Mr. Daniel of North Carolina moved the following as a substitute for Mr. Root's instructions:

"With instructions to report with said bill, a provision extending the Constitution and general laws of the United States to all territory belonging to the United States acquired from Mexico by the treaty of Guadalupe Hidalgo, and to extend the principle of non-intervention to said territory."

He spoke in opposition to the bill, and was followed by Mr. McDowell of Virginia, who delivered a speech in opposition generally to the principle of slavery-restriction, and by Mr. Holmes of South Carolina, who occupied his time in philosophizing on the conflict between the capital of the North and the labor of the South.

Mr. Williams of Tennessee rose with a view to move the previous question, but yielded for a moment to Mr. McClernand, who withdrew his motion to commit. Of course, the instructions moved by Messrs. Root and Daniel fell with this withdrawal. Mr. Williams, a friend of the bill, then demanded the previous question. The Speaker explained, in reply to several inquiries, that if this were sustained, the House would be brought to a direct vote, first upon the amendments of Messrs. Clingman and Boyd, then upon the engrossment of the bill, other amendments being excluded. Mr. Carter moved an adjournment, but the motion failed—yeas 49, nays 132. A motion for a call of the House was lost. The question then being put on the demand for the previous question, it was not sustained—yeas 76, nays 92. It was thus seen that the House was not yet prepared to come to a vote upon the bill, but its friends took care to keep it under their own control. Mr. McLane of Maryland moved an adjournment, then withdrew the motion, and moved to refer the bill and amendments to the Committee of the Whole on the state of the Union, demanding on this motion the previous question. Now, if the previous question could have been restricted to the motion to commit, it would doubtless have been sustained, and the bill would have been referred; but such was not the purpose of the mover. In answer to an inquiry by Preston King, the Speaker said—

"If the previous question is sustained, it will bring the House to a vote, first upon the motion to refer; if the House refuse to commit the bill, the previous question will not be exhausted until the House shall have voted upon the pending amendments, and upon the bill."

Tellers were demanded on the second for the previous question, but pending this, the House adjourned—yeas 91, nays 78.

Wednesday, (September 4th,) the subject was continued. Mr. McLane, who had closed his speech yesterday, by moving the previous question, this morning withdrew it, began another speech, and had proceeded some time, when Mr. Root objected to it as out of order, on the ground that he had no right to speak twice on the same subject till all who desired had spoken. The Speaker overruled the point of order. Mr. Root took an appeal, but it was laid upon the table. Mr. McLane renewed his demand for the previous question—tellers were ordered—the demand was seconded—yeas 99, nays 90. Mr. Schenck said that, desiring to have it appear that he was not one of those who were forcing this bill to a vote, and thus smothering every fair effort to amend or modify and make it better or more acceptable, he would ask for the yeas and nays on the question—"Shall the main question be now put?" Mr. Stevens of Pennsylvania had already asked the yeas and nays, and they were now ordered. Mr. Cable of Ohio moved to lay the whole subject on the table. The motion failed—yeas 30, nays 169. Only nine Southern men voted in the affirmative on this motion, which, had it prevailed, would have been the death of the bill. The Northern members who voted in the affirmative were—Messrs. Allen, Booth, Cable, Doty, Durkee, Giddings, Harlan, Julian, Preston King, Olds, Root—Free-Soilers and Democrats; and Messrs. Baker, Bennett, Campbell, Clarke, Cole, Howe, Matteson, Sackett, Schoolcraft, and Thaddeus Stevens—Whigs.

The question being now upon ordering the main question, it was decided in the affirmative—yeas 133, nays 68. To make it impossible for the House to retrace its steps, Mr. Gorman of Indiana moved a reconsideration, and then to lay that motion on the table—and it was so ordered. The main question was first on referring the bill and amendments to the Committee of the Whole on the state of the Union. The question was taken, and decided in the affirmative—yeas 101, nays 100. The friends of the measure, the opponents of the Wilmot Proviso, and all those who were hostile to any further amendments, voted against the reference. Those who voted for the reference included the advocates of further amendments, the unrelenting enemies of the bill, and the real Wilmot Proviso men. It was therefore a test vote, and a very close one, as a change of one vote to the minority would have insured the defeat of the reference. Analyzing it, we find the following results:

