DAILY APPEAL.

ALL LETTERS ENCLOSING REMITTANCES TO THE OFFICE MUST BE REGISTERED, OTHERWISE THE PROPRIETORS WILL NOT HOLD THEMSELVES RESPONSIBLE FOR ANY LOSSES THAT MAY OCCUR.

THE APPEAL IS REGULARLY DISCONTINUED AT THE END OF THE TIME PAID FOR, UNLESS RENEWED IN ADVANCE.

MEMPHIS.

WEDNESDAY MORNING, DECEMBER 9, 1857.

ORGANIZATION OF THE HOUSE.

Contrary to the belief and predictions of many, the House of Representatives was virtually organized, on the first day of the session, by the election of Mr. Orr, of South Carolina, as Speaker, and the agreement of the majority upon their caucus candidates for the other officers. It was believed and openly proclaimed that the Kansas question would so seriously divide the Democratic party, as to indicate a permanent division in the effort to organize, and that it would postpone that result for several days.

The promptitude exhibited in the election of Mr. Orr, and in the selection of candidates for Clerks, etc, entirely dissipates that idea and demonstrates that the Democracy of Congress possess the chief element of harmony and co-operation, that is to say, a hearty good will, and a cordial concurrence in design. That they may differ about minor details is most probable, but that these will be ultimately harmonized we now most earnestly believe, as well as zealously trust.

With two of the *elect*, it is our pleasure to have some acquaintance—Mr. Orr and Mr. Clerkey, and we can but express our high gratification at the choice of the two men so well qualified, in every respect, to fill their respective positions.

Mr. Orr is a Democrat of the State Rights school, but is not identified with the ultra men of South Carolina. He is a gentleman known throughout the South as high-toned, chivalrous and true, and possesses all the qualities to make a firm, prompt, efficient and courteous Speaker of the most powerful Representative body in the world.

Mr. Allen, the Clerk elect, is a sound national Democrat and will fully represent the great West in the organization of the House. We congratulate the country both on the dispatch of the organization and on the excellent personel which makes it up.

RISING MEN.

Among the rising men in our community, we know of no one more prominent than our young friend, H. S. Bradford, of Haywood county. Although this is his first entry into any legislative body or deliberative hall, he has already made his mark as a man of character. He has shown himself equal to every emergency. On the bank and currency question especially, he challenges our admiration, and we know we do not go far of the mark, when we say that his position is the position of the entire honest, laboring, working community. We have conversed with men of the country, and we know their sentiments. They are in unison with those advanced by our young friend Bradford in his speech on the bank question. He has struck the popular heart, or the popular heart has struck him, we do not know which, but we very well know, that with such men to represent us, we shall not long be afflicted with a spurious bank currency. He is right in the course he has been out for himself to pursue, and we call upon the people to sustain him.

EXTRACTS TO SUIT THE TIMES.

From the Nashville Union.]

"No State shall emit bills of credit."—*Constitution of the United States.*

"Paper money is an evil, and we should rid the country of all such trash."—*Gov. Johnson's Message.*

"Wind up the Bank of Tennessee as a spider winds, with its own web, itself out of danger. Invest its assets in bonds—your money will be safer from the depredations of sharks and financial pirates."—*Hon. Cave Johnson's Report to the Legislature, two years ago.*

"This is not the time to wind up the Bank of Tennessee—money is too scarce."—*Softs of all parties.*

"This, of all others, is the proper time to begin a reformation in our banking system. When money is plenty, the banks exercise an influence which is irresistable over that class of people who strive to live without labor. When times are hard the same money influences are brought to bear on stock gamblers and traders, relying on banks for their capital. Four years ago, when the Governor recommended a reformation in our banking system, you thought times were too prosperous. Two years ago, when the President of the bank said, 'wind up the bank,' you thought times were still improving, and you gave us additional bank capital. When will be the right time to commence this reformation? Will it be next week or next year? Are you waiting for an increase of strength, so that you can fight successfully the armies of bank officers and their dependents? We say now is the time to declare our independence of all banks—this day begin the great work—give us a currency not subject to fluctuations, and we guaranty the people will approve your course."—*Common Sense.*

A Steam Fire Engine.—The Insurance Companies of New York are about making arrangements for the establishment of a steam fire engine in the lower part of the city, to test its efficiency. Should it be found to work well and save property in a greater degree than the present hand labor engines, the general introduction of a steam will take place for this purpose. It will start for the locality of a fire by horse power, and steam generated on the way will then be applied to work the engine on its arrival.

