of a negro-whipper, would think of complying with—is made a perpetual bar to the privileges of citizenship by the rowdy legislators of Kansas. But this is not all. A man might escape conviction of the violation of this provision of the Fugitive Act, because he might never, even on the border of Missouri, be called on to execute it. The ruffians have therefore provided against any hope of escape in this way, by requiring the voter in advance to take an oath to support it. They have gone still further, and required every voter to swear fealty to Slavery in Kansas. He must not question the constitutionality of Slavery in the Territory, nor presume to discuss the subject, except as its defender, on pain of incurring the guilt of felony. Such are the enactments of the drunken rowdies, styling themselves the Kansas Legislature, conceived and brought forth in fraud, violence, and villany, which President Pierce regards it as a sacred duty to enforce by all the powers of the Federal Government. Such is the piratical code imposed upon the people of Kansas by his guilty connivance, which he has now the impudence to call on Congress for money and means to execute.

The President apologizes for the removal of the Legislature from Pawnee City to the Shawnee Mission. He admits that the act of removal was made without the consent of the Governor, who, by the Territorial law, is a part of the legislative power. Any act of the Territorial Legislature is null, until it has received the sanction of the Governor, or until it has been passed by a two-thirds vote over the Governor's veto.

The removal of the seat of Government without the consent of the Governor, or without going through the forms of a two-thirds vote over his veto, was a clear and palpable usurpation, which invalidates all the subsequent proceedings of that body. It is equally clear that the enactments of that body, even if passed by unanimous votes, but without the signature of the Governor, or the two-thirds vote over his refusal to sign, are mere nullities. The refusal of the Governor to recognise the Legislature, whether that refusal be warrantable or otherwise, has the necessary effect of paralyzing its powers, and rendering its operations invalid. The organic law of the Territory has not empowered the other branches of the Legislature to enact laws independent of him but in one way; and that is, by overcoming his veto by a two-thirds vote of the body. If, therefore, the Governor's actual participation, according to the forms of law, in the duties of legislation, are for any cause suspended, whether by death, resignation, mental derangement, perverse refusal, or refusal (as in this case) for what he deemed reasons of public duty, the functions of legislation are in any of these cases suspended. The effort of the President, therefore, to give legal sanction to the enactments of a part of the Legislature, by impugning the motives and impeaching the conduct of Governor Reeder, who, by the organic law of the Territory, is made a co-ordinate branch, is only worthy of a pettifogging attorney, and utterly derogatory from the dignity and character of the Chief Magistrate.

The President threatens to enforce the enactments of the sham Legislature by all the powers of the Federal Government. He denounces the Free State Constitution recently formed as revolutionary; and threatens to employ the United States forces in the Territory, and to call out the militia of the neighboring States, (he means the Border Ruffians,) to suppress the attempt to carry it into operation. The President will not pretend to assert that there is anything illegal or revolutionary in voluntary and peaceable Conventions of the People, whether the deliberations of those conventions result in the formation of a "Constitution" or a "Platform." The people therefore cannot be charged with "revolutionary" proceedings until they attempt to set up a State Government without the sanction of Congress. The criminal dereliction of the President in his duty toward the people of Kansas, would well warrant them in such a course. He has fully outraged them, and turned them over to the Ruffian rule of the Missouri borderers; they have been thrown upon their own resources; and it rests with them to select their means of redress and defence. They will act wisely and discreetly; and none but the enemies of Freedom will question their right to resort to what the President, in the true spirit of toryism, chooses to brand as "revolution." When the people of Rhode Island, under circumstances incomparably less justifiable, resorted to extra-constitutional means of amending their fundamental law, the whole Democratic party of that day sustained them in it. But now, when the people of Kansas have had laws imposed on them by ruffians from an adjoining State, the President, elected by the Sham Democracy of this day, calls upon Congress to sanction his measures for securing implicit obedience, by making the necessary appropriations for that purpose. It remains to be seen whether there are traitors enough in the House of Representatives—traitors, we mean, to the People, who supposed that they had elected a large majority of Anti-Nebraska men to that body—who will be ready to sanction and register this edict of Atchison and Stringfellow.

