

WANTED, at this Office, a White Boy of good moral character, who can read and write, as an apprentice.

The Costa Correspondence.

The letter of Mr. Halseman, dated August 29th, 1853, and addressed to the Secretary of State, sets out with a recital of the events connected with the arrest of Martin Costa, by the Austrian authorities, in the Turkish harbor of Smyrna, which, he says, was caused by the Austrian Consul General in the exercise of the jurisdiction which has been guaranteed by treaties to their countrymen. He then alludes to the subsequent demand of the commander of the United States sloop of war St. Louis, that he should be delivered to him within a certain time, otherwise he would take him by force. A collision was avoided by the agreement to place Costa in custody of the French Consul, to await the action of the American and Austrian governments. Mr. Halseman insists upon two points. The first, that Costa had not ceased to be an Austrian subject, nor acquired the character of an American citizen, having only declared his intention so to do, and that therefore he was under the authority of Austria, and subject to the jurisdiction which she claims to exercise over her subjects in Eastern ports; and the second point is that founded upon the mode adopted by the functionaries of the United States to settle the matter, which being by an appeal to main force, he stigmatises as an act of war, committed in full peace, contrary to the usages of nations, which require war to be made by the supreme authority of the State, and not at the caprice of any naval commander, or at the order of any consular or diplomatic agent. And moreover, the act of war alleged to have been committed, is still further complained of as having been committed in a neutral port, and within the jurisdiction of a power friendly to both parties. For these reasons, to back which Vattel, Henry Wheaton and the constitution of the United States are quoted, the Austrian government expects the United States to disavow the conduct of its agents, and hasten to call them a severe account, and tender to Austria a satisfaction proportionate to the magnitude of the alleged outrages.

In reply, Mr. Marcy refers to the fact that Austria had once before urged and pressed upon Turkey the surrender to her of those persons who, having taken part in the Hungarian troubles of 1848-9, had taken refuge in Turkish territory, and that Turkey, backed by the opinion of Europe, had refused to yield to the demands of Austria. This is against any admission of right in Austria to claim Costa on Turkish soil, to answer for any political offences arising out of the troubles in Hungary—since Turkey had once positively refused to accede to any such demand. It was, however, agreed that the Hungarian refugees should leave Turkey, and Costa, as well as others, came to the United States, and made the declaration of intention preliminary to becoming a citizen. After remaining in the United States one year and eleven months, he returned to Turkey, it is alleged, upon private business, claiming the character of an American citizen, and offering to place himself under the protection of the U. S. States consul at Smyrna, about which there was some hesitation, but finally he did obtain a kind of passport, or safe conduct, such as is usually given by foreign consuls in Turkish ports. It is important to observe, that no charge is brought against Costa of any political character; nor is it pretended that he was at Smyrna for the transaction of any other than private business. While awaiting a conveyance to the United States, he was seized by a parcel of desperadoes, treated with violence and cruelty, and thrown into the sea. Immediately he was taken up by a boat crew, lying in wait for him, and forced on board of that vessel, and there confined in irons. It is now avowed, as it was then suspected, that these desperadoes were instigated to this outrage by the Austrian Consul-General at Smyrna; but it is not pretended that he acted under the civil authority of Turkey, but, on the contrary, it is admitted that on application to the Turkish Governor at Smyrna, that magistrate refused to grant the Austrian Consul any authority to arrest Costa. The American Consul at Smyrna, and Charge ad interim at Constantinople, under these circumstances, deemed it incumbent upon them to interfere for his release, on account of his nationality, offering in proof a copy of the declaration filed by him in New York. Their interference was fruitless, and it was known at Smyrna, that it was a settled design on the part of the Austrian officers, to convey him clandestinely to Trieste, a city within the dominions of the Emperor of Austria. Opportunely the Sloop-of-war St. Louis arrived. The commander felt it his duty to enquire into Costa's claim to American protection. Pending this enquiry, he received notice of the design to evade it on the part of the Austrian authorities, by conveying Costa away clandestinely. As there was other evidence of bad faith besides the discovered design of evading the enquiry, Capt. Ingraham demanded his release, and intimated that he should resort to force if the demand was not complied with by a certain hour. This is the history of the case.

