was soon at his disposal. Their united efforts were unavailing. After lingering till eleven o'clock on Tuesday night, the great statesman expired, in the 63d year of his age.

The event caused a great sensation in England and France. The English papers are filled, almost to the exclusion of everything else, with extended notices of the life and character of the late Premier, and with speculations as to the effect his death will have upon the politics of his country. In reply to an offer by Lord John Russell, in the name of her Majesty and the nation, of a public funeral, the family declined the honor, inasmuch as it was Sir Robert's last wish that he should be buried in Drayton Abbey, with as little parade as possible.

In the House of Lords on Monday night, the Ministry suffered another defeat, by a majority of twenty-two, on the Irish Franchise bill. The proposal of the Government was, that the franchise should be regulated by an £8 qualification, and Lord Stanley proposed an amendment that the qualification be £15 instead. The amendment being carried, and the principle of the bill destroyed, Government has since withdrawn it. They have also withdrawn the Lord Lieutenancy of Ireland bill, the Mercantile Marine bill, and the amended Incumbered Estates' bill. They have announced their determination to stick to the budget, and, if needs be, appeal to the country upon it.

Our correspondent supplies us in another place with a general view of Eurropean intelligence.

Mr. PEARCE, appointed Secretary of the Interior, has declined that appointment. He was constitutionally ineligible—the office having been created during his term of service in the Senate.

Mr. CORWIN, we learn, enters the Cabinet with extreme reluctance; and, for one, we are extremely sorry that he should be persuaded to leave the Senate.

FOREIGN CORRESPONDENCE.

PARIS, *July* 4, 1850.

To the Editor of the National Era:

The debates in the Assembly have been quite uninteresting for a week past. Two or three trifling checks to the Ministry on the usury law, and one much more important on the Mayors' bill. The Assembly refused, by a large majority, to put this bill on the order of the day for Thursday. As this is a clear intimation of its intended rejection, the Ministry will probably withdraw it until a more favorable season. The bill against the press will be up for discussion in a few days. A tax of a cent and one-fifth is proposed to be levied on each number of the papers published in Paris. The probabilities are that the bill will pass.

The sudden death of Sir Robert Peel, and the late balloon ascent of Messrs. Bixio and Barrol, are the chief topics of conversation in Paris. After these come the failure in the attempts to unite the two branches of the house of Bourbon, the dinner given to M. Girardin by the workmen of *Le Presse*, the quarrels of the Legitimists among themselves, the intention of the President to finish the *Cité Ouvrière*, or laborers' lodging-house, out of his own funds, the duel of Messrs. Valentin and Clary, two members of the Assembly, and the acquittal of a democratic paper, by the Paris jury. All these details are uninteresting, and I will dismiss them here, in order to take up the news from the other parts of the European continent.

GERMANY.

The affairs of this much-divided country are as complicated as ever, and as much in the dark. An occasional ray of light thrown on some parts, serves to show the tangled and intricate state of the whole. The interminable affair of the Duchies of Schleswig-Holstein is as far from a solution as ever. Denmark has sent in her *ultimatum* to Prussia, but no answer has been received. Six months ago, I indicated to you the probability that Prussia would finally abandon the cause of the Duchies, and leave them to struggle alone against Denmark. This is as probable now as then, and the delay interposed by the Prussian diplomatists seems to have no other cause than to avoid the appearance of abandoning allies, and also to avoid offending the public sentiment of the free cities of North Germany, which sustain with enthusiasm the cause of the Duchies. These cities once safe in the Prussian League, and the Duchies will be left to their fate. The late communications of the Danish Cabinet to the *Landesthing*, or National Assembly, on this subject, show that England and Russia are both on the side of Denmark. The peace of Europe is not likely to be disturbed by the question of Schleswig-Holstein. If any one wishes to inform himself on a question which has many interesting features, he will find a good pamphlet on it, written by our late fellow-citizen, Mr. Wheaton.

The negotiations between Austria and Prussia have been broken off and resumed a second time. This play between the two Powers is becoming ridiculous—they having quarrelled and made friends at least a dozen times during the last two years. The object of this seems to be to force the different German States to take part with one or the other, and thus further what is doubtless their great plan, the entire supremacy of these two States in Germany.

The secession of the two Hesses from the Prussian League seems to be now definitive. M. Jaup, the last Hessian minister favorable to Prussia, has just given in his resignation; while M. Hassenpfug, lately condemned in Prussia for embezzlement of funds and counterfeiting, remains minister in Hesse Darmstadt, and Plenipotentiary of Hesse at the Frankfort Congress.

This Congress is doing absolutely nothing.

The Constituent Assembly of Wurtemberg reassembled on the 27th ult. Its first act was to order the impeachment of M. Wachter Spittla, Minister of Foreign Affairs, for high treason. The vote stood 50 for, and 11 against. His crime is having conspired with Austria to bring back Germany to the Constitution of 1815. The President of the Assembly was charged with the execution of the order of the Assembly. This act is one aimed at the King himself, who is quite as guilty as his minister. He has sent the latter to Paris as Minister Plenipotentiary of Wurtemberg, until the storm blow over. The day after the above vote, the Cabinet demanded a law, authorizing the collection of taxes for four months, but the Assembly refused this by a unanimous vote, and authorized it for two months only.

