Japan and the United States

The *Journal des Debats*, of Paris, has the following remarks touching this subject:—

While the American expedition is sailing towards Japan, we will throw a rapid glance on the state of relations which the Japanese keep up with the commerce of Europe, or rather with Holland, for it is well known that hitherto no other power has been permitted by the government of Jeddo to trade with Japan. In 1837, the United States of America sent an expedition to demand from the Emperor an authorization to open commercial relations, but the attempt completely failed. Ten years after it was renewed with a similar result. The Dutch on their side, also endeavored in 1844 to extend their commercial relations, which, even for them, were shackled with numerous difficulties, and subjected to onerous and vexatious conditions. King William, on this occasion, addressed a letter to the Emperor, telling him that the commercial relations of all nations with each other were so rapidly extending, that the trade of Japan could not remain apart from this movement. The Emperor, in reply, thanked the King of Holland for his advice, but said that the laws of the Empire were immutable, and that nothing could be changed in the existing order of things.

An immense fact afterwards arose, calculated to act with great power on the destiny of the countries watered by the Chinese seas. The commercial movement which had taken place since the discovery of the riches of California, considerably increased the number of vessels which visited the Pacific ocean and which passed or might pass the coast of Japan. This circumstance determined the American government to renew its former attempts. In April, 1851, it sent a small expedition, demanding the conclusion of a treaty which would allow the establishment on different points of the coast of Japan, of depots where its vessels might take in supplies of coal, stores, &c. The reply of the Emperor is still waited for, and the government of the United States, in order to hasten the conclusion of the affair, has just sent a squadron, under Commodore Perry to claim the concessions demanded—concessions which the American government thinks will, if granted, be made common to all nations.

According to a recent return of the commercial relations of Japan and Holland, they only now amount to about three millions of francs per annum.—Two vessels sent every year from Batavia to the small island of Decima, opposite the port of Nangasaki, suffice for the exchanges effected on account of the Dutch company, who pay 60,000 francs a year for the privilege of this trade with Japan. General as well as private commerce is very complicated in the Dutch factory of Decima. Nevertheless the latter is much less restricted than the former, although it is subjected to a duty of 35 per cent., from which the general commerce is exempt. This circumstance arises from the nature of the articles sent. Whilst the Government only send to Decima colonial productions, and Indian and English manufactures, private traders send objects of luxury, the sale of which offers great advantages.

The principle articles are:—first, among raw material of national production, benzoin, Prussian blue, amber, cajabut oil, red coral, quinine, chocolate, cocoanut oil, opium, saffron, Venice turpentine, and birds' nests; and secondly, among manufactured articles, Morocco and Persian leather, laces and trimmings of various kinds, paper hangings, engravings and lithographic prints, plated goods, imitation of jewelry, tin and iron wares, fire-arms, cutlery, surgical and optical instruments, glass, &c.

The articles taken from Japan on account of the Dutch government, consist almost exclusively of refined copper and camphor; the private traders purchase silks, furniture of Japan lacquer, porcelain, parasols, and other articles of ready sale in Europe.

We may easily predict the result of a demonstration, supported by a squadron carrying no less than 212 guns. China in the end opened her ports before English cannon, and Japan cannot fail to yield to the irresistible arguments which are about to be used by the Americans. The proceeding may appear a little harsh, but it is in fact less so than the barbarous customs of those eastern nations, which obstinately interdict the approach of foreign vessels to their shores, and constantly keep vast and fertile countries and innumerable people aloof from the progress of the European world.

In this point of view we cannot but applaud this kind of commercial crusade undertaken by the United States; we cannot however prevent the expression of a feeling of regret that while England has already a foothold in China, and at Siam, and if the Americans effect the same in Japan, France should remain aloof from efforts, the certain object of which will be the extension in the Indian seas of the commercial relations of her two most powerful rivals.

The Washington correspondent of the *Journal of Commerce*, (himself a democrat) apprehends that the questions involved in the Pacific Railroad project, will ultimately break up the Democratic party. He says:

The constitutional power of the Government to appropriate money to be expended in the States, was brought up in various forms, and upon it the Senate is nearly equally divided; but with a slight preponderance in favor of the strict constructionists.

Senate Mason declared the other day, that if this bill was passed, the Democrat party would cease to exist. Many of the Democrat Senators, who
the bill, have been
nstruction-

Paint, Matrimony and Quadroons.

The New York Mirror contains a piquant letter from its editor, Colonel Fuller, from New Orleans—the most charming and also most wicked of American cities. The gallant editor visited a full-blooded Mardi Gras Fancy Ball, and was all observant, as gentlemen who pen for the press should be. After an exquisite description of the ladies at the ball, the writer indulges in the following general reflections on the ladies of the Crescent city, their habits, &c., &c.:

"At the risk of being charged with a lack of gallantry, I shall venture to state, that the Southern ladies paint like Jezabels. Brows, cheeks, lips and necks, bear palpable marks of chalk and "pink saucers." To an unsophisticated taste, this giving the lie to Nature is simply disgusting; and, in a married woman, should be made by statute, sufficient ground for divorce. I say it boldly, as I intend to leave this evening."