As regards the assertion that the arrest of Costa had been caused by the Austrian Consul at Smyrna, in the exercise of the right of jurisdiction, which has been guaranteed by treaties to the consular agents of Austria in the East, relative to their countrymen, Mr. Marcy shows that, according to the laws of nations, the right of any power to reclaim its subjects after they have passed into foreign territory must cease, and can only be exercised in pursuance of express treaties providing for the rendition of fugitives from justice in certain cases, but among these cases is seldom or ever that of political offenders; and that such offenders are not included in any such treaty between Turkey and Austria is shown by the refusal of Turkey in 1848-9 to surrender the political offenders, Kosuth and his companions,—and this position of the sublime Porte was sustained by England and France, and finally submitted to by Austria and Russia themselves.—And this view is still farther sustained by the action of Turkey in this present case, whose government expresses no dissatisfaction with the course pursued by the American authorities, but has protested against the action of the Austrian agents in that affair as unlawful and a violation of the sovereignty. This is certainly an anomalous case.—Austria arraigns the United States for violating the rights of Turkey in the Costa affair; Turkey, the offended party, exonerates the United States, and protests against Austria, our accuser, for the very same offence.

These considerations have led Mr. Marcy, as he believes they will lead all others who duly reflect on them, to the confident conclusion that there exist no treaties between Austria and Turkey which could justify or in any way countenance the seizure or imprisonment of Costa by the Austrian functionaries. But even if Austria had such authority by treaty

as she now claims, it confessedly extends only to "Austrian subjects." Costa was not an Austrian subject at the time he was seized. He had been exiled, and the Emperor of Austria had been a party to his exile, and thus driving him from his dominions, had driven him from his jurisdiction. It seems to have been the very object of the Austrian decree to dissolve the political connection between the "unlawful emigrant" and the Emperor. In Costa's case, it was dissolved. And although the declaration supposed to have been made by Costa, that he was a Hungarian, and would live and die a Hungarian, is relied upon as proof that he looked upon himself as an Austrian subject, Mr. Marcy attaches no importance to that fact, since the party with which Costa acted, and the cause which he sustained, was that which totally disconnected the idea of being a Hungarian from that of being an Austrian subject. He could not have intended by the language ascribed to him, to acknowledge any unbroken tie which then bound him to the Emperor of Austria. Mr. Marcy is brought, by a fair application of sound principles of law, and by a careful consideration of the facts, to this important conclusion—that those who acted in behalf of Austria, had no right whatever to seize and imprison Martin Costa.

It will be conceded, that the Turkish authority throughout the whole affair, remained dormant, without being called into action. It has been shown that Austria had no authority whatever in the matter, and the arrest of Costa by her was simply an outrage perpetrated by the strong upon the weak, and which any party might right in accordance with the plain law of nature, and the more exalted maxim of Christianity, which teaches men to do unto others whatsoever they would that others should do unto them. Who in such a case has a right to complain? Not the wrong-doers, surely; for they can appeal to no law to justify their conduct. They can derive no support from civil authority, for there was none called into action; nor from the law of nature, for that they had violated.

But further: Mr. Marcy proceeds to show, that at the time of his seizure, Costa had the national character of an American, and the government of the United States had the right to extend its protection over him. It is not contended that the initiatory steps which Costa had taken in the process of naturalization, invested him with all the civil rights of an American citizen; but it is sufficient for all the purposes of this case, to show that he was clothed with an American nationality; and in virtue thereof, the government of the United States was authorized to extend to him its protection at home and abroad.—It is a great error to suppose that a nation can properly extend its protection only to native-born or naturalized citizens. According to national law, the national character of a country attaches to all residents who are there, with or even without an intention to become citizens; provided they have a domicile therein. It is a maxim of international law, that domicile confers a national character. International law looks only to the national character in determining what country has the right to protect. If a person goes from this country abroad with the nationality of the United States, this law enjoins upon other nations to respect him, in regard to protection, as an American citizen. It concedes to every country the right to protect any and all who may be clothed with its nationality.

These positions are sustained by reference to authorities:— "The position is a clear one, that, if a person goes into a foreign country and engages in trade there, he is, by the law of nations, to be considered a merchant of that country, and a subject for all civil purposes, whether that country be hostile or neutral." Kent Com., 75.

Again: The same authority says that— "In the law of nations, as to Europe, the rule is that men take their national character from the general character of the country in which they reside." Ibid., 78.