In conclusion, the President recommends that the people of the Territory be authorized to form a State Constitution, and pledges his protection to them (by the aid of the Border Ruffians) while they are so doing. The coolness of this proposition would amuse, if it were not calculated to excite indignation. He forgets that he has all along pretended the want of power to protect the people of that Territory against the violent inroads of the Missourians; but now, in order to defeat the chances of admission to the free State, which is already formed, he comes forward with these hollow professions of a determination to preserve order. As the President says nothing to the contrary, we presume that his meaning is, that the present Territorial code shall define the qualifications of voters in the adoption of his proposed State Constitution. Such an arrangement would infallibly secure a Pro-Slavery Constitution, since three-fourths of the voters of Kansas are disfranchised by those piratical enactments. None but open champions of Slavery or traitorous doughfaces will for an instant countenance such a scheme. G.

From the Boston Telegraph.

"CASTE."

No work of fiction has been issued this season, that merits a comparison with "Caste," published not long since, by Phillips, Sampson, & Co. This is in many respects a remarkable book. We have already expressed the opinion that it was written by the author of "Ida May;" but it is far superior to that work. The *Boston Atlas*, in a notice of it last week, said, very justly:

"It is unnecessary to speak to those who have read it, of the literary merits of this book. When we read it, we found it so absorbing as a story, so just and moderate in its views, and so easy and graceful in its style, that we anticipated and predicted for it a great success in both the free and slave States. It is true, we found one fault in the book, the incarceration of Clara Bell; but although this improbable incident left a painful impression, it was by no means strong enough to destroy or even seriously injure the effect of the story. It is possible that the title may have repelled some readers. It may have been thought to indicate the discussion of some abstract question. Yet we never read a novel, written with a purpose, in which that purpose was more thoroughly woven into the narrative. The book is singularly free from didactic writing, or what old-fashioned preachers used to call improvement.

"From internal evidence, we have the strongest reason for believing that 'Ida May' and 'Caste' were written by the same person. Though the latter, as the *Courier and Inquirer* said, 'bears a masculine name upon the title, yet the petticoat rustles through every page.' The style is very similar, though the latter is, perhaps, more highly finished. There is the same minute fidelity of local coloring, which cannot fail to impress the Southern resident or traveller. The glimpses of plantation life in each could only have been written by one who had familiarly known a Southern family. Each individual 'darkey' is a study, his air and manner, as well as his dialect, being wonderfully distinct. In these respects, the two books agree marvellously. Then the characters bear a strong resemblance. Colonel Bell and and his wife Clara, in 'Caste,' are the Colonel Ross and the proud beauty, Mabel Wynn, of 'Ida May;' Mrs. Avenal in the South, and her son Edgar in the North, are the Mrs. Wynn and Walter Varian of the first book. Who the author of 'Ida May' may be, we cannot say; but we are *certain* that the same person wrote 'Caste.'

"The *Calais Advertiser* learns 'from the best authority,' that Mrs. Pike of that town did not write 'Caste;' but is it certain that she wrote 'Ida May?' There have been many guesses, but the question was never definitely settled. At any rate, we take the liberty of saying that the author of 'Caste' made the greatest possible mistake in not putting distinctly upon the titlepage of *her* book, 'By the Author of Ida May.' This would have secured half a hundred thousand readers at once. People are a little shy of novelties, and keep up their preference for old favorites. But we believe we shall do the reading public a real service by connecting these two books, and by recommending those who have admired the first, to take a look at the last, which we are confident is by the same author."

LATE EUROPEAN INTELLIGENCE.

By the Cunard mail steamer Africa, arrived at New York, we have accounts from Liverpool to the 9th instant, and from London to the 8th. We obtain from the *Commercial Advertiser* the annexed summary of the leading intelligence:

London, Jan. 8.—The suspense regarding peace or war still continues, and is likely to do so for a week or ten days further. Meanwhile, the belief that the negotiations will end in something has faded to an infinitesimal point, and the funds have consequently receded gradually toward the position in which they stood before the new diplomacy was talked of.