The Quadroon ladies of New Orleans excited both a feeling of admiration and pity—admiration for their accomplishments and beauty—commiseration for the unnatural and unjust condition entailed upon them by the laws of Louisiana. A man cannot legally marry a Quadroon woman, unless he is able to swear that he he has *black blood in his veins.* As many of these women are not only very white, but very beautiful and highly accomplished, resistance to their charms is no easy matter; and, as love is not apt to be controlled by statute limitations, the consequences of this absurd state of things is readily anticipated. They marry, or *place*, as they call it, without the sanctions of the State, or the benedictions of the Church. The mother of the Quadroon girl consents to a temporary arrangement, provided her daughter is furnished with comfortable quarters, and a couple of slaves, with a promise on the part of the mock husband to give his little quadroons a good education.

It is not a very uncommon thing for Northern Bachelors, to say nothing of Northern Benedicts, to be under the necessity of supporting and educating the offspring of this peculiar institution. I have heard of one case, in which a man was so madly, or perhaps I should say *truly* in love with a beautiful quadroon, that in order to marry her, he injected a little *black blood* into his veins, procured from one of his negroes, and then took the regular nuptial oath, thus fulfilling the *letter* of the law. It may spoil the romance of the story to add that the lady had a dowry of three hundred thousand dollars. But in this age of gold the mercenary spirit is an element not to be overlooked; and here in the South a bachelor in a ball room is asked to be introduced to a young lady with so many hogsheads of sugar—or so many bales of cotton—or so many well-conditioned negroes. A young lady with more charms of purse than person, overheard an ungallant fellow remarking the other evening upon the number of freckles on her face, when she turned upon him with the sharp retort that *her father had a negro for every freckle.*

☞ California does not lack for natural wonders to enhance the air of romance which seems to hang over the whole State. A correspondent of the San Joaquin Republican thus describes one of these wonders in Calvaveras county:

"Four miles south of Vallecite, on Coyote Creek, are what are called the Natural Bridges, two of which span the creek. Imagination cannot picture or form any idea of the grandeur of the scene that here meets the eye of the beholder. Volcanic action has piled rocks upon rocks, and nature seems to be in ruins. Whilst gazing, the naturalist is lost in conjecture. Underneath the labyrinths of arches the eye detects imitations of clusters of grapes, cherries and other fruits; vines and stems are perfectly imitated; festoons and flowers, fret work moulded in every imaginable shape, all of which have been formed when the substance was in a molten mass, and the convulsions of nature hurled to its present position. On close examination, the wonder still increases; the observer beholds the natural outline of leaves, vines, &c., imprinted on the solid rock, and the interstices expose petrified remains of vegetation."

KEEP OFF THE PLATFORM.—An important legal decision was pronounced by Judge Marshall, of the Court of Common Pleas of Baltimore, a few days ago, to the effect that railroad companies are not liable for personal injuries where the same occur to passengers while standing on the platform of the cars, against the warnings of the conductor. The case was that of Temple vs. the Philadelphia, Wilmington, and Baltimore Railroad Company. It appears that Temple had his foot crushed in consequence of a collision of the train in which he was riding, with another train. At the time of the collision, however, it was shown in testimony that Temple was standing on the platform of the car, in direct violation of an established regulation of the railroad company, and after having been specially warned of his peril by the conductor of the train.

MURDER AND SUICIDE.—A correspondent of the Tribune writes from Leon, Cattaraugus county, that on the 18th instant, a Mr Andrew Franklin of that place, returned home in the evening, having been absent during the day, and as he entered his house stumbled over the bodies of two of his children, lying dead on the floor. A third was lying very severely wounded, and nearly frozen. Passing into an entry he found his wife hanging dead. A postscript, dated the 20th says: "I have just learned verbally the result of the inquest; that the children came to their death from blows inflicted by the hand of the mother, with some weapon unknown, and the mother by her own hands."

RIOUS RELIC.—In the course
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THE HERALD.

SATURDAY MORNING, MARCH 5, 1853.

FOR COUNTY COMMISSIONER,
SILAS W. HODGES,
Of Clarendon.

THE NEW ADMINISTRATION.

The inauguration of a President of the United States forms an era in our political existence. It is an event in the history of the country, and occupies a conspicuous place in our annals; marking the commencement of a period whose results involve the honor, union and prosperity of the Republic.

The displacement of an executive by the election of another possessing opposite views, and a political creed of counteracting tendencies, confers upon the event an additional interest, and makes us more solicitous for the future welfare of the nation. To the reflecting mind, this continual change of Chief Magistrates, as regards political character, may seem to be of questionable policy; and the inquiry naturally arises,—when we have a man at the helm of State whose wisdom and experience eminently qualify him to accomplish the duties of his station, and whose administration has not only been satisfactory; but has reflected the highest degree of credit upon his country, why not continue him, or one who entertains similar principles, in that situation? Why leave a certain good for uncertainty, and the chances of disappointment? Do you ask for perfection, and employ these Sisyphean means to attain it?