It was evident, from the fact of Costa's residence in the United States and his declaration of intention to become a citizen, that he had acquired a domicile in this country—that it was the place of his actual residence, with the intention to make it his future home. And it would be absurd to suppose that by the mere fact of a temporary absence, on business or otherwise, without any intention of permanent removal, but with the full intention of returning, any person would lose a domicile once acquired. Evidently, at the time when Costa was seized at Smyrna, he still retained that domicile which he acquired in the United States, and was awaiting an opportunity to return to it. Whenever, by the operation of the law of nations, an individual becomes clothed with our national character, he is a native-born or naturalized citizen, an exile driven from his early home by political oppression, or an emigrant enticed from it by the hopes of a better fortune for himself and his posterity, he can claim the protection of this Government, and it may respond to that claim without being obliged to explain its conduct to any foreign Power; for it is its duty to make its nationality respected by other nations and respected in every quarter of the globe. The right of a nation to protect and require others to respect, at home and abroad, all who are clothed with its nationality, is no new doctrine now for the first time brought into operation by the United States. It is common to all nations, and has had the sanction of their practice for ages; but it is new that at this late period, when the United States assert a claim to it as a common inheritance, it should at once be discovered that it is a doctrine fraught with danger, and likely to compromise the peace of the world. The United States see no cause for alarm; no reason for renouncing for themselves what others have so long and so harmlessly enjoyed.

No fears need be entertained that the effect of this doctrine will be, to offer a facility for acquiring a national character, which will lead to alarming abuses, since the first distinct act done by them towards the accomplishment of these designs, would disclose their fraudulent purpose in coming to, and seeking a domicile in this country. This would deprive them of any American nationality, or claim to American protection.

But there is another view of the case, which also fully sustains the course of the American authorities. By the laws of Turkey, foreign consulates may receive under their protection, strangers and sojourners, whose religion and social manners do not assimilate with the religion and manners of those countries. The persons thus received become thereby invested with the nationality of the protecting consulate. International law recognizes and sanctions the rights acquired by this connection. The Lords of Appeals in the High Court of Admiralty in England, decided in 1784, that a merchant carrying on trade at Smyrna, under the protection of a Dutch consul, was to be considered a Dutchman as to his national character. Costa received such protection from the American consul at Smyrna, and the American legation at Constantinople, and had thus, if not before, acquired an American nationality in accordance with the laws of nations.

It is wrong to consider the action of Capt. Ingraham as an act of hostility towards Austria. The seizure of Costa was simply an unlawful and atrocious outrage against a person entitled to our protection. It was an act of kidnapping in the public

streets of Smyrna which anybody had a right to prevent. If he could have properly interfered in the first stage of this lawless transaction, he might do so in the last. The act was, in all its stages, a continuous wrong, and the character of the actors, though there was a succession of persons, was the same—they were all wrong doers; and if they chanced to have the possession of a national ship, and converted it into a prison for the purpose of consummating this wrong, that ship, thus desecrated, was not entitled to the privileges of a sanctuary. Those who had the right to claim and the power to release the prisoner illegally confined therein might treat it as a prison, and while it was degraded to such an ignominious purpose might forget, and be excused for forgetting, that it was a national ship.

But further: It was the understanding of the parties that Costa should be retained at Smyrna while the question of his nationality was pending, and yet Capt. Ingraham received satisfactory evidence of a design on the part of the Austrian functionaries at Smyrna and Constantinople to disregard this arrangement and remove him clandestinely from on board the Huzzar on board a Steamer, for the purpose of taking him to Trieste. He had, therefore, only the alternative of demanding his immediate release, or of surrendering the captive, without further efforts, to the sad fate which awaited him. The Government of the United States exceedingly regrets that he was reduced to this painful alternative; but it cannot find, after a full consideration of all the circumstances, any good reason for disapproving the course he pursued.

The agents of the United States abroad are under instructions to respect the rights of all nations. In relation to international rights, the United States ask no more than has been conceded to others, and will not be contented with less. They put forth no new principles, but claim the full benefit of those which are established. The right of Austria to call the United States to account for the act of their agents affecting the sovereign territorial rights of Turkey, is not precluded, and they do not acknowledge her right to require any explanation.

If anything was done at Smyrna in derogation of the sovereignty of Turkey, this Government will give satisfactory explanation to the Sultan when he shall demand it, and it has instructed its Minister resident to make this known to him.

The President does not see sufficient cause for disavowing the acts of the American agents which are complained of by Austria. Her claim for satisfaction on that account has been carefully considered and respectfully declined.