YEAS—WHIGS.	YEAS—DEMOCRATS.
Alexander of N. Y.	Ashe of N. Carolina.
Baker of Illinois.	Averett of Virginia.
Bennett of New York.	Bingham of Michigan.
Burrows of New York.	Booth of Connecticut.
Butler of Connecticut.	Bowdon of Alabama.
Calvin of Pennsylvania.	Brown of Mississippi.
Campbell of Ohio.	Burt of South Carolina
Chandler of Pa.	Cable of Ohio.
Clark of New York.	Colcock of S. C.
Cole of Wisconsin.	Daniel of N. C.
Conger of New York.	Disney of Ohio.
Corwin of Ohio.	Doty of Wisconsin.
Crowell of Ohio.	Edmundson of Va.
Dixon of R. I.	Featherston of Miss.
Duncan of Mass.	Fitch of Indiana.
Evans of Ohio.	Haralson of Georgia.
Fowler of Mass.	Harlan of Indiana.
Gott of New York.	Harris of Tennessee.
Gould of New York.	Holladay of Virginia.
Halloway of New York.	Hubbard of Alabama.
Hebard of Vermont.	Inge of Alabama.
Henry of Vermont.	Jackson of Georgia.
Howe of Pa.	P. King of New York.
Hunter of Ohio.	La Sere of Louisiana.
Jackson of New York.	McQueen of S. C.
King of Rhode Island.	McWillie of Miss.
King of New York.	Meade of Virginia.
King of New Jersey.	Millson of Virginia.
Mann of Mass.	Morris of Ohio.
Matteson of New York.	Morse of Louisiana.
McKissock of N. York.	Orr of South Carolina.
Moore of Penn.	Peck of Vermont.
Newell of N. J.	Phelps of Missouri.
Ogle of Pennsylvania.	Powell of Virginia.
Otis of Maine.	Sawtelle of Maine.
Putnam of New York.	Seddon of Virginia.
Reed of Pennsylvania.	Stetson of Maine.
Rockwell of Mass.	Sweetser of Ohio.
Rumsey of New York.	Venable of N. C.
Sackett of New York.	Walden of New York.
Schenck of Ohio.	Waldo of Connecticut.
Schermerhorn of N. Y.	Wallace of S. C.
Schoolcraft of N. Y.	Wentworth of Illinois.
Silvester of New York.	Woodward of S. C.
Sprague of Michigan.	
Stevens of Pa.	
Taylor of Ohio.	
Underhill of New York.	
Van Dyke of N. J.	
Vinton of Ohio.	
White of New York.	

	W.	Dem.	F. S.
Free States	51	16	6
Slave States	0	28	0
Total	51	44	6
Total from free States			73
Total from slave States			28
Total			101

NAYS—WHIGS.	NAYS—DEMOCRATS.
Alston of Alabama.	Albertson of Indiana.
Anderson of Tennessee.	Bay of Missouri.
Andrews of New York.	Bayly of Virginia.
Bokee of New York.	Beale of Virginia.
Breck of Kentucky.	Bowlin of Missouri.
Briggs of New York.	Boyd of Kentucky.
Brooks of New York	Brown of Indiana.
Butler of Pennsylvania.	Buel of Michigan.
Cabell of Florida.	Caldwell of Kentucky.
Caldwell of N. Carolina.	Cobb of Alabama.
Casey of Pennsylvania.	Dimmick of Pa.
Clingman of N. C.	Dunham of Indiana.
Deberry of N Carolina	Ewing of Tenn.
Duer of New York.	Fuller of Maine.
Eliot of Mass.	Gerry of Maine.
Freedley of Penn.	Gilmore of Pa.
Gentry of Tennessee.	Gorman of Indiana.
Grinnell of Mass.	Green of Missouri.
Haymond of Virginia.	Hall of Missouri.
Hilliard of Alabama.	Hammond of Maryland.
Houston of Delaware.	Harris of Alabama.
Johnson of Kentucky.	Harris of Illinois.
Kerr of Maryland.	Hibbard of N. H.
Levin (N. A.) of Pa.	Hoagland of Ohio.
Marshall of Kentucky.	Howard of Texas.
McGaughey of Indiana.	Johnson of Tennessee.
McLean of Kentucky.	Johnson of Arkansas.
Meacham of Vermont.	Jones of Tennessee.
Morehead of Kentucky.	Kaufman of Texas.
Morton of Virginia.	Leffler of Iowa.
Nelson of New York.	Littlefield of Maine
Outlaw of N. Carolina.	Mann of Pennsylvania.
Owen of Georgia.	Mason of Kentucky.
Phœnix of New York.	McClernand of Illinois.
Pitman of Pennsylvania.	McDonald of Indiana.
Reynolds of New York	McDowell of Virginia.
Rose of New York.	McLane of Maryland.
Shepperd of N. C.	McMullen of Virginia.
Stanly of N. Carolina.	Parker of Virginia.
Thompson of Kentucky.	Peaslee of N. H.
Thurman of N. Y.	Richardson of Illinois.
Toombs of Georgia.	Robbins of Pa.
Watkins of Tennessee.	Robinson of Indiana.
Williams of Tenn.	Ross of Pennsylvania.
Wilson of N. H.	Savage of Tennessee.
	Stanton of Tennessee.
	Stanton of Kentucky.
	Strong of Pennsylvania.
	Thomas of Tennessee.
	Thompson of Pa.
	Thompson of Miss.
	Wellborn of Georgia.
	Whittlesey of Ohio.
	Wildrick of N. J.
	Young of Illinois.