There is but one reply to these queries: It is the will of the People! They make and unmake their rulers without inquiring so much into the nice philosophy of cause and consequence, as our reflecting friend; but in the exercise of a high prerogative, which alone is the guaranty of their rights, they give direction to the political arena, and proclaim the conquerer, not by his prowess, but by their own. Such power is invincible, and its will, thank God! (although oftentimes opposed to our own prepossessions,) *is law!*

FRANKLIN PIERCE was yesterday inaugurated President of the United States. He sits in the chair occupied little more than half a century since by GEORGE WASHINGTON, and subsequently by MONROE, JEFFERSON and ADAMS. He is there by the grace of the same power that placed them in that position; invested with the same authority, and so far as *occupancy of place goes*, entitled to the same respect.—He is singled out and selected as the ruler of twenty-three millions of people, and he has accepted the trials and responsibilities of the station. Is he equal to the task? We certainly wish him and the country no worse fortune than that he may emulate the wisdom and virtues of his "illustrious predecessors."

With regard to the policy of the new administration, we can of course say nothing positively, nor of a definite character. That it will be decidedly Democratic, there is scarcely any room to doubt. We do not believe that it will embrace the Utopian and anti-American theories of ultra Locofocoism. In spite of the election of PIERCE as an ultra Locofoco, such a course would be unpopular; and, had it been anticipated, an opportunity for the illustration of that rôle would not have been so freely granted. He must steer clear of Scylla, and at the same time avoid Charybdis; for rather than mock the gods of one to appease the demands of the other, it were better to defy them all, and repose in the security which an approving conscience awards to good deeds. Has our new President sufficient moral courage and decision of character to do this? We fear not. For months past the Fire-Eaters have been arrayed on one side and the Fogies on the other. Their "daggers of lath" have been whittled sharp; they have engaged in the close conflict, with the battle cry of "cut and thrust" sounding loudly and hoarsely on the blast! "The spoils" lie midway between the two factions, the bone of contension, for which each is fighting with jackal voracity. Both parties are fierce and determined; one must be disappointed; and that, from considerations of expediency, will be the one most easily vanquished. That will constitute the broken wing of Locofocoism, and work to its discomfiture! So much we may safely predict.

It may not be proper, or just, at this time, to indulge in free speculation on the policy of an administration so fresh to the business. Perhaps we have already erred in saying so much. If so, we will gladly retract and amend upon more deliberate conviction.

☞ EPES SARGENT, Esq., for many years the popular editor of the *Boston Daily Evening Transcript*, has taken formal leave of that paper, and the editorial chair, will hereafter be occupied by DANIEL N. HASKELL, Esq. Mr. H. has been for several years, a liberal contributor to the Transcript, and his ample qualifications are well known to the readers of that paper.

☞ The Boston *Daily Mail* comes to us with "Please X" on the wrapper. We do "X" with you regularly every week, Mr Mail, besides stealing half your "Things Talked About" in the bargain. We consider you one of the most spicy and generally interesting of our acquaintances, and would not miss an "X" for a "V."

☞ It will not be forgotten that *next Tuesday* is the day set apart for the election of Commissioner, in the several counties throughout the State; and a sufficient degree of interest should be manifested in the subject, to call out a full vote. In some of the counties two candidates have been nominated, entertaining opposite views on the expediency or constitutionality of the law, and unless Temperance men make a better show than at the February poll, some opponents of the measure will obtain the power of rendering it the mere plaything which the present law has been, in the hands of certain officials not having the fear of God before their eyes. If we are to have the law at all, let us have the simon-pure article,—the substance, not the shadow. It behooves Temperance men to come out in mass; if they would not see their law rendered inoperative and a dead letter,—a reproach and a curse. Let us have a full vote.

The Secretary of the Treasury has ap-
ted Elijah Root inspector of steamboat
s, at Burlington.

Local Omnibus.

Herald Office, Rutland, March 3, 1853.

☞ The Spring Term of Rutland Academy commenced on Monday last, under the most encouraging auspices. The number of students is unusually large, and the many from abroad attest that the reputation of the school is not confined to this vicinity, but that it has acquired a name in the country that must ensure its permanent success. These flattering indications must be highly satisfactory to its friends, and mutually agreeable to both patrons and teachers.

In addition to the usual corps of instructors, we notice the engagement of a celebrated Professor of Chirography, who will give exclusive attention to this branch of instruction.

☞ The New England Art Union's engraving of Saul and the Witch of Endor, from a painting by Allston, has been distributed to the subscribers. The engraving is the best that has been put forth by any Art Union. This society has closed up its affairs.

☞ The snow is very deep all around us. In Windsor and Woodstock its average depth is 20 inches.

☞ What is the price of the post which is labelled "for sale," in one of the streets "down town?" We are prepared to receive proposals under bonds, having long entertained a peculiar itching for the possession of real estate down that way. Shall we have the bids?