Being convinced that the seizure and imprisonment of Costa were illegal and unjustifiable, the President also declines to give his consent to his delivery to the consul-general of Austria at Smyrna; but, after a full examination of the case, as herein presented, he has instructed the undersigned to communicate to Mr. Hulseman his confident expectation, that the Emperor of Austria will take the proper measures to cause Martin Costa to be restored to the same condition he was in before he was seized in the streets of Smyrna on the 1st of June last.

Our Advancement in Rightness—The Devil has left us.

We feel that we are getting along quite successfully—growing in good works, and putting away evil things—so much so, indeed, that the Devil par excellence—our Devil, has taken his departure—he has gone forth, and left us. He has sloped. He is no more with us. He ain't about. He has vanished—evaporated and mizzled. He was last seen in the neighborhood of a baker's shop, with certain portions of bread under his arm, and certain other portions of the staff of life stuffed into his mouth, whereby his cheeks were puffed out as though he were making desperate efforts to sound a trumpet. On being requested by some one to return unto us, he remarked with considerable energy, and a somewhat precocious command of language, that he "would be d—d if he did," proving, thereby, that between us and the Devil, there are no natural affinities. In view of these encouraging circumstances, we feel like exclaiming with the Reverend and greasy Chadband, in Dickens' Bleak House, "O, let us be joyful, joyful! O let us be joyful!" But then, the thought will intrude itself—who the deuce is to carry round the Daily Journal? who is to delectate the public by distributing that remarkable, though somewhat small sheet. And besides, let us give the Devil his due; he was a new Devil, unused to the honors and responsibilities of Devilship, and he was also a young Devil, of sensitive feelings,—and it was a part of his business to deliver the Editor for copy, and he thus witnessed the miseries of that much enduring man, and he behought himself, and said in his heart: peradventure, if I remain and depart not, I, even I, may come to this—and it overcame him, and straightway he departed from us and returned no more, even unto the present time. Who can blame him? We want a Devil.

MR. MARCY'S LETTER.—We had intended to have copied from some of the leading papers of the country, remarks upon Mr. Marcy's letter in reply to the Austrian demand for the delivery to them of Costa, and a disavowal on the part of the United States of the action of its agents at Smyrna; but the space which we have already devoted to this matter, warns us to forbear. Suffice it to say, however, that the doctrines therein put forth, seem to meet the almost universal approval of the public and of the press; and that the position assumed by Mr. Marcy will be fully sustained by the country. In this letter, Mr. Marcy fully maintains his reputation as the strongest controversial writer in the country. Poor Hulseman is totally used up. He is unfortunate.

ON OUR TABLE.—From Whitaker's we have Harper's and Putnam's Magazines for October, and also Nos. VII. and VIII. of "The Industry of All Nations," being an illustrated weekly record of the exhibition at New York. Harper's is elegantly and profusely illustrated and the reading matter is generally valuable and interesting. Putnam's is also good and would be better if it would only leave politics alone.

The Fayetteville Carolinian makes its appearance this week enlarged, newly dressed, and looking as nice as a new pin. It is now one of the best looking, as well as one of the best and soundest Democratic papers in the State. We wish our friend BRYAN all the success in the world, and are happy to learn that the prosperity of his establishment, so far, has been so flattering, as to demand a justly an enlargement.

GEORGIA ELECTION.—An election was held in Georgia on Monday last for Governor, members of Congress and of the State Legislature. The returns are so scattering as yet, to indicate the result with any degree of certainty. It is believed that H. V. Johnson, dem., is elected Governor over Chas. J. Jenkins, whig. So far as heard from, there was a Democratic gain of nine members of the State Legislature. A United States Senator is to be chosen by the Legislature.

EARLY FROST.—Considerable frost was perceptible here on Friday morning last, the 30th of September. We have not heard whether it damaged the peas and other crops which had not matured. Fayetteville Observer.

THE SECRETARY OF THE NAVY.—Hon. J. C. Dobbin left Washington on Wednesday morning, at 8 o'clock, accompanied by Commander MAGRUDER, U. S. N., on a tour of inspection at the North. The Secretary of War acts as Secretary of the Navy during the absence of Mr. DOBBIN.

We have received from Mr. Whitaker, Barnum and Gleason, for the present week. The illustrations, especially of Barnum, are neatly gotten up. We have not had time to look over the reading matter. Price 64 cents.