YEAS—FREE SOILERS.

Allen of Mass.	Julian of Indiana.
Durkee of Wisconsin.	Root of Ohio.
Giddings of Ohio.	Tuck of N. H.

Free States	73	47
Slave States	0	8
Total	45	55
Total from free States		47
Total from slave States		8
Total nays		100

The free States thus gave 73 votes for the reference, and 47 against it—the slave States 28 for reference, 53 against it. The inference from this vote as well as from all the others is irresistible—that the bill and its accompanying amendments were Southern measures.

The Whigs of the free States, to their honor, gave 51 votes for reference, and only 20 against it, while the Democrats of the free States, to their discredit, gave but 16 for reference, 27 against it! That Messrs. Briggs, Brooks, Duer, and Whigs of that stamp, should vote against the reference of these measures, thereby precluding all hope of amending them, was to be expected—but the constituents of Messrs. Eliot, Freedley, Grinnell, McGaughey, Meacham, and Wilson, will be surprised to find them in such company. Among the Democrats, we observe Buel, Hibbard, McDonald, Peaslee, Strong, Robinson, and Whittlesey, representing anti-slavery constituencies, sustaining a movement designed to defeat the Wilmot Proviso.

Mr. Walden of New York moved to reconsider the vote by which the bill and amendments had been referred, and Mr. Root moved to lay this motion on the table. The vote on this stood, yeas 103, nays 102—the Speaker voted in the negative, making the vote a tie—so the motion was lost: that is to say, the House refused to lay on the table the motion to reconsider the vote by which the reference had been made. Had it voted to lay it upon the table, all the measures then would have been open to a fair and full consideration in Committee of the Whole on the state of the Union. How was this result prevented?

Mr. Dickey of Pennsylvania, Mr. Holmes of South Carolina, and Mr. Olds of Ohio, who had not voted on the motion to refer, voted to fasten this reference by laying on the table the motion to reconsider. Mr. Freedley of Pennsylvania, Mr. Mason and Mr. Stanton of Kentucky, who voted against the reference, voted to lay the motion to reconsider on the table. These six votes, added to the 101 for the reference, would make 107—which would have been the number of votes against reconsideration, had the majority stood firm. But, there was defection. Haralson and Jackson of Georgia, Walden of New York, and Wentworth of Illinois, who had voted for reference, voted *nay* on the motion to reconsider: in other words, for reconsideration—thus reducing the majority to 103. Had Mr. Wentworth stood firm, reconsideration would have failed. The nays on this motion were the same as those on the vote on reference, with the following exceptions: Bowie of Maryland and Carter of Ohio, who did not vote on the motion to refer, voted *nay* on the motion to lay the motion to reconsider on the table. On this motion, too, were recorded in the negative the names of Haralson of Georgia, Inge of Alabama, Jackson of Georgia, Walden of New York, and Wentworth of Illinois, who had voted to refer: that is, they were in favor of retracing this step. On the other hand, Freedley of Pennsylvania, and Stanton of Kentucky, who had voted against reference, also voted against reconsideration, while Thomas of Tennessee, who had voted with them at first, did not vote at all on the last motion. The votes of Messrs. Carter and Wentworth secured the reconsideration of the motion by which the bill and its amendments had been referred, and, as the previous question was still in operation, precluded any chance of making the bills acceptable to the friends of freedom. So it seems to us. We hope they may be able to show satisfactory reasons for their votes.

The direct question was now taken on the motion to reconsider, and it was carried by the following vote:

Yeas—Messrs. Albertson, Alston, Anderson, Bay, Bayly, Beale, Bokee, Bowie, Bowlin, Boyd, Breck, Briggs, Brooks, William J. Brown, Buel, Chester Butler, E. Carrington Cabell, George Alfred Caldwell, Joseph P. Caldwell, Casey, Clingman, Williamson R. W. Cobb, Deberry, Dimmick, Duer, Dunham, Eliot, Ewing, Fuller, Gentry, Gerry, Gilmore, Gorman, Green, Grinnell, Hall, Hammond, Haralson, Isham G. Harris, Thomas L. Harris, Haymond, Hibbard, Hilliard, Hoagland, Houston, Howard, Joseph W. Jackson, Andrew Johnson, James L. Johnson, Jones, Kaufman, Kerr, Leffler, Levin, Littlefield, Job Mann, Marshall, Mason, McClernand, McDonald, McDowell, McGaughey, Robt. M. McLane, Finis E. McLean, McMullen, Meacham, Morehead, Morton, Nelson, Outlaw, Owen, Parker, Peaslee, Phœnix, Pitman, Potter, Reynolds, Richardson, Robbins, Robinson, Rose, Ross, Savage, Shepperd, Stanly, Frederick P. Stanton, Richard H. Stanton, Strong, Thomas, Jacob Thompson, James Thompson, J. B. Thompson, Thurman, Toombs, Underhill, Walden, Watkins, Wellborn, Whittlesey, Wildrick, Williams, Wilson, and Young—103.