☞ Business qualifications always come in play. The clerk of a certain church not a thousand miles off, who had had some figuring on newspaper subscription books, being present at the examination and conviction of a "member" for a misdemeanor, made the entry on the roll, "Discontinued, Feb. 19, 185—." Such is the force of habit.

☞ The Odd-Fellows of this vicinity are to hold a Festival and Ball at the Franklin Hotel, on the 18th inst. From the preparations at present going on, we judge it will be a grand affair,—decidedly the great thing of the season. It is expected everybody will be there that can possibly leave home!

☞ Whether we shall have "six weeks sleighing in March," is not so much a matter of question, at present, as whether "we have a Bore born among us." Both matters are receiving due attention.

☞ *On dit*—That *Noggs* has "slipped up" on a Cabinet appointment. He informs us, in a special despatch, that he does not *Pierce*-ive the least chance for a realization of his expectations. Rather a cheerless *Pierce*-pective!

☞ The weather is scarcely deserving of any notice whatever! It can't be depended upon for a day; and we had about concluded to let it "*slip*," when helter skelter came a snow storm blustering round the corner and spoilt all calculations on that score. Hastening to pen a puff for the beautiful sleighing, we had scarcely jotted a line when old *sol* presented his impudent countenance and cast a *damper* on our enthusiasm. Since then our reveries have been unpleasant and nervous; but it's *snowing* "like sixty" now,—what it will do after this gets into the *'bus*, Heaven only knows! We wouldn't venture a prediction without consulting the almanac.

☞ Those who advertise, and do it well, are certain to gain custom, and be successful. This is a part of a man's business, and should be studied as much as any other part.

☞ "*Fast* Time—The Court House Clock. The best instance on record.

Personal.

"The love of praise, how'er conceal'd by art,
Reigns, more or less, and glows in every heart:
The proud to gain it, toils on toils endure,
The modest shun it but to make it sure."

On the above principle, we may be pardoned for giving place to the following commendatory notices. It might not be easy to find justification anywhere else:

The old *Rutland Herald* comes to us this week in a new dress and very much enlarged and improved.—[Keene Sentinel.

The *Rutland Herald* comes to us in an entire new dress, enlarged, and otherwise greatly improved. It has long been one of the most staunch and able advocates of Whig principles in Vermont. It is now one of the largest and handsomest papers in the State, and deserves a liberal support. Mr Barney, its present proprietor, is evidently a gentleman of ability and enterprise, and we trust he will meet with abundant success.—[Whitehall Chronicle.

The *Rutland County Herald* has been enlarged by the addition of one column to each page, and has adopted an entire new dress. It is now decidedly the best looking paper in the State.—[American Observer.

The *Rutland County Herald* appears this week in enlarged form and in new and becoming apparel. Considering its age—62 years—it is a prodigy of youthful vigor and beauty. Mr Barney, its new editor, gives evidence of industry and ability equal to the task he has undertaken.—[Eagle.

We forgot to say in our last that the *Rutland County Herald* has been enlarged, and so much improved as to rank as one of the best looking in the State. Is has got a *quare* head—so has its editor, to judge by the jokes printed in the *Herald*. Success to you, Barney.—[Brandon Post.

The *Rutland County Herald* is now enlarged to the size of the largest Vermont papers and is running on the "broad gage." It has a new editor, and new type, and withal is a good looking, enterprising, and valuable Whig paper, well suited to the enterprising and growing region in which it is located.—[St. Albans Messenger.

The *Rutland Herald*, numbering some sixty years of age, has grown from its original size of a foolscap sheet, to be one of the largest and handsomest newspapers in the State. Thus improved, it speaks well for the enterprising publisher, Mr L. Barney, as well as for the flourishing village of Rutland, from whence it hails. May its course be still "onward and upward."—[Vt. Statesman.

The *Rutland Herald* came out last week in a fine new dress—much improving its appearance. It has also been considerably enlarged.—[Middlebury Register.

If the readers of the *Rutland Herald* are as much pleased with its improvements as we are, the new editor and publisher, Mr Barney, will get plenty of patronage and congratulations.—[Windham Co. Dem.

The *Rutland County Herald* comes to us this week, enlarged, with a new head, and improved appearance. The Herald has entered on its 59th year, and is the oldest, and one of the best family papers in the State; and with other merits, is Whig. L. Barney, Editor and Publisher.—[Orleans County Gazette.

The *Rutland County Herald* appeared last week in an enlarged form, and in a new and very neat dress. Mr Barney, its new editor, gives evidence of industry and ability, which we trust will secure to him the best of earthly rewards—liberal patronage.—[Vt. Christian Messenger.

Congressional.

Washington, Feb. 25.

Senate.—In Executive session a number of nominations of Army Officers was confirmed.

The suspension of Commodore T. Apt. Catesby Jones from the naval service, was rescinded on Tuesday.

The Treaty between the United States and England was sent in to-day, while the Senate was in executive session.—It relates to the claims against debtors.

Several private bills were passed.

Mr Bradbury introduced a bill to establish a court to investigate claims against the United States. Referred.

The House bill extending a patent for a threshing machine to Moore and Haskell, was taken up and discussed, and the bill finally committed to the patent committee.