Arrival of the Baltic—4 Days Later from Europe.—The steamship Baltic arrived at New York on the 3d, with Liverpool dates to September 21st. There appears to be little change in the aspect of the Eastern Question. New attempts were to be made to procure a settlement by negotiation, but it was feared that in the meantime the opposing parties might come in collision.

The Paris Press states that the French government entertains confident hopes that the Turkish difficulty will be settled without an appeal to arms. The Patrie adds that Russia will not, under any circumstances, commence hostilities. The overall mail from India brings intelligence that the U. S. expedition comprising the Susquehanna, Princeton, Plymouth, and Saratoga, had sailed on July 31st from Shanghai for Japan, followed by two Russian frigates. The Susquehanna and Saratoga had touched at several islands and distributed live stocks. On the island of Bonian the Commodore found European settlers, and purchased ten acres of land on a fine harbor, suitable for a coal depot.

Nothing new had transpired in France. The increased activity in the Navy yards indicated the critical condition of Eastern affairs.

SPAIN.—Letters from Madrid say that another Ministerial crisis is close at hand. The propriety of deposing the Queen was freely discussed in private political circles.

Paris, Sept. 10, P. M.—A telegraphic dispatch from Vienna announces that Austria had declared that circumstances will no longer permit her to act with the other powers. Instructions had been forwarded to M. De Broek, the Austrian Minister, to assure the Sultan that he must accept the first Vienna note without any modification.

Constantinople dates of the 7th state that the Egyptian troops had been shipped off to Yarna and Shabara.

Mr. Jackson, the American Minister, had arrived at Vienna, and would present his credentials to the Emperor of Austria at Olmutz.

North Carolina State Bonds.

The New York Daily Book gives us the following particulars:—

"The second half-million Loan of the State of North Carolina 6 per cent. Coupon Bonds, was awarded to Messrs. Lyon, Esq., Bank Agent of the State of Alabama at 103 per cent. His bid was for the whole \$500,000 or none, and thus took precedence, by average, of other bids amounting to \$387,000, at premiums ranging from 101 to 104½, as well as of \$1,000,000 bid for by two different parties, at par. The previous Loan of the same description was awarded, some months since, to Cammann & Co., at 105, and although these gentlemen made quick results to profit, and introduced the credit of this old and respectable, and in debt matters prudent, State to their European correspondents, the altered condition of things in the money market on both sides, and the impending threats of war, reduced the premium 2 per cent., and renders the bid of 103, under all the circumstances, quite equal to the hopes of the State Treasurer who awarded it."

NEW YORK, Oct. 2.—The steamer Black Warrior, from Havana, with date of 27th Sept., arrived today. The brig Lady Suffolk, had arrived at Havana, in charge of officers of the Mexican Navy. She was seized on a charge of being equipped for the slave trade—and it is believed that her cargo of slaves was recently landed at Trinidad.

A slight political disturbance had taken place at Cardenas.

It was believed that Perzuela would soon supersede Caselo as Governor General of Cuba.

Messrs. Diago of Havana, have failed for a quarter of a million of dollars.

Great Excitement in Breadstuffs.

BALTIMORE, Oct. 1.—There is much excitement here in the breadstuff market; flour is held at 25 cents per bushel, higher, and wheat 6d. per bushel. But few sales however have taken place in this advance.

In another column we publish a letter from Mr. J. L. Colby, of the late firm of Smith & Colby, recommending the abandonment of the Western Railroad and of the Cape Fear and Deep River Improvement. On the first appearance of this letter in the Raleigh Register last week, a variety of conjectures were set afloat concerning it. Some thought it a hoax; that Chapman, the author, was publishing it to effect the value of coal lands so as to enable the enterprising writer to make purchases of those lands at reduced prices. Others again thought that Smith & Colby were about to give in, and that this was a preparatory step. As yet we have not been able to settle which of these plausible suppositions is correct.

It is said that there is another house possessing far more character and means than Smith & Colby, who are willing to take the stock off their hands. Whether this be so or not, we do not think that the stockholders of the Western Railroad will give up the work without a struggle. Meantime we look to the Directors pursuing a vigorous and determined course in the matter.—R. Standard.