The Cabinet of the King of Hanover resigned on the 27th ult., for reasons not known.

SPAIN.

A note inserted in *El Eraldo*, a Madrid paper, in the number of the 25th ult., contradicts the report of the disturbance of the usual friendly relations between Spain and the United States.

PORTUGAL.

Two American frigates are said to have entered the Tagus on the 19th ult. The Portuguese papers suppose that their intention may be to support by an imposing force the pecuniary demands of the United States on Portugal.

ITALY.

The Pope has been celebrating the anniversary of his elevation to the Papacy. A great number of small coins were distributed among the poor, and a great many medals and crosses of honor conferred on the soldiers. Each man of the Swiss guard received a medal, on which was engraved the word "*Fidelitati*." The funeral of the soldiers who fell in attacking Rome, was celebrated with masses and processions of priests. While the capital is employed in festivities and ceremonies, the provinces of the Roman States are in great disorder. In some of them the misery of the people is so great, that the peasants have formed themselves into bands of brigands, for the pillage of the rich country seats of the nobles. These have most of them fled to Rome, or to foreign countries; others remain, but keep near them a number of armed men for the protection of their property.

The constitution of Naples has been entirely abolished by the King, and he is now uncontrolled in his despotism.

In the prolonged absence of the Grand Duke of Tuscany at Vienna, a strong party has been formed against him and the Austrian influence. The Ministers, sustained by the Austrian troops which garrison the Duchy, view with alarm the increase of their opponents. These are encouraged by the Piedmontese ambassador. Their two organs in the press are *Il Statuto* and *La Constituzionale*, the ablest papers at Florence. The course of the latter paper has been so aggressive that the Minister ordered, two weeks ago, the editor, M. Aguarove, to leave Tuscany in three days. The Piedmontese ambassador protested against this violence. The Grand Duke has sent for his Prime Minister to join him at Vienna. The pretext for this is a consultation with the Austrian Government on the subject of a railroad system for Italy.

The recent acts of Piedmont show that the Cabinet of King Emmanuel are trying to conciliate the democratic party of Italy. Their internal and external policy is marked with a certain liberality which differs widely from their acts of last year.

The Austrian governor of Venice has just published a proclamation, for the purpose, as he says, of granting the liberty of the press to the people. Everybody is to be at liberty to publish a journal, and the censure is abolished. The only check the governor retains on the press is the right to suspend one of them immediately, for any attack on the Austrian Government, army, officers, administration, or for any political article whatever of bad tendency. The suspension of the paper to be accompanied by the imprisonment of the editor and publisher. But, the governor adds, as there are many articles which do not directly attack the Government, but are of bad tendency, he reserves for such cases the right of admonishing the offender. The admonition is to consist of a temporary suspension of the press, a fine, or imprisonment, or all three of them to-

Venitians are not satisfied with the liberty of the press, verily, they are hard *to* please.

In speaking of Naples, I forgot to mention the demand made by the Count of Montemolin, the pretender to the throne of Spain, of the hand of Carlotta, sister of the King of Naples. The King agreed, but the ambassador of Spain protested, and the match has been broken off.

RUSSIA.

The celebrated painter, Horace Vernet, has been on a visit to St. Petersburg, for the purpose of painting something for the Czar. On taking leave of him, the Czar made him a present of one hundred thousand dollars, with which M. Vernet has returned to Paris, quite satisfied with his trip.

The Grand Duchess of Russia has had made at Paris a magnificent service of silver plate. The value is stated in one of the Paris papers at one hundred thousand pounds sterling. The good days of royalty are evidently not over yet in Russia.

FOREIGN POLICY OF FRANCE.

The policy of Louis Bonaparte, for some time past, has been to separate himself as much as possible from the more liberal courts of Europe, and to ally himself more closely with Russia and Austria. In pursuance of this policy, the late onslaught was made on the English Ministry with the intention to overthrow it, and secure a Tory Ministry in its stead.

In this matter, as in the affairs of Germany, the Administration party in France begins to see that it has made an error, and was working for the Czar rather than for the influence of their own country. A Tory ministry in England would be the ascendency of the Russian influence, and not the French; and recent events in Germany show that while France has been inactive, the Czar has contrived to render himself almost a dictator in the affairs of that country. The *Journal des Debats* raises the cry of alarm, and points out the dangers of the further increase of Russian influence in the west of Europe.

ALGIERS.

The jealousies existing between the civil and military governor of the province of Oran has come to a singular *denouement*. I mentioned in my last a conspiracy said to have been discovered at Oran, and the arrest of a great many persons. It turns out to be nothing but a charge made by General Pelissier against the Prefect, of favoring liberal opinions. The Prefect has been dismissed by the Minister, and a good number of civil functionaries arrested, but the whole affair will end in smoke.