Terrible Explosion.—The Western, Mo., *Forest Rose*, relates the following: Yesterday morning, the boilers in one of Mr. Erasmus Perry's saw-mills, situated in the bottom a few hundred yards from this business part of the city, exploded, causing a terrific shock sensibly felt all over the city. The cries of the wounded soon were heard, and many were seen running towards the scene of death. Mr. Perry was found horribly mangled lying under a part of an engine, and was recognized by letters and his book in his pocket. His negro boy was found with a part of the boiler fifty yards from the mill, with his heart on the ground. A negro belonging to the estate of Phineas Shiner, and one belonging to Mr. Woods, of Clay county, were badly scalded. The engineer, a German, whose name we have not learned, was badly scalded, and died in a few hours. It appears that the pipes which conducted the water into the boiler, were froze up, the fires had been kindled as usual, and Mr. P. had been assisting a person to thaw the pipes. When the water had commenced running into the boiler, the explosion took place, literally tearing the boiler and engine into fragments, scattering them in every direction. Mr. Perry had just left Mr. Sumner's office, going to his wagon, and walked into the mill, and then with his faithful servant was without a moment's warning, swept from the busy scenes of this world—from the devotion of an amiable and loving wife, dear children, brothers and sisters, and friends, to try the realities of the unseen world.

No occurrence has ever taken place in this community that has so completely shrouded it in sorrow. We never witnessed such an outburst of sympathizing tears. Never shall we forget the sublime emotion of distress and resolution displayed by his heart-broken wife, when she was informed by Mr. Charles Perry, that her husband, who had just parted with her a short time before, was killed!

A Juvenile Murder.—On Tuesday noon a lad aged ten years, named John Conrad Heidrich, was murdered on Eastwood street, between Marion and Carroll streets, by a lad of about the same age, named Theodore Dampes. The former was returning to the house of his father, Adam, with a piece of wood and a basket of chips, and was within a few rods of his home when the last named lad claimed the wood and demanded it. It was refused, and the little villiment attempted to take it by force. The other resisted, and was thrown down. His assailant proving more powerful, planted a knee firmly upon his breast, and holding him helpless, choked him, and pummelled him in the face, for several minutes. During this time, older persons were standing in the vicinity, and a young man only on the opposite side of the street, watching the sport! At length the mother of the young lad heard of his situation, and ran to his assistance. With her own hands she pulled the still revengeful victor from his victim. She then took up and bore to her room the corpse of her murdered boy! The little boy was black in the face, and life had already hopelessly fled. A neighboring barber applied leaches, and a physician was summoned in vain. The anguish of the heart-stricken, German father, when called from work to the clay of his boy, and the agony of the distracted mother, surpass description.—*St. Louis Democrat.*

☞ A recent case of criminal pardon, provided he would enlist in the army, has been promptly met by an order from headquarters, directing that no such convict be received at the recruiting station.

A Youthful Murderer Sentenced.—Joshua Eaton, Jr., a boy, 14 years of age, has been sentenced to the New Hampshire State prison for six years, to be kept to hard labor for shooting Geo. Elisha Sweat, aged 15, in Sandwich, N. H., last July. Young Eaton was indicted for murder by the grand jury but was allowed to plead guilty of manslaughter.

A Fortune.—A United States soldier, a private, who has been stationed at Newport (Key) Barracks, a year past, and has been acting in the capacity of clerk, has recently come into possession of $300,000 by the death of an uncle. He has, in consequence, procured his discharge from the war department, and will "soldier" no more. The name of the fortunate fellow is William Powell Ware.

THE STATE BANK.

From the Nashville Union.]

We furnish elsewhere an abstract of the bill introduced by Mr. Speaker Burch, of the Senate, "*to provide for the liquidation of the Bank of Tennessee, and the Free Banks of the State, and for other purposes.*"

Our readers need hardly be told that we approve of the *general* purpose of this bill *as indicated by its title.* It would be too much to say of almost any bill that could be introduced in reference to a subject of so much delicacy, that it is perfect in all its details. We learn, in fact, that the author himself may propose some alterations, but not so as materially to effect the general objects of the bill.

It is, for instance, still a question of doubt among the friends of the bill, as to whether in lieu of that section which provides that no new note or bill shall be discounted, but that old ones may be renewed every six months on payment of ten per cent. on the original capital, it might not be best, simply to require that after a certain time, the discoun's of the bank should be diminished at a given rate.

We learn, in fact, that the author and friends of the bill are not wedded to the plan or length of time in which the bill contemplates winding up the bank, the object being rather to provide *that the thing shall be begun*, that the public may have an earnest of the sincerity of their professions of hostility to the whole system of banking.

That all the evils of the system are indissolubly bound in this bank, as well as our stock banks, superadded to the fact so often stated in the reports of the officers themselves, that it is impossible, from the nature of its organization, that it can ever be well managed.

This is a great political engine, of corrupting tendency, and ought not to exist in a State, where freedom of thought and action from all constraint are indispensable to the purity of our government.

In reference to the propriety of taking up the free bank paper, it is urged that it would not only be a measure of relief to the note-holder, but to the community at large, by the addition of that much in relation to our depleted currency.

That it would at once rid the State of a system which is now admitted by all to be a failure.

That the notes of these banks being substantially issued upon the faith of the State, and being so received by the people, without reference to the names of those by whom they were issued, the State is in some degree bound to see, that no loss shall be thereby sustained by the note-holder.