The vote this time was the same as the first one on the motion to refer, with the following exceptions: Dickey of Pennsylvania and Holmes of South Carolina, who did not vote before, voted now to refer. Haralson of Georgia, Underhill and Walden of New York, who voted before to refer, now reversed their votes. Freedley of Pennsylvania and Johnson of Arkansas, who before were against reference, now went for it. Bowie of Maryland, Carter and Potter of Ohio, absent on the first vote, voted against reference on the last. Powell of Virginia, who at first voted *yea*, and Andrews of New York, who had voted *nay*, did not vote at all this time.

Mr. Clingman's amendment was then rejected—yeas 69, nays 130—all the *yeas* from the South.

Mr. Thompson of Mississippi moved to lay the whole subject on the table. The motion failed—yeas 61, nays 141. Of the yeas, some twenty were from the South; the rest consisted chiefly of Whig and Free-Soil votes from the North. The Democrats from the free States who voted to lay the subject on the table were—Bingham of Michigan, Booth of Connecticut, Cable and Olds of Ohio, Doty of Wisconsin, Harlan and Julian of Indiana, Preston King of New York, and Peck of Vermont.

The question then was on the amendment of Mr. Boyd, incorporating with the bill, that for the organization of a Territorial Government in New Mexico, *without the Proviso*. The amendment failed—yeas 98, nays 106—21 of the nays being given by members from the South supposed to be hostile to the bill.

The following is the vote on the amendment:

Yeas—Messrs. Albertson, Alston, Anderson, Ashe, Bay, Bayly, Beale, Bokee, Bowie, Bowlin, Boyd, Breck, Briggs, Brooks, W. J. Brown, Buel, Chester Butler, Cabell, G. A. Caldwell, J. P. Caldwell, Casey, Chandler, Clingman, W. R. W. Cobb, Daniel, Deberry, Dimmick, Duer, Dunham, Edmundson, Eliot, Ewing, Fuller, Gentry, Gerry, Gilmore, Gorman, Green, Hall, Hammond, Haralson, I. G. Harris, T. L. Harris, Haymond, Hibbard, Hilliard, Hoagland, Houston, Howard, J. W. Jackson, Andrew Johnson, J. L. Johnson, Jones, Kaufman, Kerr, La Sere, Leffler, Levin, Littlefield, Job Mann, Marshall, Mason, McClernand, McDonald, McDowell, McGaughey, R. M. McLane, F. E. McLean, McMullen, McWillie, Morehead, Morton, Outlaw, Owen, Parker, Phœnix, Pitman, Powell, Richardson, Robbins, Robinson, Rose, Ross, Savage, Shepperd, Stanly, F. P. Stanton, R. H. Stanton, Strong, Thomas, J. B. Thompson, Toombs, Walden, Watkins, Wellborn, Wildrick, Williams, Wilson, and Young—98.

Nays—Messrs. Alexander, Allen, Andrews, Averett, Baker, Bennett, Bingham, Booth, Bowdon, A. G. Brown, Burrows, Burt, T. B. Butler, Cable, Calvin, Campbell, Carter, Clark, Colcock, Cole, Conger, Corwin, Crowell, Dickey, Disney, Dixon, Doty, Duncan, Durkee, Nathan Evans, Featherston, Fowler, Freedley, Giddings, Gott, Gould, Halloway, Harlan, S. W. Harris, Hebard, Henry, Holladay, Holmes, Howe, Hubbard, Hunter, Inge, W. T. Jackson, R. W. Johnson, Julian, G. G. King, J. G. King, J. A. King, Preston King, Horace Mann, Matteson, McKissock, McQueen, Meacham, Meade, Millson, Moore, Morris, Morse, Nelson, Newell, Ogle, Olds, Orr, Otis, Peaslee, Peck, Phelps, Putnam, Reed, Reynolds, Rockwell, Root, Rumsey, Sackett, Sawtelle, Schenck, Schermerhorn, Schoolcraft, Seddon, Silvester, Sprague, Thaddeus Stevens, Stetson, Sweetser, Taylor, Jacob Thompson, James Thompson, Thurman, Tuck, Underhill, Van Dyke, Venable, Vinton, Waldo, Wallace, Wentworth, White, and Woodward—106.