W.

FROM CALIFORNIA.

There has been another dreadful conflagration at San Francisco, which is reported to have destroyed three hundred houses, valued, with other property lost, at five millions of dollars. The fire happened on the 14th of June.

Business at San Francisco was dull, and the same state of things extended to the surrounding country. In the mining regions, the water continued too high to allow of successful operations, and inactivity was the consequence. It is stated, however, that many new mines have been opened, and that great success was expected when the miners should again get to work.

TEXAS AND NEW MEXICO.

A despatch from New Orleans, dated the 15th instant, says that there is much excitement in Texas in relation to New Mexico. Meetings have been held at San Antonio and on the battlefield of San Jacinto, at which resolutions were passed denouncing the General Government, and requiring the Governor of Texas to proclaim Santa Fe in a state of insurrection, &c. An extra session of the Legislature of Texas has been called, to meet on the 12th of August.

MR. HALE AND MR. WEBSTER.

Mr. Hale last week in the Senate rather disconcerted Mr. Webster by one of those pointed hits for which he is famous. Mr. Webster in his elaborate speech had ridiculed the incongruities of the opposition to the Compromise bill.

Mr. Hale admitted that the picture was amusing, but it had two sides, though Mr. Webster had shown only one.

"Sir, I disclaim speaking of the Senate, or of any particular Senator; but I will call the attention of the Senate to what I have seen. I have seen a meeting of the friends of this bill—not in the Senate, of course—and that it may not be supposed that I speak of individuals, I will designate the individuals whom I mean by the names of States, and that cannot offend anybody, because there are a great many people in every State. Well, sir, I have seen a meeting of the friends of this bill, and that not very long ago. I went into this meeting, sir; and the first thing I saw were two honorable gentlemen—honorable for their years, honorable for their talents, honorable for the high rank which they sustain in the country—I saw these two honorable gentlemen sitting 'cheek by jowl,' arm in arm, affectionately consulting each other; and I will designate these two old gentlemen by the names of Michigan and Kentucky, [laughter]—not meaning anything personal, because I use the names of the States as an indication of their sentiments. Well, sir, it was a happy sight, and augured well for the perpetuity of the Union, and for the continued exercise of those fraternal feelings which we are all so anxious to see restored. Sir, it did my heart good. [A laugh.] Next to them I saw two other gentlemen, who appeared to have become recently acquainted—gentlemen of high reputation, of commanding influence in the country. These gentlemen I will designate by the names of Mississippi and Massachusetts. They were taking sweet counsel together, proceeding to the same end, but coming to it by different steps. One, sir, was a fiery youth, [laughter,] and he denounced the Wilmot Proviso as 'infamous,' and as 'a thing that ought to be buried;' 'and,' says he, 'this bill is the thing that does it; and therefore I am in favor of it.' Says the other gentleman, with a quiet and subdued manner, 'It is rather hard, Mississippi; for a few years ago I felt a solicitude for this very measure which you are denouncing. It is hard for me to hear you denounce it in this way. Had we not better turn it over to the laws of God and physical geography?' 'Agreed,' says Mississippi, 'and we will go together and support the bill.' Well, sir, I saw other gentlemen whom I had never seen before.

"Mr. Foote. Will the gentleman allow me to ask him a single question? [Laughter.]

"Mr. Hale. Certainly, if only a question.

"Mr. Foote. Only for a question; and a very short one, too—one, perhaps, which he will consider a very satisfactory one to answer. I would like to know whether he saw any disunionists or abolitionists at the meeting he describes?

"Mr. Hale. I cannot say as to that; for it was agreed at the time that they would put everything into the back ground that did not relate to the passing of the bill; and therefore all those questions which did not directly relate to the passage of the bill were studiously kept very far in the back ground. The honorable Senator from Mississippi [Mr. Foote] seems to think I was speaking of an actual meeting, and of individual things, whereas I was only speaking of classes. This, sir, is a mere imaginary meeting, and I suppose the Senator from Mississippi might imagine I referred to him. Sir, I understand the rules of decorum and debate better than to be thus personal. I did not mean anything of the sort.

"Well, sir, I saw two old gentlemen there that I don't think over met together in a meeting before, consulting together, and all agreeing to support the bill. The names of these two old gentlemen—and there were a considerable number of the family there besides—their names were called 'Whig and Democrat.' Yes, sir, they were both there, [laughter;] and they agreed to lay all their differences aside, and to support this bill. And, sir, had there been a painter there, possessing the graphic powers of delineation of the Senator from Massachusetts who has just taken his seat, he would have drawn a picture which, compared with the one he has presented to us, would have made it appear faint and feeble indeed.

"Sir, I have seen all this within these last few days—not in this chamber, of course; but it is a fact, nevertheless; and while such incongruities come together to support this bill, I must say, that, to my unsophisticated taste, it is rather in bad taste, for those who composed this meeting to find fault with the 'incongruities' in opposition to this bill. So far as I am concerned, I will agree to go square upon the matter, and we won't twit on either side. I leave that part of the subject."