That the State can do this without loss, by accepting therefor a return of her own bonds or those which she has endorsed.

That the purchase of these bonds at par by the State, while it would be a measure of relief to the people, would enhance the value of her bonds.

That the loss, if any, must fall upon the people of the State, and that in consideration of all the good that can be accomplished thereby, it is better that the State should assume the responsibility; while some go so far as to say that the State or its Legislature ought not, in good faith to the public, to authorize anything to be substituted and used as a currency, the redemption of which she is unwilling to guaranty.

The provisions of the bill, that all notes under the denomination of twenty dollars shall be gradually withdrawn from circulation; that each bank and branch bank shall pay out nothing but its own counter notes, and to prohibit the circulation of notes of banks of other States, will meet with but little opposition from the friends of reform.

We commend the bill, as a whole, to the careful consideration of our readers. It is, perhaps, the most important that has been introduced upon the subject, and we are sure the author will be pleased, in common with other friends of the measure, to hear what the people and the press have to say in regard to it.

Mr. Burch's Bank Bill.—For the information of our readers, we make the following abstract of a very important bill introduced into the Senate by Mr. Speaker Burch, and now pending, or will be laid to provide for the liquidation of the Bank of Tennessee and the Free Banks of the State, and for other purposes:"

1. That any free bank desiring to go into liquidation shall give notice to the Comptroller of the fact.

2. That thereon the Comptroller shall give notice in some paper in Nashville, that the bonds of said company will be surrendered to the note holders in like amounts, provided said bank is not under protest.

3. That which notice by the Comptroller, all revenue collectors of this State shall receive the notes of said bank at par in payment of any dues to the State.

4. That the Bank of Tennessee shall also receive the notes of such bank in payment of debts.

5. That the Bank of Tennessee shall present said notes to the Comptroller, and receive therefor the bonds belonging to said free bank, and if they are such bonds as were issued as a loan to any railroad company or any other corporation, or bonds of twenty years, the State they shall be held by the Bank of Tennessee, and the interest thereon applied to the payment of the interest on the State's indebtedness; and if they are such as were issued by the State for stock in the Bank of Tennessee, or Union Bank of Tennessee, or in payment of State subscription to railroad or turnpike companies, or for building the Capitol, or for the purchase of the Hermitage, they shall be destroyed.

6. The Bank of Tennessee and Branches are prohibited from paying out their notes, except to depositors, or in payment of checks drawn by the State Treasurer, and all the notes of said bank and branches not needed for said purpose, to be destroyed.

7. That the notes of the said bank and branches shall be entirely withdrawn from circulation whenever there shall be sufficient gold and silver or notes of other specie paying banks of this State to meet the checks of the State, the depositors, and interest on the bonds of the State.

8. That revenue collectors shall not receive for dues to the State, anything else than coin, or the notes of said free banks in liquidation, and that not for at the Bank of Tennessee and branches, and the Bank of Tennessee and branches shall receive for debts only the said free banks above, and the notes of said Bank of Tennessee and branches.

9. That any bank going into liquidation, as above provided, shall receive from the Comptroller any bonds it may have on deposit, over and above its outstanding circulation, and shall thereafter no longer be entitled to the privilege of banking, except that it may collect its debts and sell other assets.

10. That the Bank of Tennessee and branches shall discount no new bill or note, nor renew any except upon payment of ten per cent., or the original amount discounted, nor shall any renewal be for more than six months on note, or three months on bill. [This would virtually allow five years for payment on notes, and two and a half on bills, if the banks think proper to allow the indulgence.]

11. Notes of other banks, received by said Bank of Tennessee and branches, to be returned to said banks for notes of Bank of Tennessee or specie.

13. The Bank of Tennessee to make provision for payment of interest on State indebtedness.

12. Governor of the State to have the power of visiting and investigating the affairs of the bank and all the privileges of a director, except that of voting on the renewal of notes or bills.

14. From and after 1st July, 1858, no bank or branch bank in Tennessee, to pay out anything but its own notes or notes of a bank to apply to the Bank of Tennessee and branches.]

15. After 1st May, 1858, no bank to pay out notes of less denomination than five dollars, and after the 1st July, 1859, none less than ten dollars, and after 1st July, 1860, nothing less than twenty dollars.

16. No bank during suspension shall sell exchange on any point for more than one per cent.

17. That no person shall pay out notes of the banks of other States of less denomination than the bank of this State are authorized to issue.

18. Any bank violating the provisions of the 14th, 15th, 16th sections, shall be fined not less than five hundred nor more than twenty-five hundred dollars.