In the House the Speaker laid before the members a letter of Edward Stanly, a member of that body, replying to suggestions upon him, contained in certain papers, from Commodore Jones, relative to a private claim heretofore referred to the committee on naval affairs and ordered to be printed.

Com. Jones accused Stanly of being extremely inimical to him, which Stanly denied.

Mr Stanly's letter was laid on the table, and ordered to be printed. Adjourned.

February 26.

Senate.—A communication was received from Mr Kennedy, Superintendent of the Census, asking an investigation of his conduct, which was referred.

Mr Hunter reported the civil and dilomatic appropriation bill, with amendments.

The army bill was taken up. The question pending was on Davis' and Shields' amendments—which were consolidated into one—to strike out the provisions that the armories shall be placed in charge of civil superintendents, and authorize the President, when in his opinion it is necessary, to appoint superintendents who are not army officers; and directing a mixed commission of officers and civilians who shall examine and report which system, civil or military, is best for the public interest.

Messrs Douglass, Rusk and James continued the debate in favor of the civil superintendence of armories, and Messrs Shields and Butler, in favor of the military. The amendment was agreed to. Ayes 29, nays 24.

The civil and diplomatic appropriation bill was taken up. To save time no amendments were offered in committee, and the bill was reported to the Senate.

Mr Hunter then offered from the finance committee, a large number of amendments, to which no objections were made.

During the debate Gen. Pierce appeared in the lobby, and was soon recognized by Senators. He remained about ten minutes, and then left with Mr Norris.

The mission to China was raised to the full grade.

$20,000 was appropriated to defray the expenses of the Turkish steam frigate during her visit to New York, duringthe World's Fair. $70,000 was added to the Mexican boundary. The bill was postponed, and four private bills were passed.

The Army Appropriation was taken up, and several important amendments disposed of. Mr Walker's amendment providing for a survey and location, by the direction of the President, of a railroad to the Pacific; every alternate section of land in twelve townships, on each side of said road, to be given to actual settlers free of charge—the remaining sections to be held by the United States, the proceeds of which are to be applied to the construction of the road, was after a passage between Messrs Gwin and Cass, rejected.

Mr Chase's amendment, providing for a survey and exploration of the most practical route to the Pacific for a railroad, was then adopted, by yeas 31, nays 16.

Mr Borland moved an appropriation of $100,000 to the discoverer of ether, and providing for a bill in equity to be filed in the U. S. Circuit Court for the Northern District of New York, to which Drs. Morton and Jackson, and the heirs of Dr. Wells, shall be defendants. The issue, when the pleadings are made up shall be which of these parties was the true, original, and just discoverer of this beneficient agent; and to whomsoever the said court shall decree that fact, to him shall be paid the $100,000 appropriated by this act. An appeal to the Supreme Court from such decree is allowed. This amendment was adopted. The bill was then reported, and the above amendment concurred in.

At the time of the adjournment the amendment relative to the superintendance of armories was under discussion.

House.—The Navy Appropriation bill was up. Mr Stanton of Tennessee, made an able speech in favor of the enlargement of the Navy. He moved an amendment, appropriating two millions five hundred thousand dollars for building, equipping, and arming three steamers, with screw propellers, and three sloops of war—at least two of the frigates to be built by Capt. Ericsson on his plan, on such terms as may be required by the President. Mr Jones objected, and the chair (Preston King.) ruled it out of order. The committee rose without taking any question.

A letter was received from the Secretary of the Interior vindicating himself from the charges of Mr Gentry, but it was not permitted to be read.—Adjourned.

Feb. 28.

Senate.—The civil and diplomatic bill was taken up.

Mr Walker reported back from the Census Committee Mr Kennedy's letter, asking an investigation into the charges brought against him, the letter having been referred to that committee by mistake. Mr W. said he was prepared to substantiate the charges made by him against Mr Kennedy, if the Senate saw fit to go into an examination.

Mr Hunter moved to amend the bill authorizing the Secretary of the Treasury to refund to the legal claimants for duties paid on imports consumed by the fire in New York, July, 1845, $500,000, and for the same destroyed by fire in California, $100,000.

The following amendments were agreed to: To remit duties on any machinery imported into the U. States for spinning or weaving flax, or to refund duties heretofore paid within five years past on such machinery, provided that it shall prove to his satisfaction such machinery was not manufactured in the United States, and has been used for manufacturing purpose.

To authorize the Secretary of the Treasury to cancel outstanding debenture bonds, given previously to the 1st day of July, 1850, upon the importation of foreign coals; provided that the said coals have been exported to a foreign port or consumed upon the outward voyage. That the Secretary of the Treasury be authorized to purchase, at the current market price, any of the outstanding stocks of the United States he may think most advisable, from any supplies in the Treasury; provided that the balance in the Treasury shall not at any time be reduced below $6,000,000. For the Custom House at Richmond $70,000. For the Custom House at Norfolk $20,000; do at Bangor $15,000; do at Bath $12,000; do at Belfast $20,000.