CONGRESS.

THIRTY-FIRST CONGRESS—FIRST SESSION.

SENATE.

TUESDAY, JULY 16, 1850.

Mr. Jones presented the resolutions of a Democratic State Convention in Iowa, in which the plan of adjustment reported by the Committee of Thirteen was approved.

Mr. J. expressed himself strongly opposed to the Wilmot Proviso.

Mr. Seward presented the proceedings of a public meeting held in the State of New York in opposition to the bill.

Mr. Hale presented a petition from colored inhabitants of Alleghany county, Pennsylvania, setting forth that they have no record evidence of their freedom, and praying that all provision in the act of 1793 relative to the rendition of alleged fugitives from labor be repealed, &c. Laid upon the table.

Mr. Upham presented the resolutions of the Legislature of the State of Vermont, urging that slavery in the District of Columbia may be abolished, and the provisions of the Ordinance of '87 be applied to all Governments made for the Territories.

Received and laid on the table.

Mr. Davis of Massachusetts introduced a bill amendatory of the acts heretofore passed for the safety of passengers on board of steamers.

The Senate then resumed the consideration of the bill reported by the select Committee of Thirteen—to admit California into the Union as a State; providing Territorial Governments for Utah and New Mexico; and making proposals to Texas for the settlement of her western and northern boundaries.

The question pending was, on the following amendment proposed by Mr. Benton to that part of section thirty-nine containing the proposed boundaries of Texas:

Strike out of proposition first, of section thirty-nine, after the word "Beginning," these words: "at the point on the Rio del Norte commonly called El Paso, and running up that river twenty miles, measured by a straight line thereon, and thence eastwardly to a point where the hunderdth degree of west longitude crosses Red river, being the southwest angle on the line designated between the United States and Mexico, and the same angle on the line of the territory set apart to the Indians by the United States;" and insert after the said word "Beginning" these words "at the point in the middle of the deepest channel in the Rio Grande del Norte, where the same is crossed by the one hundred and second degree of longitude west from the meridian of Greenwich; thence north along that longitude to the thirty-fourth degree of north latitude; thence eastwardly to the point at which the one-hundredth degree of west longitude crosses the Red river."

Mr. Rusk then proceeded, in a speech of more than an hour, in maintenance of the right of Texas to the whole territory east of the Rio Grande.

Mr. Clay said that he desired to make a few observations in reply to what had been said yesterday by the Senator who had introduced the amendment. The Senator was reported in the morning papers with having said that "the bill is caught *flagrante delicto*—taken in the fact, seized by the throat and held up to public view—in the very act of perpetrating its crime, in the very act of *auctioneering* for votes to pass itself." The reporter says that "Mr. B. here grappled a bill and held it up to view."

With regard to the sort of boa-constrictor struggle between the Senator and the bill, he had nothing to say. But he desired to know who was "auctioneering for votes for the bill." Who did the Senator mean was auctioneering for votes in the Senate? Was it the bill itself, or was it the members of the committee? He did not think that language, carrying with it such an imputation, was admissible in the Senate. If the Senator from Missouri meant to say that that part of the bill was inserted by the committee for the purpose of auctioneering votes in favor of it, he repelled it as an unfounded imputation.

Mr. Benton. The Senator said that he had used language yesterday which was unfit to be used here. He would repeat the language, and let it be tested. He had said that this bill was caught in the act of crime, and it was said that such language was unfit to be used. Shall acts be done here deserving such language, and no voice be heard to hold them up to the judgment of the country? The Senator had avoided the main point—the nerve which had been touched. He would repeat what he had said, to see if the Senator could be brought up to touch it. When speaking yesterday of the coy and bashful blank in the bill, he had used this language: "When we come to the filling up of that mysterious blank, so carefully guarded, I may be able to demonstrate that the effect of this conglomeration of bills, and that reservation of a blank, to be filled at the last moment, is to open an auction upon the floor of the Senate for the votes which are to carry through the omnibus bill, with all its multifarous and heterogeneous contents. The filling of the blank may develop the fact that the admission of California, and the establishment of Governments for two Territories, may depend upon the amount of money to be paid to Texas; and, if it does, it will present the highest evidence of the flagrant enormity of tacking incongruous bills together which the history of American or British legislation has ever exhibited." The Senator had carefully left this out when reading from his speech. He had then continued thus: "The bill is caught *flagranti delicto*—taken in the fact—seized by the throat, and held up to public view—in the very act of perpetrating its crime—in the very act of auctioneering for votes to pass itself. I seize it in the act, and hold it up to public opprobrium, and make it an era to be recurred to, and its fate to stand as a warning against all future conjunctions of incongruous measures."