Count Esterhazy, the Austrian Envoy, is understood to have delivered his missive at St. Petersburgh on the 28th of December. On the 30th, he was to have an interview with the Chancellor, Count Nesselrode; and, according to Russian advices, a Council of the Empire was then to be convoked, to examine and discuss the propositions. The fact of a Council of the Empire being about to be summoned seems to have inclined the St. Petersburgh writers to suppose that the possibility of peace is not so entirely out of the question as they had previously imagined.

The view that it is the intention of Russia to accept the Austrian propositions still prevails among those capitalists in London who are known to receive the best information from Vienna, but it finds no credence here among the general public, or even in Ministerial circles. Few have supposed that the overtures of Count Esterhazy would be instantly dismissed, and therefore the announcement already received that they are to be deliberated upon is not regarded in England as possessing any special significance. The assumption has all along been, that the old panctice, of endeavoring to procure delay would be resorted to, and that for this end something like an acceptance might in the first instance be notified, with the intention of evading it on any subsequent question of detail.

On the opening of Parliament, at the end of the present month, there will be no ambiguity as to our course. A clear and unequivocal peace or an unflinching prosecution of the war are looked upon as the only announcements of which the Government will have choice in preparing the Queen's speech. Whether the fortitude of the French Ministry is equally unshaken, may perhaps be doubted. Asseverations are freely put forth that such is the case, but the very use of these asseverations shows where the misgiving lies. Certain it is that the danger of concessions being granted arises solely from the possible urgency with which they may be recommended by France, and the old evil of the compromises which all alliances involve must of course be accepted in some degree as inevitable.

The council of war to be held at Paris, at which most of the Allied commanders will attend, is expected to commence at an early date. It may be presumed, however, that the Russian answer to Count Esterhazy will be waited for.

In commercial matters, there is nothing new, and credit is well sustained in every quarter. Even the possibility of another advance in the bank rate of interest seems to be contemplated without excitement or apprehension of any kind. The funds are necessarily influenced by such a contingency, and, with the growing incredulity regarding peace, and the certainty of a new loan for about £30,000,000 in the course of two or three months, a fall to the point at which they stood a short time back was to have been fully expected. On the whole, however, the market must still be considered to show great steadiness. At the last date, the quotation of the three per cent. consols was 87⅞; they have since touched 86½, and have closed this evening at 86¾.

The Liverpool cotton market has opened this week at a decline of ⅛*d.* per pound. The wheat market is without alteration.

THREE DAYS LATER.

The American mail steamer Baltic arrived at New York yesterday, with dates from Liverpool to the 12th instant. Through the telegraph we have the following summary of her intelligence:

The political news may be briefly summed up. Expectation is on tiptoe throughout England and France to learn the issue of the peace propositions. Rumors of all sorts are flying, of the most contradictory character, both favorable and unfavorable to peace; but the truth is that nothing definite can be known for some time to come. The time for Russia's decision has been extended to January 18th; nevertheless, despatches from Berlin and Vienna report advices already in those capitals, intimating that the Czar will make no further concessions. On the other hand, it is certain that formal conferences are in session at St. Petersburgh, discussing proposals, which are attended by Nesselrode, Esterhazy, Seebach, and Sanner. The general impression is, that Russia will neither accept nor reject, but will send Count Stakelberg to Vienna with counter propositions.

The latest rumors speak more favorably of the results of the peace negotiations.

Denmark announces that she continues neutral in the present war, and has no connection with the Swedish alliance.

There is nothing new from the Crimea. From Asia the latest accounts were that Omer Pasha still remained at Redoubt Kale, shut up by the rigors of winter and the vigilance of the Russians.

St. Petersburgh, Jan. 3.—The great war council has concluded its sessions. It has transpired that Russian tactics for the approaching campaign have undergone important modifications. Orders have been sent from headquarters, which seem to indicate an intention to abandon the Crimea, part of the troops there having been ordered to reinforce Mouravieff, and others to join the grand army of the centre.

London, Jan. 12.—The English funds today closed at a decline of ⅛ per cent. below the prices of yesterday. The market is still prejudiced by the recent supplies of stock, and the discouraging prospects of peace. An anticipation that the Bank returns to-night would be unsatisfactory increased the tendency toward a depression. The monthly return of the Bank of France is also unfavorable, and has exercised an adverse influence upon both the London and Paris markets.