19. Any person violating 17th section, shall be guilty of a misdemeanor, and punished accordingly.

A Pacha's Wife.—Mme. Pacha has arrived at Paris, and we learn from the *Patrie*, of Nov. 14-h, some facts in regard to her history. She was born at Reps, in Transylvania, and was sent to a Turkish school at Constantinople when eleven years old. She there showed great musical capacity, and at fifteen years was a fine pianist. Omer Pacha, then military commandant in Wallachia, met her at a soiree, and as he loved music as well as intelligent conversation, and had some of the Turkish ideas in regard to the proper shape of woman, he fell in love with her, courted and married her. She adopted Mussulman habits, never went out except veiled and attended by eunuchs, but still accompanied her husband on all his warlike expeditions. As she was much interested in military glory, she wrote triumphal marches, which were played by the Turkish bands in going to battle. The only child of this marriage died, and Omer Pacha thought that a new marriage would give him an heir. Perhaps, too, he wanted to ingratiate himself with the old Turkish party. At all events, he demanded in marriage the daughter of Hafiz Pacha, the leader of this party. "Remain in my harem," said he to his wife. But she was too proud for this, and demanded a divorce, having obtained which, she has come to France to obtain an honorable asylum. Mme. la Marechale Omer is only 23 years old, has the innocent grace of a young girl, a complexion of dazzling whiteness, and splendid dark eyes. It has been erroneously stated that she is seeking diversion in the gay world; on the contrary, she remains in absolute retirement. The *Patrie* does not state it, but it is understood that Mme. Omer Pacha designs giving concerts in Paris.

The more any one speaks of himself, the less he likes to hear another talked of.

Be contented and thankful. A cheerful spirit makes labor light, and sleep sweet, and all around happy.

Cultivate charity of thought and gentleness speech; they are the true essence of christianity.

THE KANSAS CONSTITUTION.

We have received, through the Lecompton *Democrat*, a full copy of the Kansas Constitution. The publication of the entire Constitution would occupy some five columns of our paper. In lieu of the entire Constitution, therefore, we have availed ourselves of very satisfactory abstracts furnished by the Cincinnati *Enquirer*:

The first provision provides that the State will relinquish its right to tax the lands of the United States in Kansas, provided the latter will cede four sections in every township for the use and support of the common schools, and that two entire townships shall be reserved for a seminary or college of education. Provision is also made for the cession of lands for the purpose of building a railroad to the Pacific. Next is a section establishing the boundaries of the State, and of the counties that are to compose it. The Governor of the State is to be elected for two years; is to be at least thirty years of age; have been a citizen of the United States for twenty years, and have resided in the State five years next preceding the day of his election, or from the time of the formation of this Constitution. He shall not be eligible but four years out of six. The powers which are given the Governor are like those of most the States, and include the veto power, subject to be overruled by two-thirds of the Legislature. There is also a Lieutenant-Governor, Secretary of State, Treasurer and Auditor of State, who are clothed with about the same duties that devolve upon those offices in the State of Ohio. The county officers are the same as in other States, and are elected for two years. The Legislature is to consist of a Senate and House of Representatives; the former to be elected for four, and the latter for two years. Half the Senate is to be elected every two years. The number of Senators shall not be less than thirteen or more than thirty-three, and the number of Representatives shall not be less than thirty-three or more than one hundred. The Legislature is to meet once in two years. The powers conferred upon the Legislature are those usually given in the American States. Section twenty-fifth of the Constitution we give entire:

Sec. 25. It shall be the duty of all civil officers of the State to use due diligence in the securing and rendering of persons held to service or labor in this State, either of the States or Territories of the United States, and the Legislature shall enact such laws as may be necessary for the honest and faithful carrying out of this provision of the Constitution.

The first Legislature will consist of forty-four members in the House, and nineteen in the Senate.

The first section of the provision entitled Judiciary, reads as follows:

Sec. 1. The Judicial powers of this State shall be vested in one Supreme Court, Circuit Courts, Chancery Courts, Courts of Probate and Justices of the Peace, and such other inferior courts as the Legislature may, from time to time, ordain and establish.

The Supreme Court is to meet twice each year at the seat of government, and is to consist of three members.

The Judges are to be elected by the people of the State and of their respective districts.

The Judges of the Supreme Court are to hold office for six years.

The powers conferred on the Judiciary are substantially the same as are given in Ohio and in other States.

The section of the Constitution establishing slavery—and which is to be a part of that instrument, only upon the condition that a majority of the people vote in its favor on the 21st of December, at the election then to be held in Kansas—is as follows:

SLAVERY.

Sec. 1. The right of property is before and higher than any Constitutional sanction, and the right of the owner of a slave to such slave and its increase, is the same and as inviolable as the right of the owner of any property whatever.

Sec. 2. The Legislature shall have no power to pass laws for the emancipation of slaves without the consent of the owners, or without paying the owners, previous to their emancipation, a full equivalent in money, for the slaves so emancipated. They shall have no power to prevent emigrants to the State from bringing with them such persons as are deemed slaves by the laws of any one of the United States or territories, so long as any person of the same age or description shall be continued in slavery by the laws of this State; *provided*, that such persons or slaves be the *bona fide* property of such emigrants, *and provided also*, that laws may be passed to prohibit the introduction into this State of slaves who have committed high crimes in other States or Territories. They shall have power to pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors, and preventing them from becoming a public charge. They shall have power to oblige the owners of slaves to treat them with humanity, to provide for them necessary food and clothing, to abstain from injuries to them, extending to life or limb; and in case of their neglect or refusal to comply with the direction of such laws, to have such slave or slaves sold for the benefit of the owner or owners.