This was what he had said, and which the Senator had avoided. He repeated it now. The language was parliamentary. He had nothing to say or to do with the members of the committee. He had nothing to do with their respectability. Gentlemen were not to come into the Senate and draw themselves up to six feet in height, and rely on the respectability of any committee. He was dealing with the measure before them. He had nothing to do with them; it was the bill he attacked, and this he had a right to do. He had denounced the measure. He repeated now what he had said then; and if it was desired to take issue with him upon the fitness of the language, let the Senator call him to order.

Mr. Clay said that he called the Senator to order.

Mr. Benton. Put the words in writing, and I will sign them.

Mr. Clay said that he would reduce to writing the words for which he called the Senator to order. He sent to the Chair the following words, used yesterday and to-day by the Senator from Missouri: "The bill is caught *flagranti delicto*—taken in the fact—seized by the throat, and held up to public view—in the very act of perpetrating its crime, in the very act of auctioneering for votes to pass itself."

Mr. Benton said that he demanded that the sentences immediately preceding, and subsequent to the words thus written down, should be added. And it was done. The words then were those given in the whole of the above extracts.

The Presiding Officer read the words to the Senate, and was understood to say, that if it were the intention of the Senator from Missouri to make any imputation upon the conduct of the members of the committee, then his language was decidedly out of order. If not, and the language was intended to apply only to the bill, then it was not out of order.

Mr. Benton said that his language was explicit. It spoke of the bill. He had nothing to do with the committee. He had denounced the measure, and had attacked it for its consequences. He knew what words he used, and knew them not to be out of order. He knew the rules of the Senate and the laws of decorum, and had carefully guarded against a violation of them. He had a right to speak of a bill and to denounce it. He had spoken of this bill, and of the effect of it on other measures included most unjustly in it.

After some further debate, the Senate adjourned.

WEDNESDAY, JULY 17, 1850.

The Senate then resumed the consideration of the bill reported by the select Committee of Thirteen.

The question pending was on the amendment proposed by Mr. Benton.

Mr. Webster addressed the Senate at length in support of the bill, and in favor of harmony and conciliation. He was followed by

Mr. Hale in a humorous reply to a single point in his speech.

The question being taken on Mr. Benton's amendment, it was lost by the following vote:

YEAS—Messrs. Baldwin, Benton, Chase, Clarke, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Greene, Hale, Hamlin, Miller, Phelps, Seward, Smith, Upham, Wales, and Walker—18.

NAYS—Messrs. Atchison, Badger, Barnwell, Berrien, Bradbury, Bright, Butler, Cass, Clay, Cooper, Davis of Mississippi, Dawson, Dickinson, Dodge of Iowa, Downs, Felch, Foote, Houston, Hunter, Jones, King, Mangum, Mason, Morton, Norris, Pearce, Pratt, Rusk, Sebastian, Soulé, Spruance, Sturgeon, Turney, Underwood, Webster, and Yulee—36.

Mr. Foote moved to amend the bill as follows:

Amend 39th section, by striking out the tenth and eleventh lines, and the word "eastwardly" in the twelfth line, and insert "where the 34th degree of north latitude intersects said river, thence east with said parallel of latitude."

Also amend the seventh section, by adding thereto a proviso making provision for a territory in the southern part of the State of California, with her consent.

The subject was then postponed till to-morrow.

THURSDAY, JULY 18, 1850.

The resolution to admit the editors of the *Southern Press* to the floor of the Senate coming up,

Mr. Hale moved to amend, by adding the words, "*and the editor of the National Era.*"

Mr. Yulee saw no necessity for the amendment of Mr. Hale, as the *Era* was a weekly paper, and the *Press* a daily. A weekly paper could make up its reports from the dailies.

Mr. Atchison thought that the privilege of the floor ought to be restricted to those printers who were officially authorized by the Senate; and on his motion, the subject was laid upon the table.

The report of the Committee of Thirteen was taken up, the question being on the amendments offered by Mr. Foote. Mr. Hunter addressed the Senate in support of his committee's bill, and illustrated by the bravery of Jasper at Fort Moultrie.

Mr. Clay said that he knew Mr. Rhett, the individual alluded to, and had some respect for him. But if he had used the expression attributed to him, that he would unfurl the banner of disunion against the General Government, and intended to follow up that declaration by any act, then he was a traitor, and he hoped he would meet the fate of a traitor. [Applause in the galleries, which was suppressed immediately by the Chair.]

Mr. Hale replied to that portion of the speech of Mr. C., in which it was denied that those from the North who voted for the Missouri Compromise had not for that act been politically doomed. He maintained that they had, and that many of them were now living tombstones of their own fate.

Mr. Clay replied, citing the names of some half dozen of them, to show that the Senator was mistaken as to the political fate of those at the North who had voted for the bill. After adverting at length to this, he said that even if one had been so stricken down, he would write upon his tomb this epitaph: "Here lies a noble patriot, who loved his country better than himself"—an epitaph he feared he could never write upon the Senator from New Hampshire.

Mr. Hale doubted whether the vocation of the Senator was to write epitaphs. He repeated his convictions that what he had said as to their fate was correct. He did not expect to write an epitaph on such a man, he would say, "Here lies a man who sacrificed his constituents for an office."