It is believed in well-informed quarters that some definite intelligence from Vienna will probably reach the Government by Monday. The decrease of bullion in the Bank of England amounts to £283,000. The decrease in the Bank of France for the month is £772,000.

Great Britain.—There is no political news of interest from Great Britain. A most extraordinary case of poisoning occupies public attention:

Dr. William Palmer, a surgeon, but who made betting his profession—in other words, "a sporting man"—was in company with a gentleman named Cooke, at Rugely, Staffordshire, settling up gambling accounts, when Cooke, who had just drank a glass of liquor, suddenly became sick, and exclaimed that Palmer had poisoned him. Cooke died next day, and Palmer was arrested. A discovery that Palmer owed a large sum to Cooke confirmed the suspicion against him, and it was then remembered that his (Palmer's) wife had died suddenly of symptoms similar to those that had carried off Cooke. This led to further inquiry, when the astounding fact came gradually out, that *sixteen* persons, all immediately connected with Palmer, had died suddenly, within a short time, and that on the lives of some of these persons he had effected insurances, while with others he had betting transactions. The most astounding of these developments is, that Lord George Bentinck (who, it will be remembered, died suddenly) had transactions with Palmer, and it is now believed that he was poisoned. The corpses of some of the supposed victims have been exhumed and submitted to chemical research for traces of poison. Strychnine or some other vegetable preparation is supposed to have been the means employed. It is somewhat curious that the accused had a fast horse that figured conspicuously in his turf speculations, and bore the name of "Strychnine."

THIRTY-FOURTH CONGRESS.

First Session.

Friday, January 25, 1856.

The Senate did not sit to-day.

HOUSE.

The Clerk called the House to order at 12 o'clock.

After prayer by the Rev. Dr. Sunderland, the Journal of yesterday was read.

Mr. Boyce, of South Carolina, moved that there be a call of the House.

Mr. Bennett, of New York, asked the gentleman to withdraw his motion, so as to enable him to offer the following resolution:

Resolved, That it is a fundamental principle of our political system, that ours is a Government of the People, acting by their Representatives duly elected; that the members of this House, as the direct Representatives of the People, and a necessary part of the Congress of the United States, are not here merely to act as political partisans, but have higher duties to discharge, among which it is their duty to organize and proceed with the legislation necessary to carry on the Government, and promote the general welfare; that the House of Representatives should be so organized as truly to reflect and carry out the sentiments and wishes of a majority of the American People; and in order to do this, where there are more than two political parties represented in this House, each adhering to a separate organization, the Speaker should, in accordance with the true theory and principles upon which our institutions rest, as well as in conformity to the general practice of all legislative assemblies, be taken from that party having the largest number of members; and where, in such a case, a reasonable effort has been made, and neither party is able to command the votes of a majority, so as to elect a Speaker, the adoption of the plurality rule is the only fair and practicable mode left to organize the House; that it is right in principle, and in conformity with the former practice of this House.

Mr. Dunn, of Indiana, desired to offer the following resolutions, as a substitute for the proposition of the gentleman from New York:

Resolved, That, regarding the political complexion of the present House of Representatives as indicating the undoubted sentiment of a large majority of the People of the United States against the act of the last Congress, repealing the restriction against Slavery in the Territories of Kansas and Nebraska, imposed by the Compromise of 1820, no man ought to be chosen Speaker of this body who does not fully and heartily harmonize with that sentiment, or who will hesitate to exert himself earnestly for the restoration of that restriction in terms or in substance.

Resolved, That said restriction ought to be restored, as an act of justice to all the People of the United States, as a proper vindication of the wisdom, patriotism, and plighted honor of the great statesmen who imposed it, and as a *necessary* and *certain* means of reviving that concord and harmony among the States of the American Union, which are essential to the welfare of our People and the perpetuity of our institutions.

Resolved, That as useless and factious agitation of the Slavery question, in or out of Congress, is unwise, unjust to a portion of the American People, and to some extent injurious to every section of our country, it therefore should not be countenanced; but until the Missouri restriction of 1820 shall have been restored, in fact or in substance, to the said Territories of Kansas and Nebraska, *fully and completely*, to that extent and for that purpose it is our solemn duty to the past, the present, and the future, steadily and firmly to persist in our efforts.