The members from the free States who voted for this amendment, designed to extinguish the Wilmot Proviso, were as follows:

Democrats.	*Whigs.*
Albertson of Indiana.	Bokee of New York.
Brown of Indiana.	Briggs of New York.
Buel of Michigan.	Brooks of New York.
Dimmick of Penn.	Butler of Penn.
Dunham of Indiana.	Casey of Penn.
Fuller of Maine.	Chandler of Penn.
Gerry of Maine.	Duer of New York.
Gilmore of Penn.	Eliot of Massachusetts.
Gorman of Indiana.	Levin of Pennsylvania.
Hibbard of N. H.	McGaughey of Indiana.
Hoagland of Ohio.	Phœnix of New York.
Leffler of Iowa.	Pitman of Penn.
Littlefield of Maine.	Rose of New York.
Mann of Pennsylvania.	Wilson of N. H.—14.
McClernand of Illinois.	
McDonald of Indiana.	
Richardson of Illinois.	
Robbins of Penn.	
Robinson of Indiana.	
Ross of Pennsylvania.	
Strong of Penn.	
Walden of New York.	
Young of Illinois.—23.	

While the fact of voting for the amendment fully convicts the members from the free States supporting it, either of hostility to the Wilmot Proviso, or apostacy from it, it does not follow that voting against it is any evidence of real intention to sustain that policy.

A motion to reconsider, and then to lay that motion on the table, was made, withdrawn, and renewed; pending which, a motion to adjourn failed—yeas 71, nays 128. The motion to reconsider was withdrawn, and the question being taken on ordering the bill to be engrossed for a third reading, it was decided in the negative—yeas 80, nays 126—as follows:

Yeas—Messrs. Alberston, Anderson, Andrews, Bay, Bokee, Bowie, Breck, Briggs, Brooks, W. J. Brown, Buel, Chester Butler, Joseph P. Caldwell, Casey, Chandler, Williamson R. W. Cobb, Deberry, Dimmick, Disney, Duer, Dunham, Eliot, Ewing, Fuller, Gentry, Gerry, Gorman, Gould, Grinnell, Hall, Thomas L. Harris, Haymond, Hibbard, Hilliard, Hoagland, Houston, A. Johnson, J. L. Johnson, Jones, Kaufman, Kerr, J. G. King, Leffler, Levin, Littlefield, Job Mann, McClernand, McDowell, McKissock, Robert M. McLane, McMullen, Moore, Morehead, Morton, Ogle, Outlaw, Parker, Peaslee, Phœnix, Pitman, Robbins, Robinson, Rose, Schenck, Shepperd, Stanly, Strong, Taylor, James Thompson, J. B. Thompson, Thurman, Underhill, Van Dyke, Vinton, Walden, Watkins, White, Wildrick, Williams, Wilson, and Young—80.

Nays—Messrs. Alexander, Allen, Alston, Ashe, Averett, Bennett, Bingham, Booth, Bowdon, Albert G. Brown, Burrows, Burt, Thomas B. Butler, Joseph Cable, Calvin, Campbell, Clark, Colcock, Cole, Conger, Corwin, Crowell, Daniel, Dickey, Dixon, Doty, Duncan, Durkee, Edmundson, Nathan Evans, Featherston, Fitch, Fowler, Freedley, Giddings, Gott, Gould, Halloway, Harlan, Hebard, Henry, Holladay, Holmes, Howe, Hubbard, Hunter, Inge, Joseph W. Jackson, William T. Jackson, R. W. Johnson, Julian, George G. King, James G. King, John A. King, Preston King, La Sere, Horace Mann, Matteson, McKissock, McQueen, McWillie, Meade, Millson, Morris, Morse, Newell, Ogle, Orr, Otis, Peck, Phelps, Putnam, Reed, Rockwell, Root, Rumsey, Sackett, Savage, Sawtelle, Schermerhorn, Schoolcraft, Seddon, Silvester, Sprague, Frederick P. Stanton, Richard H. Stanton, Thad. Stevens, Stetson, Sweetser, Thomas, Jacob Thompson, Toombs, Tuck, Venable, Waldo, Wallace, Wellborn, Wentworth, Whittlesey, and Woodward—126.

Of the 80 who voted yea, 30 were from the South, chiefly Whig votes. Of the rest, 22 were Democrats from the free States, 28 Whigs. There was a clear majority in the House in favor of the bill: why, then, this apparent majority of 46 against it? The explanation is this: the Southerners were aware of the panic created by the threatened conflict between Texas and the United States, and of the deep anxiety of a large number of Northern members for the passage of the bill, as a peace measure. They knew, too, that they [illegible] against it:

Messrs. Albertson, Alston, Anderson, Bay, Bayly, Beale, Bokee, Bowie Bowlin, Boyd, Breck, Briggs, Brooks, William J. Brown, Buel, Chester Butler, E. C. Cabell, George A. Caldwell, Joseph P. Caldwell, Carter, Casey, Clingman, W. R. W. Cobb, Deberry, Dimmick, Duer, Dunham, Eliot, Ewing, Fuller, Gentry, Gerry, Gilmore, Gorman, Green, Grinnell, Hall, Hammond, Haralson, Isham G. Harris, Thomas L. Harris, Haymond, Hibbard, Hilliard, Hoagland, Howard, Houston, A. Johnson, J. L. Johnson Jones, Kaufman, Kerr, Leffler, Levin, Littlefield, J. Mann, Marshall, Mason, McClernand, McDonald, McDowell, McGaughey, Robt. M. McLane, Finis E. McLean, McMullen, Meacham, Morehead, Morton, Nelson, Outlaw, Owen, Parker, Peaslee, Phœnix, Pitman, Potter, Reynolds, Richardson, Robbins, Robinson, Rose, Ross, Savage, Shepperd, Stanly, Frederick P. Stanton, Richard H. Stanton, Strong, Thomas, Jacob Thompson, James Thompson, J. B. Thompson, Thurman, Toombs, Underhill, Walden, Watkins, Wellborn, Whittlesey, Wildrick, Williams, Wilson, and Young—103.