Mr Hunter from the Committee on Finance moved an additional amendment, providing for a classification of the clerks in the several departments, excepting the State department. It provides for dividing them into four classes. The first to receive $900 per annum, the second, $1200, the third, $1,500, and the fourth $1800. The chief clerks of the Bureaus to receive $2000, and the chief clerks of the Department $3200 per annum. Only one disbursing clerk is to be allowed in each of the departments except to the Treasury and the Interior, which are to have three each. No clerk is to be hereafter appointed, except he be on an examination by the head of the Bureau and two other clerks found qualified and competent to fulfil the duties of his office.

Mr Hunter's amendment was agreed to without a dvision.

The House went into Committee on the Senate's amendment on the Deficiency Bill.

March 1.

The House in Committee of the Whole considered the Senate amendment appropriating $100,000 as a recompense to the discoverer of the Anæsthetic agents.

Mr Stanly offered a proviso that the amount shall be divided among Drs. Morton, Jackson and Wells, according to the judging of an United States Court. He said this country has the honor of this discovery, and to each of the gentlemen whose names he mentioned credit is due.

Mr Stanly's provision was rejected.

The debate was continued, and the Senate's amendment was rejected,—44, nays 85.

March 2.

Senate.—The Civil and Diplomatic Bill was passed. The resolution providing for the printing of the Census was also passed.

The Post Office bill was taken up and an attempt made to engraft upon it an amendment for the erection of a telegraph to the Pacific, as proposed by Messrs Alden and Eddy. Rejected.—Yeas 21; Nays 25.

The House bill to establish the territorial government of Washington was passed without amendment.

The Naval Appropriation bill was taken up. An amendment appropriating $500,000 for the construction of a foundry, workshops, &c., at the Navy Yard in California, was agreed to.

Mr Hunter, from the Committee on Conference on the Deficiency bill made a report on the disagreeing votes. The only amendment which the Senate receded from of any public importance, was the one giving California $300,000 out of the duties collected there during the war. Report concurred in.

Mr Bright, from the Committee of Conference on the Army Appropriation bill, made a report which was partly read. Among the amendments receded from by the Senate were several relating to California—the one providing for the emigrant route to California, and the one relating to the Anæsthetic agent.

The Senate adjourned.

House.—The Senate's amendment appropriating $150,000 for the exploration and survey of the most practicable and economical route for a railroad from the Mississippi to the Pacific, was concurred in, 113 to 62.

The House non-concurred in the Senate's amendment, authorizing the President to enter a contract for the protection of emigrants to the Pacific, by armed station houses along the route.

The amendment appropriating $10,000 for the purchase of a site for a Western Military Asylum, was concurred in.

The House then took up the light house bill, which passed without debate, after amendment.

The Civil and Diplomatic bill was returned from the Senate, with amendments covering five manuscript pages. The House went into committee, and proceeded to act on the amendments.

The amendment providing for an assistant Secretary of State, at a salary of $3000, was agreed to.

The raising the salaries of the Vice President and heads of the Departments was voted down. That appopriating a sum to refund the duties on goods destroyed by fire in New York and San Francisco, was rejected.

Washington Feb. 28.

Mr Spiers, special messenger from Mexico, delivered important despatches to Mr Everett to-day. He brings also all the correspondence in relation to the Sloo grant on the Tehuantepec route.

In the senate the following amendment to the appropaition bill were agreed to:—To raise the salaries of the vice President and heads of departments to $8000 each; appriating $150,000 to supply Washington with pure water; to purchase U. S. stocks outstanding at the current market rates; for the erection of custom houses at Bangor, Bath, Belfast, Richmond, and Norfork; to allow U. S. ministers to Great Britain, France, Russia, and Spain $6000 each for house and office rent, and the minister in Turkey $4000 in addition to the present outfit and salary; to appropriate $3000 for salary of assistant secretary of state. Mr Mason moved to repeal all duties on railroad iron, which was debated until adjournment.

The General Pierce Dinner.—The dinner to the President elect, at the White House, on Tuesday, was a *recherche* affair. President Fillmore was at the head of the table, with Gen. Pierce at his right, and Gen. Scott on his left. Secretary Everett was seated opposite to Gov. Marcy, and Attorney General Crittenden opposite to Gen. Cushing, with the rest of the old and new cabinet intermixed, together with Gen. Cass, Gen. Jno. Lane, Pierre Soule, and other members of both Houses. Young Fillmore and Sidney Webster sat side by side, and such a harmonious spectacle of diverse political elements was never known in the White House before. Gen. Scott and Gov. Marcy were especially fraternizing and agreeable.—[Daily Bee.

Visible philosophy is the example of a good man.

Mr. Badger's Nomination.—Letter from Senator Phelp's.

SENATE CHAMBER,
Washington, February 17, 1853.