The following sections refer to the qualifications of electors:

Sec. 1. Every male citizen of the United States, above the age of twenty-one years, having resided in this State one year, and in the county, city or town in which he may offer to vote, three months next preceding any election, shall have the qualifications of an elector, and be entitled to vote at all elections; and every male citizen of the United States, above the age aforesaid, who may be a resident of the State at the time this Constitution shall be adopted, have the right of voting as aforesaid, but no such citizen or inhabitant shall be entitled to vote, except in the county in which he shall actually reside at the election.

Sec. 2. All voting by the people shall be by ballot.

The financial provisions require that the rate of taxation should be uniform, and that the Legislature shall raise every year a sum equal to the amount required for the expenses of the State. The State has no power to contract a debt exceeding $500,000 in the aggregate. Then follow the following sections:

Sec. 4. The Legislature may also borrow money for the purpose of repelling invasion, suppressing insurrection and defending the State in time of war; but the money thus raised shall be applied exclusively to the purposes for which it raised.

Sec. 5. No scrip, certificate or other evidence of State debt shall be issued, except for such debts as are authorized by the 31 or 4th sections of this article.

The Legislature is clothed with power to levy an income tax, and to tax all persons pursuing an occupation, trade or profession. It is also provided:

Sec. 5. The Legislature shall provide for a capitation of third tax, to be paid by every able-bodied male citizen over twenty-one years and under sixty years of age, but nothing therein contained shall prevent the exemption of taxable polls in cases of bodily infirmity.

Sec. 6. The Legislature shall levy a tax on all railroad incomes, proceeding from gifts of public land, at the rate of ten cents on the $100.

Sec. 7. No lotteries shall be authorized by law as a source of revenue.

Here is an important section relating in internal improvements:

Sec. 2. A liberal system of internal improvements, being essential to the development of the resources of the country, shall be encouraged by the government of this State; and it shall be the duty of the Legislature, as soon as practicable, to ascertain by law proper objects of improvement in relation to roads, canals and navigable streams, and to provide for a suitable application of such funds as may be appropriated for such improvements.

Corporations may be formed under a general law, except those of cities and villages, which may be granted by special enactment—but all subject to amendment or repeal by the Legislature at any time. No private property shall be taken for public uses without the consent of the owner, or a reasonable compensation in damages if that consent cannot be obtained. Under this heading of "Corporations" we find the following:

Sec. 4. The Legislature may incorporate banks of deposit and exchange, but such banks shall not issue any bills, notes, checks, or other papers as money.

Sec. 5. The Legislature may incorporate one bank of discount and issue with not more than two branches provided that the act incorporating the said bank and branches, thereof shall not take effect until it shall be submitted to the people at the general election next succeeding the passage of the same, and shall have been approved by a majority of all electors voting at such election.

Sec. 6. The said bank and branches shall be mutually liable for each other's debts or liabilities, for all paper, credits, or bills issued representing money; and the stockholders in said bank or branches shall be individually responsible to an amount equal to the stock held by them for all debts or liabilities of said bank or branches, and no law shall be passed sanctioning directly or indirectly, the suspension by said bank or its branches of specie payment.

Sec. 7. The State shall not be a stockholder in any bank; nor shall the credit of the State be given or loaned in aid of any person, association or incorporation; nor shall the State become a stockholder in any corporation or association.

The sections relating to militia and education are substantially those of Ohio. Efficient steps are taken for the promotion of the former. Lecompton is to be the seat of government, but two-thirds of the Legislature can change the location. Under the head of "miscellaneous affairs," we find the following provisions:

Sec 4. Aliens who are or may hereafter become *bona fide* residents of this State, shall enjoy the same rights in respect to the possession, inheritance and enjoyment of property as native born citizens.

Sec. 6. All property, both real and personal, of the wife, owned or claimed by marriage, and that acquired afterward by gift, devise or descent, shall be her separate property, and laws shall be passed more clearly defining the rights of the wife, in relation as well to her separate property as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

Sec. 7. The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice.

The bill of rights are similar to those in the Constitution of Ohio. It is expressly provided that the people have at all times an inalienable and indefeasible right to alter, reform or abolish their form of government, in such manner as they may think proper.

Free negroes are not allowed to live in the State under any circumstances. In the schedule it is provided:

Sec. 2. All laws now of force in the Territory of Kansas, which are not repugnant to this Constitution, shall continue and be of force until altered, amended or repealed, by a Legislature assembled under the provisions of this Constitution.

Sec. 6. All officers, civil and military, holding their offices under the authority of the Territory of Kansas, shall continue to hold and exercise their respective offices until they shall be superceded by the authority of the State.