The vote this time was the same as the first one on the motion to refer, with the following exceptions: Dickey of Pennsylvania and Holmes of South Carolina, who did not vote before, voted now to refer. Haralson of Georgia, Underhill and Walden of New York, who voted before to refer, now reversed their votes. Freedley of Pennsylvania and Johnson of Arkansas, who before were against reference, now went for it. Bowie of Maryland, Carter and Potter of Ohio, absent on the first vote, voted against reference on the last. Powell of Virginia, who at first voted *yea*, and Andrews of New York, who had voted *nay*, did not vote at all this time.

Mr. Clingman's amendment was then rejected—yeas 69, nays 130—all the *yeas* from the South.

Mr. Thompson of Mississippi moved to lay the whole subject on the table. The motion failed—yeas 61, nays 141. Of the yeas, some twenty were from the South; the rest consisted chiefly of Whig and Free-Soil votes from the North. The Democrats from the free States who voted to lay the subject on the table were—Bingham of Michigan, Booth of Connecticut, Cable and Olds of Ohio, Doty of Wisconsin, Harlan and Julian of Indiana, Preston King of New York, and Peck of Vermont.

The question then was on the amendment of Mr. Boyd, incorporating with the bill, that for the organization of a Territorial Government in New Mexico, *without the Proviso*. The amendment failed—yeas 98, nays 106—21 of the nays being given by members from the South supposed to be hostile to the bill.

The following is the vote on the amendment:

Yeas—Messrs. Albertson, Alston, Anderson, Ashe, Bay, Bayly, Beale, Bokee, Bowie Bowlin, Boyd, Breck, Briggs, Brooks, W. J. Brown, Buel, Chester Butler, Cabell, G. A. Caldwell, J. P. Caldwell, Casey, Chandler, Clingman, W. R. W. Cobb, Daniel, Deberry, Dimmick, Duer, Dunham, Edmundson, Eliot, Ewing, Fuller, Gentry, Gerry, Gilmore, Gorman, Green, Hall, Hammond, Haralson, I. G. Harris, T. L. Harris, Haymond, Hibbard, Hilliard, Hoagland, Houston, Howard, J. W. Jackson, Andrew Johnson, J. L. Johnson, Jones, Kaufman, Kerr, La Sere, Leffler, Levin, Littlefield, Job Mann, Marshall, Mason, McClernand, McDonald, McDowell, McGaughey, R. M. McLane, F. E. McLean, McMullen, McWillie, Morehead, Morton, Outlaw, Owen, Parker, Phœnix, Pitman, Powell, Richardson, Robbins, Robinson, Rose, Ross, Savage, Shepperd, Stanly, F. P. Stanton, R. H. Stanton, Strong, Thomas, J. B. Thompson, Toombs, Walden, Watkins, Wellborn, Wildrick, Williams, Wilson, and Young—98.

Nays—Messrs. Alexander, Allen, Andrews, Averett, Baker, Bennett, Bingham, Booth, Bowdon, A. G. Brown, Burrows, Burt, T. B. Butler, Cable, Calvin, Campbell, Carter, Clark, Colcock, Cole, Conger, Corwin, Crowell, Dickey, Disney, Dixon, Doty, Duncan, Durkee, Nathan Evans, Featherston, Fowler, Freedley, Giddings, Gott, Gould, Halloway, Harlan, Sampson W. Harris, Hebard, Henry, Holladay, Holmes, Howe, Hubbard, Hunter, Inge, W. T. Jackson, R. W. Johnson, Julian, G. G. King, J. G. King, J. A. King, Preston King, Horace Mann, Matteson, McKissock, McQueen, Meacham, Meade, Millson, Moore, Morris, Morse, Nelson, Newell, Ogle, Olds, Orr, Otis, Peaslee, Peck, Phelps, Putnam, Reed, Reynolds, Rockwell, Root, Rumsey, Sackett, Sawtelle, Schenck, Schermerhorn, Schoolcraft, Seddon, Silvester, Sprague, Fred. P. Stanton, Richard H. Stanton, Thaddeus Stevens, Stetson, Sweetser, Thomas, Jacob Thompson, James Thompson, Tuck, Van Dyke, Venable, Vinton, Waldo, Wallace, Wentworth, Whittlesey, and Woodward—96.