To the Editor of the New York Daily Times:

SIR:—An article in your paper of yesterday does me great injustice. You say, in reference to the postponement of Mr Badger's nomination to the Bench of the Supreme Court, "this result was backed up and sustained by the culpable neglect of another whig, Mr Phelps. Mr P. was appointed to fill the vacancy occasioned by the death of Mr Upham,—*solely because he happened to be here when the vacancy occurred*, and it was important to have every Whig's seat filled. *But after he had received his commission, he absented himself from Washington for ten successive days, during which time the opponents of the nomination were engaged in strengthening their case.* Under these circumstances this absence was a culpable neglect of duty."

As to the motive of the Governor in conferring the appointment upon me, I have nothing to say, except that if I possess no qualification for the place except happening to be in Washington at that moment, it is rather my misfortune than my fault.

In regard to my absence for ten successive days, after receiving my commission, it would have been as well had your informant added, what is true, that before I absented myself, it was settled by repeated trials beyond a doubt, that the opponents of the nomination had determined to avoid direct action upon it, and were strong enough to effect that purpose. The subject was before the Senate repeatedly when I was in my place and voting, but a majority was found against us.

When I left home for Washington in January, I of course had no expectation of being detained here, and had moreover pledged myself to return in season to attend the Supreme Court of our State, to be in session at Middlebury the last of January. On my arrival at Washington I learnt the death of Mr Upham, and in two or three days thereafter received a communication from the Governor by telegraph, informing me that he had appointed me to fill the vacancy. Feeling a deep interest in the confirmation of Mr Badger, I remained at Washington, notwithstanding my engagements at home, until repeated efforts had been made by the friends of Mr B. to procure his confirmation, nor did I leave until I became satisfied that the nomination would not be acted upon in my absence, nor indeed until some of the warmest friends of Mr B. considered his case hopeless. The subject was not brought up in my absence; and it is proper here to add that I was present and voting on every occasion, after I took my seat under this appointment, when the subject of that nomination was under consideration.

How far the opponents of Mr B. strengthened their case during my absence, I am unable to say; but however that may be, the delay which gave them opportunity was not caused by the absence, but by their own strength in the Senate, previously exerted and in opposition to my vote. How far then I am to be made responsible for any change in the relative strength of parties on this subject, if any such occurred, the public will judge. It is now ascertained that had I remained in my seat during the "ten days," no different result would have been brought about than that which finally disposed of the nomination.

It may not be improper to add, that my unexpected detention at Washington rendered a short visit to my home necessary. Of ten days of absence, four were consumed in going and returning, two were spent in attending to some matters of business, and the residue of the time I was confined to my house by sickness; and the first time I left my house, after having sufficiently recovered to do so, I took the cars and proceeded as rapidly as the cars would carry me to Washington.

I trust you will do me the justice to publish this explanation.

SAM'L S. PHELPS.

RESISTANCE TO LAW.—It would be well for those men who counsel open or covert resistance to a law which in their own conceited opinions may be unconstitutional or contrary to the divine precepts, to read the charge of Chief Justice Shipley, of Maine, to the Grand Jury, in a case of homicide; which charge is contained in the fourth number of the *American Law Register.* The occasion of the charge was the resistance of two men by the name of Jewell, to the execution of a writ of *habere facias*, issued upon a judgment to gain possession of premises which were in possession of the Jewells. They barricaded the doors and in the attempt of the officer with a *posse* to force an entrance, one of the party was killed by those inside the house. The Chief Justice takes the following positions:

The citizens cannot resist by force the execution of process obtained through the tribunals in the regular course of proceedings, *although he may consider it to have been unconstitutionally and injustly obtained; such forcible resistance would render him criminally liable.*

The citizen is not at liberty to offer the least resistance by force, to the execution of a law esteemed by himself to be an unauthorized and unconstitutional one, nor may he incite others to do so even when it acts directly upon his own person or property.

The charge is an admirable production, and is a forcible commentary upon the position assumed by the fanatical opposers of the compromise measures, who counsel resistance to law on the ground of unconstitutionality by their own interpretation.—[Boston Journal.

THE GUILLOTINE.—The Boston *Post* has a cut of a guillotine, which it used to bring out at the commencement of a Whig administration, State or National. The executive stands by smoking a cigar, while the head of a victim lies under the descended axe. Some motto quoted from a Whig speech or letter was generally underneath. The *Post* will have a capital occasion to bring it out after the fourth of March, and for a motto we would suggest the following brief extract from a speech delivered by Gen. Pierce in the Senate in 1841:

"There was nothing in the administration of General Jackson which I so uniformly failed to justify as the removal of one worthy officer to give place to another."—[Providence Journal.

Six per cent. has been established by the Legislature of Iowa, as the legal rate of interest, where no rate is specified between those interested. Parties are, however, allowed to contract in writing for the payment of any rate not exceeding ten per cent. per annum.

JERKED BEEF.—A cow or an ox knocked off the track by a locomotive.

Later from California.

NEW YORK, Feb. 28.

The Steamship United States, from Aspinwall, arrived this morning at 4 o'clock, bringing California papers of the 1st inst., having left Aspinwall on the 18th inst., connecting with the Steamship Cortes, which arrived at Panama, Feb. 15th, from San Francisco, Feb. 1st.