KOSTA.—A correspondent of the Boston Traveler, writing from Smyrna, under date of August 25th, gives the following account of an interview with Kosta:— "Kosta is now in confinement in the French Hospital in this city, where, by pushing my way boldly in, in company with a friend, I obtained an interview with him. An old grey headed Turk, who stood guard at the entrance, produced a key, most ponderous in size, from his highly ornamented waistcoat, and unlocking the door, ushered us to M. Kosta's apartment. His confinement is at present by no means rigorous. The walls of his room are of stone, and his windows are covered with an iron grating. These are the only signs which indicate that his liberty is restrained. His room is ten feet square, and contains a sofa, or more properly, a Turkish divan, covered with velvet, upon both of which nevertheless, several of the bravest, and some of the most distinguished of flowers lately gathered. A wash stand with its usual accompaniments, and an iron bedstead, complete the furniture of the room.

M. Kosta received us very cordially, and entertained us for an hour or more in reciting the events connected with his capture, and the part he took in the late Hungarian revolution. He held the rank of captain in the Hungarian army, and was under the immediate command of Gen. Bem, and he told me he had been in active service in more than twenty battles.

The Austrians here feel very sore towards all Americans, in that their prey was wrested from them in so summary a manner; and since the Kosta affair they have added three vessels of war to their force, and should a similar difficulty occur, to back up their actions with cannon and ball. Had the present fleet been here at the time of the arrest, Captain Ingraham might not have found it so easy a matter to have rescued the prisoner."

FIKE.—We regret to learn that on Tuesday morning last, the dwelling house of Mr. Jas. L. Cobb, at Falkland, in Pitt county, was totally consumed by fire, with a portion of its contents. The roof caught fire from sparks from the chimney, and all efforts to arrest its progress proved unavailing. Tarboro' Southerner.

TURKEY AND THE WORLD'S FAIR.—The Sultan of Turkey intended to despatch one of his ships, with specimens of the peculiar fabrics of all Nations, to the "Exhibition of the Industry of all Nations" at New York, but the threatening aspect of affairs in the East, produced by the complicated nature of the Russo-Greek question, involving the necessity of his retaining as much as possible of the material of war in the Turkish vessels, prevented him from gratifying this laudable intention.

COOL.—A young man, a member of an evangelical church, advertises in a New York paper for board in a pious family where his Christian example would be considered a sufficient compensation.

From the New York Courier and Enquirer, Whig.

"There is no mistaking the result of this affair. There shall be no mistake," was the formula of the Duke on a memorable occasion. Mr. Marcy has the Wellingtonian spirit, though not the Wellingtonian sparseness of words. He lets the light in floods upon this Kosza affair. He illumines beyond all bounds. Not content with making his case plain, he fills every chink and saturates every part of it with sunbeams. We were not a little gratified by the space that Mr. Marcy has taken. But after all we don't feel like complaining. Even if the work is overdone, it is done—done thoroughly—done, as Mr. Hulseman will, we think, admit with "no mistake."

Mr. Marcy is methodically argumentative throughout. After recapitulating the facts of the case, he proceeds, step by step, until he reaches his final conclusion. True, he sometimes halts after reaching a point in his argument, and suddenly betakes himself to another path that brings him to the same position, but this he does simply to make assurance doubly sure. He first shows that Austria had no right to arrest Kosza; that the United States had a right to protect him. To prove the want of a right to arrest, he starts by showing that the extradition of Kosza by Turkey was not required by the law of nations; nor by municipal law, unless a treaty to that effect had been made between Turkey and Austria—then proceeds to show that, although Austria does, in vague language, claim the existence of such a treaty, the claim is the very same which was set up by her in the controversy with Turkey respecting Kosuth and his fellow refugees in 1849-50, and repudiated as unfounded by Turkey with the expressed approbation of England and France—that Turkey has always so discarded it, and has protested against it as unlawful and in violation of the law of nations, that Austria has refused to surrender Turkish refugees in Austria on the ground that there was no treaty for extradition,—that even if it were true that there were such a treaty, it would not be applicable to Kosza, first, because having been perpetually banished by Austria he was no longer an Austrian subject and owed her no allegiance, and secondly, because by Austrian law (which he quotes) he leaves the country without permission, with intention never to return, deemed an "unlawful emigrant" and "loses all his civil and political rights at home,"—in other words becomes an outlaw entitled to no protection and therefore owing no allegiance. It is doubted whether Kosza at the time of his arrest said that he was a Hungarian, as imputed, and even if he did, it is shown that he could not have meant thereby to claim Austrian subject. Thus it is established that Austria had no concern with Kosza in Turkish territory.