Nays—Messrs. Alberston, Alston, Anderson, Ashe, Bay, Bayly, Beale, Bokee, Bowie, Bowlin, Boyd, Breck, Briggs, Brooks, William J. Brown, Buel, Chester Butler, E. Carrington Cabell, G. A. Caldwell, Jos. P. Caldwell, Carter, Casey, Chandler, Williamson R. W. Cobb, Deberry, Dimmick, Disney, Duer, Duncan, Dunham, Edmundson, Eliot, Ewing, Fitch, Fuller, Gentry, Gerry, Gilmore, Gorman, Green, Grinnell, Hall, Hammond, Haralson, Isham G. Harris, Thomas L. Harris, Haymond, Hibbard, Hilliard, Hoagland, Houston, Howard, Hubbard, Inge, Joseph W. Jackson, Andrew Johnson, J. L. Johnson, R. W. Johnson, Jones, Kaufman, Kerr, George G. King, La Sere, Leffler, Levin, Littlefield, J. Mann, Marshall, Mason, McClernand, McDowell, McGaughey, McLanahan, Robert M. McLane, Finis E. McLean, McMullen, McQueen, Meade, Millson, Morehead, Morse, Morton, Orr, Outlaw, Owen, Parker, Phelps, Phœnix, Potter, Powell, Richardson, Robbins, Rose, Ross, Savage, Seddon, Shepperd, Stanly, Frederick P. Stanton, Richard H. Stanton, Strong, Thomas, Jacob Thompson, James Thompson, John B. Thompson, Thurman, Toombs, Walden, Wallace, Watkins, Wellborn, White, Wildrick, Williams, and Young—121.

Mr. Toombs' amendment now came up. Preston King demanded a division.

The Speaker. The question is divisible. The first proposition will be repeated:

"*And be it further enacted*, That no citizen of the United States shall be deprived of his life, liberty, or property, in said Territory, except by judgment of his peers and the laws of the land."

This was adopted without a division.

The remaining branch of the amendment was read:

"And that the Constitution of the United States and such statutes thereof as may not be locally inapplicable, and the common law as it existed in the British colonies of America until July 4, 1776, shall be the exclusive law of said Territory on the subject of African slavery until altered by the proper authority."

This was rejected—yeas 64, nays 121.

Motions to adjourn were now made, and defeated. Points of order were raised and overruled. The question was then taken on Mr. Boyd's amendment, which was adopted—yeas 106, nays 99.

"The amendment of Mr. Boyd provides for the organization of a Territorial Government of New Mexico. It excludes the Wilmot Proviso; but authorizes the people of New Mexico, when forming a State Government, to allow or prohibit slavery, as the people might desire; and also provides that the Territorial Government of New Mexico shall not go into effect until the boundary of Texas be adjusted and settled."

The vote for this proposition, excluding the Proviso, was as follows.

Yeas—Messrs. Alberston, Alston, Anderson, Andrews, Bay, Bayly, Beale, Bokee, Bowie, Bowlin, Boyd, Breck, Briggs, Brooks, William J. Brown, Buel, Chester Butler, E. Carrington Cabell, George Alfred Caldwell, Joseph P. Caldwell, Casey, Chandler, Williamson R. W. Cobb, Deberry, Dimmick, Disney, Duer, Duncan, Dunham, Edmundson, Eliot, Ewing, Fitch, Fuller, Gentry, Gerry, Gilmore, Gorman, Green, Grinnell, Hall, Hammond, Haralson, Isham G. Harris, Thomas L. Harris, Haymond, Hibbard, Hilliard, Hoagland, Houston, Howard, Joseph W. Jackson, A. Johnson, Jas. L. Johnson, Jones, Kaufman, Kerr, La Sere, Leffler, Levin, Littlefield, Job Mann, Marshall, Mason, McClernand, McDonald, McDowell, McLanahan, Robert M. McLane, Finis E. McLean, McMullen, McWillie, Morehead, Morton, Nelson, Outlaw, Owen, Parker, Peaslee, Phœnix, Pitman, Potter, Reynolds, Richardson, Robbins, Robinson, Rose, Ross, Savage, Shepperd, Stanly, Strong, Taylor, John B. Thompson, Thurman, Toombs, Underhill, Walden, Watkins, Wellborn, White, Wildrick, Williams, Wilson, and Young—108.