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, JULY 16, 1850.

Mr. Strong offered a resolution that all debate on the resolution reported by the Committee on Elections, declaring "that it is inexpedient to admit Hugh N. Smith, Esq., to a seat in this House, as a delegate from New Mexico," shall cease in two hours after the House shall again go into Committee on the subject. Subsequently, he modified his resolution, by substituting two o'clock to-morrow for the termination of the debate; and it was agreed to.

On motion of Mr. Strong, the House resolved itself into a Committee of the Whole on the state of the Union, (Mr. McLane of Maryland in the chair) and proceeded to the consideration of the special order, being the report of the Committee of Elections, to which were referred the credentials and the memorial of Hugh N. Smith, praying to be admitted to a seat in the House as a delegate from New Mexico.

The report concluded with the following resolution, viz:

Resolved, That it is inexpedient to admit Hugh N. Smith, Esq., to a seat in this House as a delegate from New Mexico.

Mr. Ashe adverted to the early history of New Mexico to show that the rights of Texas would be affected by the admission of the delegate, as a recognition would thus be made of the claim of the former to territory in dispute.

Mr. Kaufman regarded this as a question of vital importance to the peace and vitality of this country; and if it was to be decided favorably to New Mexico, the consequences would be truly momentous.

WEDNESDAY, JULY 17, 1850.

The consideration of the resolution concerning the memorial of Hugh N. Smith was renewed in Committee of the Whole on the state of the Union.

Mr. Bayly of Virginia said: The action of this Administration has been the fountain of the bitter waters; and the taking of the question from Congress has been a constant series of violations of Constitution and law. He did not believe that there was any portion of the country where slavery can be more profitably employed than in California, in mining operations. And why was slavery excluded? Because every man in the Convention was engaged in the scramble for gold. What was done there, however, was propriety itself, compared with the proceedings which had taken place in New Mexico, and which it was proposed to institute. The Constitution of New Mexico was now in this city, and he desired to show, in advance, that if she be admitted, under the circumstances, it would be a dangerous and palpable violation of the Constitution.

Mr. Carter of Ohio said: What, he asked, has the question of New Mexico, as a State, to do with the subject now pending? You recognise no distinct organization by the admission of the delegate. You do not treat with her as a State. She does not aspire to sisterhood, but comes here on her knees, supplicating to be heard in her own defence. He did not intend to bring into the discussion the question of boundary, which has been made use of for sinister purposes. All we do, by the admission of the delegate, is to declare that citizens of the United States shall be represented by the man sent hither by New Mexico, and who possesses a knowledge of the people and the country, that he may give to us the information necessary to legislation with reference to the Territory. This is all there is of it; and still the ears of this House are belabored for hours over a conflict of State sovereignty about the boundary. There is no danger of a conflict between Texas and New Mexico. They are six hundred or five hundred and seventy-five miles apart. The country of separation is as broad as the desert of Sahara. He repudiated, as unwise and unjust, the bringing in of the question of boundry, on the simple proposition to admit the delegate.

Mr. Stephens of Georgia stated the ground of his opposition to the admission of Mr. Smith was, that he came here to represent, as a delegate from New Mexico, persons residing within the recognised boundaries of one of the States of this Union—Texas.

Mr. Howard spoke about the effect of admitting the delegate. When this shall have been done, all negotiation with Texas will be at an end. The question must be settled, either by Texas submitting peaceably, or by a resort to the sword. He did not utter this as a threat, but merely expressed the public sentiment in the State which he in part represented. There was much excitement in that portion of the country. He spoke what he knew, and what will be the effect of the act, without expressing an opinion as to the justness of the determination. A few days ago, he received despatches from the Governor of Texas, applying to the Federal Government to know whether it be its purpose to ratify the late proceedings of Colonel Monroe, calling a convention at Santa Fe, to form a Constitution and State Government; and to know whether it will enforce the act by its military power; and to enter a solemn protest on the files of the Executive Department, if such be the object. He learned, from the same source, that Texas has taken active measures to protect herself from the purposes of the Federal Government, and, by military power, to resist aggression on her rights, which she is bound by honor to maintain. Resolutions, during the late session of the Legislature, were introduced, requiring the members of Congress to leave this hall in case the delegate should be admitted to a seat; and they were withdrawn only from the sentiment at that time entertained, that they could not be passed.

Mr. Burt inquired of the gentleman, whether the demand of Texas had been laid before the President, and what answer had been received.

Mr. Howard replied, that he had not yet received an answer, owing, no doubt, to the recent occurrences. He, however, anticipated an answer, for one must come in some form. The demand was made in such a manner as that a reply cannot be withheld. Gentlemen may as well remember now, as hereafter, that the people of Texas, for twenty years, slept on their arms, and they will not submit to any outrage on their rights and honor as one of the States of this Union.