Mr. Boyce declined to withdraw his motion; and, the question being taken thereon, the House refused to order a call—yeas 57, nays 142.

Mr. Smith, of Tennessee, moved to rescind the resolution prohibiting debate during the present week.

Mr. Jones, of Tennessee, moved that the motion be laid on the table; which motion was decided in the affirmative—yeas 104, nays 91.

The House, resuming the business of voting for Speaker, proceeded to the one hundred and twenty-fifth vote, which resulted as follows:

Mr. Banks, of Massachusetts	94
Mr. Orr, of South Carolina	66
Mr. Fuller, of Pennsylvania	28
Scattering	12
Whole number of votes given	200
Necessary to a choice	101

There having been no election, the one hundred and twenty-sixth vote was had, with the following result:

Mr. Banks, of Massachusetts	94
Mr. Orr, of South Carolina	65
Mr. Fuller, of Pennsylvania	29
Scattering	11
	199

No election having been effected—

Mr. Wheeler, of New York, moved that when the House adjourn to-day, it adjourn to meet on Monday next; which motion did not prevail.

Mr. Smith, of Tennessee, moved that the House adjourn; which motion was disagreed to.

The one hundred and twenty-seventh vote was then had, and resulted as follows:

Mr. Banks, of Massachusetts	94
Mr. Orr, of South Carolina	64
Mr. Fuller, of Pennsylvania	25
Scattering	12
	195

The following is the vote in detail:

For Mr. Banks.—Messrs. Albright, Allison, Ball, Barbour, Henry Bennett, Benson, Billinghurst, Bingham, Bliss, Bradshaw, Brenton, Buffington, Burlingame, Lewis D. Campbell, Chaffee, Clawson, Colfax, Comins, Covode, Cragin, Cumback, Damrell, Timothy Davis, Day, Dean, De Witt, Dick, Dickson, Dodd, Durfee, Edie, Emrie, Giddings, Gilbert, Granger, Grow, Robert B. Hall, Harlan, Holloway, Thomas R. Horton, Valentine B. Horton, Howard, Kelsey, King, Knapp, Knight, Knowlton, Knox, Kunkel, Leiter, Matteson, McCarty, Meacham, Killian Miller, Morgan, Morrill, Mott, Nichols, Norton, Andrew Oliver, Parker, Pelton, Pennington, Perry, Pettit, Pike, Pringle, Purviance, Ritchie, Robbins, Roberts, Sabin, Sapp, Sherman, Simmons, Spinner, Stanton, Stranahan, Tappan, Thorington, Thurston, Tyson, Wade, Wakeman, Walbridge, Waldron, Cadwalader C. Washburne, Ellihu B. Washburne, Israel Washburn, Watson, Welch, Wood, Woodruff, and Woodworth.

For Mr. Orr.—Messrs. Aiken, Allen, Barclay, Barksdale, Bell, Henry S. Bennett, Bocock, Bowie, Boyce, Burnett, Cadwalader, Caruthers, Caskie, Clingman, Howell Cobb, Williamson R. W. Cobb, Davidson, Dowdell, Edmundson, Elliott, English, Faulkner, Florence, Thomas J. D. Fuller, Goode, Greenwood, Sampson W. Harris, Thomas L. Harris, Houston, Jewett, George W. Jones, J. Glancy Jones, Kelly, Kidwell, Lumpkin, Samuel S. Marshall, Maxwell, McMullen, McQueen, Smith Miller, Millson, Mordecai Oliver, Packer, Peck, Phelps, Powell, Quitman, Richardson, Ruffin, Rust, Sandidge, Savage, Samuel A. Smith, William Smith, Stewart, Talbott, Taylor, Warner, Watkins, Wells, Williams, Winslow, Daniel B. Wright, and John V. Wright.

For Mr. Fuller.—Messrs. Broom, Cox, Cullen, Etheridge, Foster, J. Morrison Harris, Hoffman, Kennett, Lake, Humphrey Marshall, Millward, Paine, Porter, Puryear, Reade, Ricaud, William R. Smith, Sneed, Swope, Trippe, Underwood, Valk, Walker, Whitney, and Zollicoffer.

For Mr. Edie.—Messrs. Dunn, Moore, and Scott.