The steamship Tennessee arrived at Panama on the evening of the 15th.

The health of the Isthmus remains good, and the roads across it are very much improved.

The United States brings 300 passengers, and $112,000 in specie.

No news of importance from California. Provisions at the mines were cheaper. The miners generally were doing well.

Great excitement existed in Calaveras County, on account of a great number of robberies and murders, committed by an organized band of Mexicans. The Americans were retaliating.

The entire Mexican population had been driven from San Andreas and the forks of the Calaveras.

A mass meeting had been held to take measures to expel the Mexican population from the country. All who refused to leave were to be shot down.

An old Indian Chief at Frenchtown had been hung by a lynching party.

A young man named Ira A. Ware, a native of New England, committed suicide at San Francisco.

San Francisco, Jan. 31. The preparations for the departure of the Mail have interfered as usual with business. For flour it is difficult to give a quotation, so small have been the transactions. Jobbing sales are reported at about $23 per bag and barrel.

PANAMA, 15th.

The steamship Sierra Nevada made the run from New York in fifty days to a point near Jablas, about 50 miles from this port, where she had to put in for fuel. She left Valparaiso Jan. 30th.

The Sierra Nevada brought Valparaiso papers to the 28th of January.

The sch. Daniel Beckwith, an American vessel, bound to San Francisco, was burnt in the bay of Talcahuana.—Total loss.

The volcano of Antuco was throwing up immense quantities of scoria. Three shocks of an earthquake were experienced at Conception on the 7th, accompanied with a suffocating heat.

The ship New England, from New Zealand, put into Valparaiso January 6th, with 1900 barrels of oil.

Rich gold diggings had been found at Mendoza, on the Corderillas.

Dates from Australia to the 10th of December had been received at Callao by the English ship Irene, in thirty days from Sidney,—the shortest passage ever made between the two ports.

The yield of gold in Australia amounts to £1,000,000 sterling per month.

The Government escort had arrived at Sydney with over 40,000 ounces.

The Meteor sailed on the 24th Nov. for London with 40,000 ounces.

Gold was quoted at £3 8s. 6d.

The harvest accounts are favorable, and the land producing abundantly.

Flour had gone down in Sydney to £12 per 200 lbs., or £23 per ton.

The British steamer Bolivar, arrived on the 3d, in seven days from Callao, with $180,000 in specie.

The steamer Cortez brought down 20 passengers and $10,000 in gold.

Advices from the provinces of Chiriqui state that the survey of the new route from the Atlantic to the Pacific was going on favorably.

Another View of Gold Hunting.

A letter, dated Melbourne, Nov. 12, published in *Dickens' Household Words*, gives the following glowing picture of the newly arrived emigrants on their first landing in Australia. The suffering depicted in this account is incidental to the large immigration, and to the unsettled condition of the country:

"Comfort is unknown here—that is, in the town; although a house and garden in the bush is a very different thing. All the varieties of the English climate, and in far greater severity—especially with regard to floods of rain, and dense clouds of hot, blinding dust—rage in the golden land. There are thousands of persons, many of them women and children, daily landing at the wharf, who can not, either for love or money, get places wherein to lay their heads.

Imagine a gloomy day (of which there are many at the present season,) the rain descending in torrents, and the unpaved streets a morass; the river steamers running up and down the Yarra between the town and Hobson's Bay (where the shipping are anchored) all day long to convey at each trip hundreds of newly arrived emigrants. The passengers are landed bag and baggage, on the wharf, among hundreds of their fellow sufferers, and are left ruthlessly to their fate. The men of the different parties disperse about the town in quest of lodgings; the women seat themselves upon their piled up baggage, gathering their wondering children around them, and await the husband's or brother's return with hope and confidence. Husbands, fathers, and brothers do return, but after long absence, with weary feet, flushed faces, and sinking hearts. They have made a tour of the town, and there is no lodging to be had—they are absolutely houseless. Besides this, every article of consumption is enormously dear—store room for luggage (if found at all) is ruinous. Again men start wildly on the same errand, and again return unsuccessful. I have seen tears rolling down more than one manly fellow's face, as he has stood contemplating his wife and children reduced to such hard necessities; and it is painful to witness the stunned look of despair, or the agony of grief and tears with which the English women receive the cruel intelligence, and clasp with streaming eyes their homeless little ones to their hearts.

The feverish bustle and excitement at the wharf are increased by a novel kind of sale or market, which is incessantly being held, and which in itself, is also a disagreeable and ominous 'sign of the times.' The wares thus sold in the open air consist of the househould furniture, the little lots of goods brought out on speculation, or often the personal 'kit' only of many of these people, who, unable to find storage for their things, except at a rent which would in a few days or weeks swallow up their whole intrinsic value, are compelled to sacrifice their property for anything that it will fetch. In short, there is a disagreeable effect about this first landing, a kind of damper thrown upon the hopes and prospects—a change in the bright ideas originally formed—a demolition of the visionary castles built since leaving Europe, which (or I am much mistaken in the expression of the human countenance) very few fail to feel on touching shore."