Mr. Brown of Indiana regarded this question as contained in a nutshell. It had been said that the boundaries of Texas had nothing to do with it, but it was sufficient to induce him to vote against giving the delegate a seat on this floor. He would not vote to admit any delegate, if there was a claim to the territory by a sovereign State, until the claim was fully and fairly settled.

Mr. Strong of Pennsylvania made the closing speech in support of the report of the committee.

The consideration of the report of the Committee of Thirteen was resumed, when Mr. Foote submitted an amendment restricting the limits of California by the line of 35 deg. 30 min., and providing for a Territorial Government south of that line.

Mr. Clay then addressed the Senate for more than three hours in support of the measures recommended by the committee, replying to the various attacks made upon them. In conclusion, he said that the fate of the bill was not certain. It depended on some four or six Senators, whose position had not been positively known. With them he left it to be decided. If it were defeated, it would be a triumph of Free-Soilism and Abolitionism; a triumph of extremists; and he fervently prayed that it might not result in evil consequences to the Union.

Mr. Barnwell replied to that portion of Mr. C.'s remarks commenting upon a speech lately delivered in Charleston. If the individual alluded to—who was known in the Senate and in the House—believes the Wilmot Proviso to be an aggression upon the constitutional rights of the South, which should be resisted; and if he believed that the admission of California would be a virtual enactment by Congress of that Proviso, because the prohibition of slavery by California will be dead and defeated unless it receives vitality from Congress—then he was not alone in saying, as several States had said, that it should be resisted.

He said that the term disunionist was becoming one which would not be the highest opprobrium. The term "rebel" had been applied in the times of the Revolution, when liberty was baptized in blood. He (Mr. B.) was not a disunionist. He would not be a traitor, and he would not be the bourse of his remarks he was called to order by Mr. Foote for extending the discussion to the bill relating to fugitives from service, which was not under consideration. The point of order was sustained by the Chair, and Mr. Hunter was obliged to confine himself to the bill before the Senate.

Mr. Foote followed in reply, particularly to the remarks of Mr. H. on the subject of non-intervention, reading extracts from Mr. Calhoun's speeches to show that the doctrine of non-intervention as embodied in this bill was the doctrine taught by that illustrious man. He also alluded to the Nashville Convention and its Address, and commented upon it. He defended the object for which that Convention was called. He defended the proceedings which took place in Mississippi leading to that Convention. He contended that the President of that Convention, and the people of the State of Mississippi, were as much devoted to the Union as any other portion of the people of the United States, and that they would remain firm and devoted to that Union, regardless of the attempts and invitations held out to them to become disunionists.

Mr. Davis of Mississippi asked his colleague if any invitation of the kind had ever been held out to the people of Mississippi.

Mr. Foote replied that there had been. He then referred to the proceedings of public meetings held in South Carolina on the 4th of July last, in which the spirit of disunion was most apparent, and at almost every meeting Mississippi was alluded to as the gallant, worthy State which had moved first, and which was to act with South Carolina in the objects of disunion. He also referred to the speeches of Mr. Rhett—an open and avowed candidate for a seat in the Senate—delivered in the Nashville Convention, and since then in South Carolina, in which the treasonable doctrine of secession and disunion was traitorously spoken.

He then referred to various other persons, whose speeches in the Convention and elsewhere breathed the spirit of disunion.

Mr. Foote explained that his amendment would secure 30,000 square miles to Texas of New Mexican territory, in addition to the 70,000 square miles proposed to be given by the bill. The question was then taken on the final amendment, which was lost, by the following vote:

YEAS—Messrs. Atchison, Badger, Barnwell, Berrien, Butler, Clemens, Dawson, Downs, Foote, Houston, Hunter, King, Mason, Morton, Pratt, Rusk, Sebastian, Soulé, Turney, Yulee—20.

NAYS—Messrs Baldwin, Benton, Bradbury, Bright, Cass, Chase, Clarke, Clay, Corwin, Davis of Massachusetts, Dayton, Dickinson, Dodge of Wisconsin, Dodge of Iowa, Felch, Greene, Hale, Hamlin, Jones, Miller, Norris, Pearce, Phelps, Seward, Shields, Smith, Spruance, Sturgeon, Underwood, Upham, Wales, Walker, Webster, Whitcomb—34.

Mr. King of Alabama moved to strike out all of the second amendment after the word "provided," and insert—

"The boundary of the State shall be as follows: Commencing on the Pacific at the 42d degree of north latitude; thence with the southern boundary line of the Territory of Oregon to the summit of the Sierra Nevada, then along the crest of that mountain to a point where it intersects the parallel of latitude 35° 30'; thence with said parallel to the Pacific ocean."

The Senate adjourned.

FRIDAY, JULY 19, 1850.

The subject was again resumed.

Mr. King of Alabama stated his views on the report of the Committee of Thirteen. He was in favor of the bill relating to fugitive slaves, and the bill for abolishing the slave trade in the District. The provisions for giving Territorial Governments to Utah and New Mexico embraced the Non-Intervention doctrine, and he could vote for them, believing as he did that the Mexican laws excluding slavery no longer existed. He was in favor too of settling the Texan boundary as proposed in the bill, for the territory purchased of Texas would still remain slave territory. He was opposed to the admission of California with her present extravagant boundaries, and unless his amendment were adopted, he could not vote for the bill.