In the schedule the following submission of the slavery clause to a popular vote is thus ordered:

Before this constitution shall be sent to Congress, asking for admission into the Union as a State, it shall be submitted to all the white male inhabitants of this Territory, for approval or disapproval, as follows: The President of this Convention shall, by proclamation, declare that on the 21st day of December, one thousand eight hundred and fifty-seven, at the different election precincts now established by law, or which may be established as herein provided, in the Territory of Kansas, an election shall be held, on which shall preside three judges of election, to be appointed as follows: The President of this Convention shall appoint three commissioners in each county in the Territory, whose duty it shall be to appoint three judges of election in the several precincts of their respective counties, and to establish precincts for voting, and to cause polls to be opened at such places as they deem proper in their respective counties, at which election the constitution framed by this Convention shall be submitted to all the white male inhabitants of the Territory of Kansas in the said Territory on that day, and over the age of twenty-one years, for ratification or rejection, in the following manner and form:

The voting shall be by ballot. The judges of said election shall cause to be kept two poll-books, by two clerks they shall appoint; the ballots cast at said election shall be indorsed, "Constitution with slavery," or, "Constitution with no slavery." One of said poll-books shall be returned within eight days to the President of this Convention, and the other shall be retained by the judge of election and kept open for inspection. The President, with two or more members of this Convention, shall examine said poll-books, and if it shall appear upon said examination that a majority of the legal votes cast at said election be in favor of the "Constitution with slavery," he shall immediately have the same transmitted to the Congress of the United States as hereinbefore provided. But if, upon examination of said poll-books, it shall appear that a majority of the legal votes cast at said election are in favor of the "Constitution with no slavery," then the article providing for slavery shall be stricken from this Constitution, and slavery shall no longer exist in the State of Kansas, (except that the rights of property in slaves now in this Territory shall in no manner be interfered with,) and he shall have transmitted the Constitution, so ratified to the Congress of the United States, as hereinbefore provided. In case of the failure of the President of this Convention to perform the duties imposed upon him in the foregoing section, by reason of death, resignation, or otherwise, the same duties shall devolve upon the President *pro tempore*.

On the first Monday in January an election is to be held for State officers, under the provisions of this Constitution. The judges and clerks so appointed to carry into effect the above provisions are required to be sworn previous to entering upon their duties, and are amenable to the existing Territorial laws against perjury. Here is an important provision:

Sec. 9. Any person offering to vote at the aforesaid election upon said constitution shall, if challenged, take an oath to support the Constitution of the United States, and to support this constitution if adopted, under the penalties of perjury under the Territorial laws.

After the year 1864 the Legislature will have power to take steps for the amendment of the Constitution by calling a convention, two-thirds of each branch concurring in such call. Nothing is said about amendments previous to that date. The State officers are to enter upon the discharge of their duties as soon after the admission of the State into the Union as is convenient.

TENNESSEE LEGISLATURE.

The following is the debate upon the proposition to give relief to the Memphis and Ohio Railroad, changing its location by Trenton. The debate was had in the House of Representatives on the 4th inst., the Senate Bill being under consideration:

MEMPHIS AND OHIO RAILROAD COMPANY.

On motion by Mr. King, (the rule being suspended) the House now took up the Senate bill for the relief of the Memphis and Ohio railroad—repealing the location by Trenton.

Mr. King stated the circumstances requiring the charter provision for making Trenton a point in the location to be repealed. The air line shortened the distance six miles—saving, altogether, about 20 miles. He asked no additional State aid—and would ask none.

Mr. Taylor proposed to amend by adding: "Provided nothing in this act shall be so construed as to authorize said Railroad Company, any State aid they are not entitled to under existing laws."

Mr. Taylor had been informed, that the wording of that act would entitle them to draw State aid to the amount of $150,000.

Mr. King had no objection to the amendment if it were clear in its terms. He wished to modify by inserting words prohibiting "additional State aid."

Mr. Johnson submitted these words in lieu of Mr. Taylor's amendment: "Provided no additional State aid shall be granted."

Mr. Taylor was afraid of the word "additional," and preferred his amendment. He wanted them cut off from aid.

Mr. King. If the object was to cut off the aid entirely, he was opposed to it. The Directors on the part of the State, had decided to shorten the route and save the money of the State to the extent of $60,000. They might still go by Trenton and draw this additional amount. We only ask that aid which the Company have heretofore been entitled to going by Trenton, less the $60,000.

Mr. Richardson suggested to restrict the aid to $10,000—since it was proposed to save $60,000 of the original appropriation of $100,000.

Mr. Wilson showed how this bill might be construed into a new appropriation of $100,000 toward that road. They had forfeited their former aid of $100,000. They had already received a larger sum for the bridge aid, than any other road in West Tennessee.

Mr. Thompson. The Legislature was helpless in the East, as the facts showed. If the bill pass not, the Company will go by Trenton and draw the $60,000 additional.

Mr. Rowles. Are the Company at work on the straight line.