The changes, since yesterday, were the following: Carter and Disney, Democrats, and Duncan, Grinnell, G. G. King, McKissock, Meacham, Moore, Reed, Taylor, Thurman, Underhill, and White, Whigs, who had voted against Boyd's amendment, now voted for reconsideration. Clingman, Daniel, McGaughey, Stanton of Tennessee, Stanton of Kentucky, and Thomas, who had voted for the amendment, voted against reconsideration. Littlefield and Robinson who had voted for the amendment were absent on this vote: Potter and McLanahan who were absent on the other vote, voted for reconsideration. Fitch, Andrews, Bowdon, and Hebard, who had voted against the amendment, did not vote on the question of reconsideration. Eleven Whigs and two Democrats from the free States changed their votes so as to favor the amendment. The amendment having been reconsidered, the Speaker said that Mr. Boyd was entitled to the floor, and thereupon Mr. Boyd moved the previous question, so as to cut off further amendment. The House refused to second it, and Mr. Toombs proposed an amendment to the amendment, pending which Mr. Wentworth obtained the floor, and moved to commit the bill and amendments, with instructions "to amend the amendment so as to exclude slavery from all the territory acquired from Mexico by the treaty of Guadalupe Hidalgo, lying eastward of California."

Mr. Wentworth, while retaining the floor, expressed his willingness to offer with his own, other instructions, such as gentlemen from the North or South might choose to submit, provided the vote could be taken on them separately.

"The Speaker. The question on the motion to commit with instructions is indivisible; but upon the instructions a separate vote may be called, so as to leave with the motion to commit a separate and distinct proposition.

"Mr. Wentworth. Then I send the following to the Chair, (a portion of which was at the instance of Mr. Howard,) as additional instructions, and I move the previous question:

"'With instructions so to amend the amendment as to exclude slavery from all the territory acquired from Mexico by the treaty of Guadalupe Hidalgo, lying eastward of California.'

"Also to strike out the words in the first section of the proposed amendment to the bill:

"'Thence following the main channel of said river to the parallel of the thirty-second degree of north latitude, thence east with the said degree to its intersection with the one hundred and third degree of longitude west of Greenwich.'

"And insert:

"'Thence down the main channel of the Rio Grande to the point where said river crosses the 102d meridian of longitude west of Greenwich.'

"To strike out from the words:

"'*Provided, also*,' in the eighth line of the fifth proposition of the bill, to the words '*United States*' in the nineteenth line of said fifth proposition.'

"The following is the part proposed by the latter clause to be stricken from the original bill, viz:

"'[*Provided, also*, That no more than five millions of said stock shall be issued until the creditors of the State holding bonds and other certificates of stock of Texas for which duties on imports were specially pledged, shall first file at the Treasury of the United States releases of all claim against the United States for or on account of said bonds or certificates, in such form as shall be prescribed by the Secretary of the Treasury, and approved by the President of the United States.'"]

Mr. Featherston of Mississippi, the floor being yielded by Mr. Wentworth, moved the following as a substitute for the instruction of the latter.

"Strike out all of the original line after the enacting clause, and insert as follows:

"'That the boundaries of the State of Texas defined and established by the act of the Texan Congress, passed December 19, 1836, for that purpose, are hereby recognised by the Government of the United States.'"

Pending these instructions, the decision of the Speaker that the instructions might be voted on separately, was repeatedly questioned, but he steadily adhered to it, saying—

"A motion is made to commit with instructions. It is not the right of the member making the motion to ask a separate vote on each clause of the instructions by virtue of his having made the motion. But when a motion to commit with instructions is pending, the Chair is of opinion that a division upon the instructions can be had, so as to take a separate vote on the instructions, so far as they are divisible—leaving a distinct proposition connected with the motion to commit."

Featherston's substitute was then rejected—yeas 71, nays 128, Gorman of Indiana being the only name from a free State recorded in the affirmative.

The question then recurred on the motion to commit with the instructions moved by Mr. Wentworth.

Mr. Inge now demanded a division of the question on the instructions, but by this time the Speaker had changed his opinion. The change, with the reasons, he frankly stated to the House, and pronounced that the motion to commit with the instructions was indivisible! Mr. Wentworth, finding himself placed in a somewhat embarrassing position by this change of opinion in the Speaker, asked the Chair to repeat to the House what was the understanding between it and himself.

"The Speaker. The Chair stated to the House, that he had replied to an inquiry by the gentleman from Illinois, [Mr. Wentworth,] that the instructions would be divisible. And the Speaker takes upon his own shoulders the whole responsibility of the difficulty in which the gentleman is involved."

The change was certainly a very opportune one for all those who wished to avoid a direct vote on the Wilmot Proviso; so that it is not strange that, on an appeal from the new decision, the Chair should be sustained in it by a vote of 101 to 86. The same Whigs and Democrats from the free States, generally, who had voted with the South on all previous questions, voted in this case to sustain the Speaker.

After several ineffectual attempts by Mr. Wentworth to withdraw his instructions, the question was taken on the motion to commit with instructions, and decided in the negative, as follows:

Yeas—Messrs. Alexander, Allen, Baker, Bennett, Bingham, Booth, Burrows, Thomas B. Butler, Joseph Cable, Calvin, Campbell, Carter, Casey, Chandler, Clark, Cole, Corwin, Crowell, Dickey,