The right of the United States to protect him is then demonstrated, first on the ground of humanity, Austria in this matter acting without authority, and Turkey exercising no authority, but secondly, and chiefly, because nations have a right to protect not only native-born and naturalized citizens, but domiciled residents. It is shown by argument and authorities that domicile confers national character, and that this character is not lost by a temporary residence from the country with the intention of returning,—that the honest intention of making a protracted or permanent residence in the country, is the true test of domicile, and that this intention would be disproved by any attempt to use the protection of a domicile as a shield while leaving the country to operate against foreign governments. It is also shown that Kosza not only had a national character by virtue of his domicile, but by the *tesherah* given him by the American Charge at Constantinople, in accordance with the laws of Turkey and other Eastern nations, whereby Consulates may receive under their protection strangers and sojourners, which usage is recognized, and maintained by international law, and the rights and duties of the two fold capacity this national character, it was the right of Capt. Ingraham to protect him, and to prevent him, after being seized, from being taken to Trieste, as was the design; and that in exercising that right as he did, he had earned the commendations of his government.

Mr. Marcy writes not only convincingly but courteously. He elaborates arguments, and adds additional effect from its calm, dignified tone. There are a few passages in it, particularly that wherein he speaks of the feelings which influenced Kosza to declare himself a Hungarian, that are full of pungent meaning below their smooth exterior, but yet gravity, truly judicial pervades the whole document. From beginning to end there is no particle of overstatement, and it is not a line that is unworthy of an American statesman. It will elevate Mr. Marcy in the estimation of the whole country, and reflect credit upon the Administration of which he is the most important member.

But will Austria be convinced and recant? Blindly obstinate, as she has always been, and supported as she now is in her position by Russia and Prussia, she will not. France has bound herself to the water to Kosza, until the parties in dispute agree in regard to his disposal,—but if they do not agree, and cannot, what then? Is France to be the jailor of Kosza for his life time? Would she if she could? Could she if she would? The Administration will continue to have need of all its wisdom.

Screw Propellers in Steam Vessels.

From an article in the London Mechanic's Practical Journal upon this subject, we condense the following:—

The Peninsular and Oriental Steam Packet Company have made, and are still making very many experiments in order to test the availability of the screw propeller, over the old side wheel, and such has been their experience that all of their new vessels are being built with the screw; and such of the old side wheel ones as are considered worthy of the expense of altering to screws.

A comparison of the two modes of propulsion presents the following results:— The screw steamer Bengal, 2,250 tons burthen, of 470 horse power, consuming 45 tons of fuel daily, and carrying from 600 to 700 tons of freight, cost £70,000.

The Orinoco, a side wheel steamer, belonging to the Royal Mail Steam Packet Company, of the same tonnage, 750 horse power, consuming 85 to 90 tons of fuel per day, and carrying 250 tons of freight, cost £95,000 to £100,000.

Thus, as the screw steamer costs less originally, having less need of fuel, can carry more freight, is less liable to accidents from jarring and the heavy concussion of the side wheels upon the waves, and makes better speed, it is not surprising that men of capital are turning their attention to the screw.

Among the experiments made and making, was one with what is termed the boomerang propeller, from its principle of construction being derived from an instrument of that name, in use amongst the aborigines of Australia, (particulars of which can be found upon page 362 of the Record.)

This principle was applied to the steamer Condit, attaining a speed of 14 knots average, with 632 revolutions, which is more than the average speed of the same vessel with the common screw.

The Geneva also made an experimental trip from Liverpool to Quebec in thirteen days; and in her homeward passage averaged one knot an hour more than she had ever made with the common screw.

The side wheels have never been objectionable for several reasons, the principal of which have been the loss of the vessel by the striking of the floats upon the waves in rough seas, and the backwater lifted by the floats as they come out of the water. Many experiments have been made to remedy these objections, but none of them have yet been put into practice with any success.

Railroad Record.

AN OLD PAKS.—The editors of the Hillsboro' Recorder were presented to a notice of the death of Admiral Cockburn, from the National Intelligencer. We presume this to be the oldest pass in the State, at least it has seen some service.