Mr. Dunlap. Yes; but they have not got so far but they can turn. Mr. D. read the act of last session to show that the bill contemplated no new appropriation. He also explained the circumstances which had brought them into the difficulty requiring the adoption of the amendment of that act proposed in this bill. He also alleged, that if the bill were not passed, they would probably still go by Trenton and receive the additional bridge aid—$60,000 more than they could receive under this bill. He also read extracts from printed letter of Judge Brown, criticising the informality of the bill which evidently prompted it—the claiming an appropriation of aid to a worthless, impracticable road, with the object to defeat the construction of the Memphis and Ohio, for the prospective advantage of the Mobile and Ohio railroad—making reference to the fact of the repudiated Tennessee bonds, which had paid for ironing the latter road in the State of Mississippi.

Mr. Wilson. Had they not completely forfeited their $100,000. They had located the air line, and would not change to go by Trenton. There could be made no other question here, than this: Will this Legislature make the additional appropriation of $100,000?

Mr. Bulloch vindicated Judge Brown from the charge of having hypothecated State bonds. Whilst he would vote for this bill, it would be well for the House to understand the case, with respect to aid proposed to the Mobile and Ohio, and the Mississippi Central railroads, and he proceeded to make statements at length, with reference to sundry proceedings connected with all these interests.

Mr. Griffith. If the $100,000 bridge aid by Trenton was forfeited, would not the road by the new route have to cross the same streams that it would have to cross by Trenton?

Mr. Bulloch. Yes.

Mr. Dunlap had not intended to implicate Judge Brown as having hypothecated State bonds. But it was rumored that such a thing was done by the Mobile and Ohio road, of which he is now President. He showed how by defeating the Memphis and Ohio road, the Mobile and Ohio road might gain travel and transportation.

Mr. Thompson stated the case as he understood it, and gave reasons governing his vote in the case.

Mr. Bradford. Mr. Speaker: I had not intended, nor do I now intend to make a speech on this question. It is more than probable that we would now be ready to adjourn this legislature, had there not been so much unnecessary talking. But, sir, being the representative of Haywood county, in which the bridge is to be built, it devolves on me to explain, at least the vote I shall give. As to our system of internal improvements, I think it is wild and reckless. And I say, here in my place to day, that the time will come (and that not very distant) when the people will have to be taxed to pay for the building of these roads. I come here pledged to oppose any further grants of State aid in addition to what has been promised. I do not consider this adding one single dollar to her indebtedness. And while this is so, there is actually a saving of $60,000, by shortening the route six miles. Now, sir, the question arises, will the great State of Tennessee take advantage of a legal technicality, and thereby cripple the road, or rather should she not in accordance with her enlarged sense of patriotism, allow that aid to an enterprise she has been endeavoring to foster. The general happiness, prosperity and interest of the whole State was the object contemplated in giving aid to any improvement, and not to build up a mere town, or particular spot. The Committee on Internal Improvement has adopted and presented a bill granting an extension of time to some half dozen roads, to which to complete their first thirty miles. What was the object? Was it not, sir, to remove a restriction, so as to allow the application of State aid? Yes! Now, sir, here is a proviso removed to allow application of State aid, which would be forfeited if not removed; therefore it is all pledging the State to four or five million dollars, which she might throw off if she desired. On the other hand, here is a road not asking for additional aid, but to be allowed what has been promised on the bridge while it reduces State aid $60,000.

Mr. Richardson desired to know the reason why this bridge aid was made to depend upon the condition that the road should go by Trenton?

Mr. Bradford. He knew not. It might have been done to propitiate the Representative from Gibson county at the last session.

Mr. Richardson continued—intimating his intention to offer an amendment, according to the former suggestion,—to limit the aid of this road to $10,000.

Mr. Williams gave his view of the case—objecting to gentlemen whose counties had shared most largely in the State's bounty, being forward for more aid. He objected also to that aspect of the case, which made the Legislature subject to the dictation of a railroad company, and contended that this was nothing less than an original appropriation.

Mr. Rowles should not be influenced by the wish of the town of Trenton, or the wish of the railroad company, but should vote with reference to the interests of the State at large, as connected with the interests of the company. If we were to go on with the road, it would be wise of course to get along with it with the least expense. With the view he took, he was in favor of the bill, because the State was already too deeply involved in this improvement to recede from the work.

Mr. Polk was opposed to additional State aid, but concurred with others in the fact that the bill was to save $60,000.

Mr. Newman should certainly vote against the bill. A majority of the Internal Improvement Committee considered that there was no additional aid in this bill. He differed and dissented from that opinion, and gave his reasons for it. He found in the Report of the Road Commissioner, page 17, that this Memphis and Ohio Railroad had already received $100,000 bridge aid; and that officer in summing up, does not notice the $100,000 in this bill.

Mr. Davidson asked which route would best serve the interests of the public.

Mr. Newman. The air line.

Mr. Davidson. Which would be cheapest to the State? He should vote for the bill for these two reasons, and for the further reason, that if they have forfeited the aid of the State, they are authorized to take advantage of it under the circumstances.