Mr. Foote withdrew his amendment, and Mr. King moved his own, as a substitute proposition.

Mr. Berrien made a speech in favor of it, and was followed by Mr. Clay, who with great strength opposed projects of cutting down the boundaries of California. To admit her as she was he deemed indispensable to the success of the Compromise, of the fate of which, however, he seemed to doubt.

After considerable discussion between Messrs. Berrien, Butler, Clay, and Foote, Mr. Hale rose, and said that he had withdrawn his motion to lay the bill on the table, to allow its friends to present amendments, which it was understood were to be voted on without discussion. But, there had been nothing but discussion ever since. He should feel bound to renew his motion, and insist upon it, unless the Senate would put an end to this eternal talk, and come to voting at once.

Mr. Davis, of Mississippi, moved to amend the amendment by striking out "thirty-five" and inserting "thirty-six," so that it would read by the line of thirty-six degrees thirty minutes.

After some remarks by Messrs King and Davis, the question was taken, and the amendment to the amendment was rejected by the following vote:

YEAS—Messrs. Atchison, Badger, Barnwell, Berrien, Butler, Clemens, Davis of Mississippi, Dawson, Downs, Foote, Houston, Hunter, King, Mangum, Mason, Morton, Pratt, Rusk, Sebastian, Soulé, Turney, Underwood, and Yulee—23.

NAYS—Messrs. Baldwin, Benton, Bradbury, Bright, Cass, Chase, Clarke, Clay, Cooper, Davis of Massachusetts, Dayton, Dickinson, Dodge of Wisconsin, Dodge of Iowa, Douglas, Felch, Greene, Hale, Hamlin, Jones, Miller, Norris, Phelps, Seward, Shields, Smith, Spruance, Sturgeon, Upham, Wales, Walker, and Whitcomb—32.

The question recurring on the amendment of Mr. King, it was also rejected, as follows:

YEAS—Messrs. Atchison, Barnwell, Berrien, Butler, Clemens, Davis of Mississippi, Dawson, Downs, Foote, Houston, Hunter, King, Mason, Morton, Pratt, Rusk, Sebastian, Soulé, Turney, and Yulee—20.

NAYS—Messrs. Badger, Baldwin, Benton, Bradbury, Bright, Cass, Chase, Clarke, Clay, Cooper, Corwin, Davis of Massachusetts, Dayton, Dickinson, Dodge of Wisconsin, Dodge of Iowa, Douglas, Felch, Greene, Hale, Hamlin, Jones, Mangum, Miller, Norris, Pearce, Phelps, Seward, Shields, Smith, Spruance, Sturgeon, Underwood, Upham Wales, Walker, and Whitcomb—37.

Mr. Clemens moved to lay the bill on the table.

Mr. Foote desiring to offer an amendment, Mr. Clemens said he could not withdraw his motion for any more amendments, but he would withdraw it to give the Senator from Kentucky an opportunity to speak. Mr. Clay signified his intention to fill the blank to-morrow, and his desire to speak on Monday. The test vote may be taken on Tuesday, on the engrossment of the bill. Messrs. Berrien and Underwood also intimated a desire to submit some general remarks.

The Senate adjourned.

SATURDAY, JULY 20, 1850.

Mr. Pearce addressed the Senate upon this resolution, in defence of the late President of the United States from the charges made against him of being inimical to Texas, &c., by the Senator from Texas, (Mr. Houston.)

Mr. Rusk briefly replied.

The subject was then postponed till Monday.

During Mr. Pearce's remarks, a message was received from the President of the United States, of an executive character. After the postponement of the resolution,

Mr. Clay moved, and the Senate proceeded to the consideration of Executive business, and, at a quarter before three o'clock, adjourned.

MONDAY, JULY 22, 1850.

Mr. Douglas gave notice of his intention to offer an amendment to the rules, so as to introduce the previous question in the Senate.

The debate having terminated, the Speaker stated that the following resolution, offered by Mr. McGaughey as an amendment, was pending:

"*Resolved*, That the said HUGH N. SMITH, Esq., be admitted to a seat in the House of Representatives, as a delegate from New Mexico."

Mr. Boyd moved an amendment—that A. W. Babbitt be admitted to a seat as a delegate from Deseret. Mr. Carter objected to it as out of order. The Chair [Mr. McLane] ruled it in order; an appeal was taken, and his decision reversed—88 to 62. On motion of Mr. Schenck, the resolution of Mr. McGaughey was so amended as to admit Mr. Smith to a seat "for the 31st Congress." A motion by Mr. Meade to amend, by inserting the words, "from that portion of New Mexico lying west of the Rio Grande," was voted down—69 to 58. The Committee then adopted a proviso offered by Mr. Fitch, of Indiana, "that such adm