[We are now using the press upon which Admiral Cockburn's men expended some of their violence, when they committed their outrages in Washington city. The Intelligencer had made itself obnoxious to the British by its warm and influential advocacy of American rights, and the tools of Admiral Cockburn sought to destroy it by breaking the press upon which it was printed. The press was broken; but by the aid of a little mechanical skill, it was again put in operation, and we are able still to do pretty good work with it. It is an old fashioned press, and was badly constructed. And now, having survived the Admiral, and being too small for our purpose we hope to be able soon to supply its place with a new one.]—Editors Recorder.

From the Detroit Free Press.

A Patriotic Letter.

We like Robert J. Walker, and always did. He is every inch an American. All his feelings and sympathies and predilections and purposes are democratic. We regret that he is not going out to China, for we are sure he would leave his mark there. He is a fit man to represent this country at any government in Europe, and if a little more of his Americanism could be infused into our foreign diplomacy, we should be more highly respected as a nation.

On Thursday last an immense meeting was held at Metropolitan Hall in New York, of those who approve of the course of Captain Ingraham in the rescue of Kosza. Several eloquent speeches were made, and resolutions passed, fully sustaining the action of that officer. Among the speakers received and read was the following from the Hon. Robert J. Walker:—

NEW YORK, September 20, 1853. Gentlemen:—Your invitation, as a committee on behalf of the various nationalists of this city, to preside at the meeting proposed to be assembled here on Thursday, for the purpose of approving the noble and patriotic conduct of the Capt. Ingraham, has been received, and I regret that my absence from New York will deprive me of the pleasure of complying with your request.

The brutal seizure of Kosza by the Austrian officers, on the soil of a neutral and friendly power, was a clear violation of law and justice. That seizure was also an outrage upon our rights, in the person of one whose initiatory oath and declaration entitled him to become a citizen of the United States, and that act of Kosza had placed himself upon the plain form of the constitution, and could justly claim the protection that should be extended to an American citizen. In many of the States he would have enjoyed the right of suffrage, and in a foreign land he was covered by the flag of the Union. He had committed no offence, save that of having nobly contended for the liberty of his country, and the oath accepted by our government, that we should adjudge a citizen of Europe, and bound himself to become a citizen of the United States, induced the corresponding obligation of protection on our part.

Let it, then, be proclaimed henceforth and forever, that the exile whose oath we have received, abjuring allegiance to any foreign power, and whose pledge we have accepted to become an American citizen, shall be protected as such, upon the banks of the Nile, or the Danube, or upon any other soil, against all combinations, at any and every hazard, and at any and every expense of blood and treasure.

Most respectfully, your fellow-citizen.

R. J. WALKER.

Messrs. Morange & Betancourt, Committee.

The Administration and the Pacific Railroad.

The following extract from the Washington Union of the 27th, reiterates our statement of the position of the Administration in respect to the Pacific Railroad:—

"First, the Republican charges, that President Pierce and his cabinet, are committed to the construction by the government of a gigantic railroad of 2,500 miles in length, reaching from the valley of the Mississippi to the Pacific ocean; and by way of alarming the taxpayers in Georgia, the cost of the road is put down at two hundred millions of dollars. The charge is made upon the allegation that Colonel Davis, in his speech at Philadelphia, not only declared himself in favor of the enterprise, but announced that he spoke for President Pierce as well as himself. The Republican also charges that Colonel Davis' speech passed through a second edition for the purpose of undergoing such revisions as would quiet the constitutional scruples of some democrats who were displeased with the position assigned to the President in the first edition. These allegations, charges, and denunciations are sheer misrepresentations. Col. Davis was not represented, in any report of his speech that we have ever seen, as speaking for President Pierce, except on a single point, and that he would sanction no exercise of power by the general government that would interfere with the rights and authority of the States. In this particular, and to this extent, and no further, did Colonel Davis profess to speak for the President, and the reports of his speech, as first published, as well as his revised speech, concur in so representing the matter.

It is not true that Col. Davis and Mr. Guthrie declared themselves in favor of the gigantic scheme as a government measure, on the contrary, Col. Davis was explicit in confining his remarks as to the power of Congress to a road lying within the territories of the United States; repudiating the idea that it had any power to construct it within a State, and only conceding the power, within the territories upon the assumption that it was necessary as a means of defence.

The President has in no way committed himself to the Pacific Railroad enterprise, and he has in fact, uncommitted to such an enterprise as a government undertaking, and to be paid out of the treasury. We have so announced on a former occasion, and we repeat the announcement."