Mr. Newman. The bill will give to this road double aid.

Mr. Stovall explained why he should vote for the bill. He relied upon the judgment of the State Director; and then the State would save $60,000. He would not vote additional aid to the extent of $100,000 to complete every road in the State.

Mr. Newborn concurred in his colleague's vindication of the honorable, Milton Brown, one of the first political economists in the State, and by his efforts two years ago, most conspicuous in facilitating for Internal Improvement was doubtless prevented. There were restrictions besides the Trenton route, which this bill would remove. One was they were required to grade the road to the Carroll county line before they could get the aid. His position in the canvass was, that he would not vote aid, except it was to save an important road from failure. This road did not stand in that class. Looking at it legally, he regarded this aid forfeited, and this bill as an original appropriation. He made question whether the road would yet go by Trenton if this appropriation should be withheld.

Mr. King had no positive information.

Mr. Newborn felt specially called upon to oppose the removal of the restriction to carry the road to the Carroll county line.

Mr. Lamb was for the bill, because he regarded it as subserving the interests of both the State and the Railroad Company. The bill had passed the Senate by an overwhelming majority. He also argued the proposed—reducing the State's liabilities to the amount of $60,000.

Mr. John's amendment was then read, having been modified as follows:

"Provided nothing in this act shall be so construed as to allow said Company State aid to a larger amount than $10,000 per mile," etc.

After further debate by Mr. Taylor and Mr. St. John—

Mr. Davidson demanded the previous question, and there was a second, and under its operation the main question, viz: Shall the bill pass the third reading? being taken by the yeas and nays, resulted—yeas 32, nays 36—as follows:

The yeas and nays were published in our paper yesterday morning.

SATURDAY, December 5.

Senate.—The bill to incorporate Lynwood Landing Company, was reported back to the Senate by the Committee on the Judiciary, with several amendments, one of which was concurred in; and the bill as amended passed the third time, and was transmitted to the House.

Mr. Whitthorne introduced a bill to locate the Division Fair at Columbia.

Mr. Jones; A bill to incorporate the University of the South.

Mr. Reid: A bill to establish the seat of justice in Tipton county.

Mr. Bratcher offered a resolution providing that hereafter no business shall be taken up out of its order.

On motion of Mr. Brown, the bill to amend the charter of the Central Southern Railroad was taken up and passed on its last reading.

On motion of Mr. Burch, (Mr. McConnico in the Chair,) the bill for the benefit of the Chattanooga. Harrison, Georgetown, and Charleston Railroad was taken up, and passed the third and last time.

House amendment to the bill for the benefit of the Jackson, Somerville, and Memphis Turnpike Company, was concurred in.

The bill to charter the Alexandria and Smith's Fork Turnpike Company, passed on its second reading.

The Senate adjourned till 10 o'clock on Monday morning.

SATURDAY, December 5, 1857.

House.—Mr. Thompson presented a petition from L. Long, Sr., in relation to the passage of Mt. Pleasant and Hampshire Turnpike road through his land.

Mr. King, from the Judiciary, and Mr. Davidson, from the Committee on Incorporations, each reported sundry bills with recommendations.

BILLS INTRODUCED.

Mr. Bullock: to require the County Courts to provide for the assessment of taxes in certain cases.

Mr. Algee: for the benefit of the Nashville and Northwestern Railroad Company.

RESOLUTIONS.

Mr. Harney: requesting the Governor to furnish the House with information in relation to the protests of bonds issued to the East Tennessee and Virginia Railroad Company.

Mr. Kendrick: to abolish the rules of the House, and to foster the genius of the members.

Resolutions laid over under the rule were then taken up, and that of Mr. Taylor, directing the Committee on the Code, to notify the Speaker of alterations of the old law by the Code, was discussed and rejected.

The resolution of Mr. Donelson, defining the duties of Clerks of the House, was adopted.

Mr. Copeland's; to amend the Constitution in regard to the formation of new counties, was discussed, and withdrawn by Mr. Hamilton, for amendment.

Ordered that seventy-five copies of the resolution fixing the number of Acts and Journals to be published for distribution, be printed for the use of the House.

Mr. Bradford's, to adjourn from 18th December to 4th January, was taken up; pending which, the House adjourned till 10 A. M., Monday.

General Havelock's March.

From the Daily Times, November 17.]

Our military correspondent at Calcutta has enabled us in some degree to fill up the void hitherto left in the narrative of Havelock's proceedings between the passage of the Ganges and the relief of Lucknow. We are not yet in possession of those graphic details which will soon be supplied by the letters of gallant men, who, flinging aside the sword for the pen, dash off in hot haste pictures whose vivid freshness no distant chronicler can hope to rival. The correspondence we published yesterday, however, supplies one or two facts respecting the proceeding of the relieving force which may be well to recapitulate. The Ganges were crossed by the troops on the 18th, by the heavy guns on the 20th. The passage took place almost without resistance, and the enemy fell back on a strong position at no great distance from the river. On the 21st this position was attacked and