedom must ever engender. The time has come when all men, North and South, must combine to save the Union, sinking out of sight for the time, at least, all abstractions which had hitherto prevented them from clearly seeing the proper course which lay before them. Let them do this, and the sun would not rise and set five times until peace was restored. Harmony would once more spread her wings over this great nation, and still the glorious old stars and stripes will wave as bright and free as ever—not a star erased, not a line tarnished on the brave old flag. (Applause.) What were the difficulties which prevailed, and from whence did they spring? The real difficulty was not as to the returning of fugitives from labor, for in his State, and in all other States where the question had been tested, every facility had been given to the execution of that law. Mr. Lincoln had declared in one of his speeches that the South was entitled to an efficient Fugitive Slave law. How, then, could they establish any charge upon this? No, it was a mere bagatelle, and had really nothing to do with the present difficulties which threaten the disruption of the Union, as the question was easy of solution. The difficulty has arisen from a conflict of opinion between the people of the North and the South relative to the institution of slavery, some believing that it was a blessing to the slave and a benefit to the master; while the other, the North, were taught to regard it as a moral and political wrong, and this conflict of opinion would continue to exist as long as the government shall last. Fifty years ago it was generally conceded, South as well as North, that slavery was wrong; but since then, education and political training had greatly changed the current of men's feelings with regard to this question, and now the opinions of the people cannot be changed. They might legislate till the tide ceased to flow, and yet the South would believe that slavery was right, they might legislate till the gun grew tired of his course, and yet the Northern mind would retain the belief that slavery was a moral and political evil. This was a subject on which it was useless to legislate. Now, the proposition introduced by him several days ago was to amend the constitution as our fathers have before us. How was the question in 1820 settled? A remedy was at once applied—a line was drawn between the free and slave States, saying that north of that line slavery should not be, but south of it slavery might exist. The result was that peace was restored to the country, an undisturbed peace of thirty years, during which time the country devoted itself to the development of their natural resources. He further explained his proposition, believing that it would be the opinion of the American people in six months. He did not talk to politicians, as they are joined to their idols. Let them alone.

Mr. FARNSWORTH, (rep.) of Ill., asked his colleague whether he favored slavery South of the line?

Mr. KELLOGG replied that he would adhere to the line with all its legal and logical consequences. In further response to a question from Mr. Farnsworth he reminded that gentleman that he (Mr. Farnsworth) voted for the Crittenden-Montgomery amendment, which embraced a provision to admit Kansas with slavery in the constitution, if the people should so determine.

Mr. FARNSWORTH said that he knew the people would not so determine.

Mr. KELLOGG resumed, saying that he voted for that amendment in the full recognition of the principles it embodied. He was for his country in all its parts. He did not care whether his proposition was found in the Breckinridge, Douglas or republican platform. It was enough for him if it suits the country. (Loud applause.)

Mr. SMITH, (opp.) of N. C., in the course of his remarks, said that his State would not be a party to the destruction of the government, so long as her rights and honor were safe within the Union. He concluded by advocating the Crittenden compromise.

Recess till seven P. M.

EVENING SESSION.

Mr. CAREY, (opp.) of Ind., proceeded to show that there were no causes for a dissolution of the Union now that have not existed ever since the foundation of the government. The only real difficulty with the secessionists is the election of a republican President. The Crittenden proposition was a sham and pretense which would not be endorsed by the people.

Nobody caring to take the floor the House adjourned.

THE PERTURBATIONS IN CANADA, UNION WITH THE NORTHERN CONFEDERACY.

TO THE EDITOR OF THE HERALD.

NEW YORK, Jan. 31, 1861.

I am a Canadian, and in common with many of my countrymen wish for information on the subject now agitated here—the annexation of that province to the United States. I am an illiterate man, and merely judge by what I see passing round me. You, as a public man and a prominent journalist, have better sources of information, and will oblige us by giving your views on the subject. This is my excuse for presuming to address you and I hope, if your time and space in your columns permit, you will give this an insertion and correct me if my opinions are wrong. Canadians generally believe themselves in a better position now than if in the Union, and base their opinions on the grounds I give you. Your paper being much read in Canada, you will favor the cause you advocate by proving them wrong.

May I ask what has Canada to gain by the change? She has her own local government and makes her own laws; that government she now supports with the revenue derived from her customs and sale of part of her wild lands, while her public schools are supported from sale of lands set apart for that purpose. Now, if absorbed into the Union these sources of revenue would have to go towards supporting the general government, while her local government and schools would be kept up by local taxation.

Again, if England sends her a Governor General, staff of officers and an army to protect her, she pays them herself, and the people of Canada, while deriving some benefit from the money spent among them by these gentry, pay not one cent of tribute to England.

If you can make the people of Canada believe it is their interest to sever their connection with England, I believe they would be willing to try, as they are as fond of dollars and cents as their neighbors; but otherwise you will fail in convincing them that it is for their benefit; and I believe you have been misinformed as to their wishing any change, excepting it might be a federation of the provinces, and I doubt very much if that measure can be carried for some time to come.

CAUGHNAWAGA.

TO THE EDITOR OF THE HERALD.

In a recent leading article headed "Perturbations in Canada," you speak very confidently about Canada being "ripe to throw off the yoke of England and set up for herself;" and, taking for granted that such is the case (the wish father to the thought, no doubt), you advise us to have our "measures matured so as to be ready to step into the Union when the slave States step out." Now, sir, the "perturbations" of which you speak as being so prevalent here are nothing more (at least so we have always supposed) than the natural and every day political movements of any people whose press and freedom of speech are not controlled and silenced by the iron rule of a despot.

What "perturbations" have occurred in Canada for the last twenty years? The most serious political movement of which we have any record was the rebellion of 1837 and 1838, which, as every one knows, was occasioned by violent opposition on the part of the French Canadians, aided by a few discontented factionists from Canada West, and some sympathizers from the United States, to what we familiarly term the "family compact," or the system of filling the chief offices of the provincial government by appointments from England. This disturbance was easily quelled, and the family compact system shortly afterwards abandoned; the two provinces of Upper and Lower Canada were united under one federal elective legislative system, and a Governor General nominated by the Queen.

Since that period nothing deserving the name of perturbation has marred the happiness of