For Mr. Smith.—Messrs. John P. Campbell, Carlile, and Evans.

For Mr. Ricaud.—Mr. Henry M. Fuller.

For Mr. Pennington.—Mr. Haven.

For Mr. Williams.—Mr. Wheeler.

For Mr. Haven.—Mr. Harrison.

For Mr. Walker.—Mr. Eustis.

For Mr. Wells.—Mr. Orr.

Pending the call of the roll—

Mr. Todd announced that he had paired off with Mr. Lindley.

There having been no choice—

Mr. Tyson, of Pennsylvania, gave notice he should to-morrow submit the following resolutions for the consideration of the House:

Resolved, That any member of this House who shall receive for the office of Speaker the highest number of votes from a quorum of members, though it be less than a majority of the whole number of the votes cast, shall be the Speaker of the Thirty-fourth Congress! *Provided*, That he and every other candidate voted for shall be respectively entitled to nominate and appoint so many members only on each of the standing committees as may severally fall to their lot, in the proportion which the number of votes respectively received by each may bear to the whole number polled; but no candidate whose vote shall be less than twenty-five, shall be entitled to any nomination or appointment under this resolution.

Resolved, That the Clerk shall compute and assign to the respective candidates the number of members they may be severally entitled to nominate and appoint under the foregoing resolution; and each committee, when constituted, may elect its own chairman: *Provided, however*, That the decisions of the Clerk under these resolutions shall be open to appeal.

And then, at a quarter to three o'clock, the House adjourned.

Saturday, January 26, 1856.

The Senate did not sit to-day.

HOUSE.

The Clerk called the House to order at 12 o'clock.

Mr. Dunn, of Indiana, submitted the following resolutions:

Resolved, That, regarding the political complexion of the present House of Representatives as indicating the undoubted sentiment of a large majority of the people of the United States against the act of the last Congress repealing the restriction against Slavery in the Territories of Kansas and Nebraska, imposed by the Compromise of 1820, no man ought to be chosen Speaker of this body who does not fully and heartily harmonize with that sentiment, or who will hesitate to exert himself earnestly for the restoration of that restriction, in terms or in substance.

Resolved, That said restriction ought to be restored, as an act of justice to all the people of the United States, as a proper vindication of the wisdom, patriotism, and plighted honor of the great statesmen who imposed it, and as a *necessary and certain* means of reviving that concord and harmony among the States of the American Union which are essential to the welfare of our people and the perpetuity of our institutions.

Resolved, That a useless and factious agitation of the Slavery question, in or out of Congress, is unwise, unjust to a portion of the American people, and to some extent injurious to every section of our country, and therefore it should not be countenanced; but until the Missouri restriction of 1820 shall have been restored, in fact or in substance, to the said Territories of Kansas and Nebraska, *fully and completely*, to that extent and for that purpose it is our solemn duty to the past, the present, and the future, steadily and firmly to persist in our efforts.

Mr. Dunn asked that a separate vote might be taken on each resolution.

The first resolution was accordingly considered, and, the question being taken thereon, it was disagreed to by the following vote:

YEAS—Messrs. Albright, Allison, Ball, Banks, Barbour, Bennett of New York, Benson, Billinghurst, Bingham, Bishop, Bliss, Bradshaw, Brenton, Buffington, Burlingame, Campbell of Ohio, Chaffee, Clawson, Colfax, Comins, Covode, Cragin, Cumback, Damrell, Davis of Massachusetts, Day, Dean, De Witt, Dick, Dickson, Dodd, Dunn, Durfee, Edie, Emrie, Giddings, Gilbert, Granger, Grow, Hall of Massachusetts, Harlan, Harrison, Holloway, Horton of New York, Horton of Ohio, Howard, Kelsey, King, Knapp, Knowlton, Knox, Kunkel, Leiter, Mace, Matteson, McCarty, Meacham, Miller of New York, Moore, Morgan, Morrill, Mott, Murray, Nichols, Norton, Oliver of New York, Parker, Pelton, Pennington, Perry, Pettit, Pike, Pringle, Purviance, Ritchie, Robbins, Roberts, Sabin, Sapp, Scott, Sherman, Simmons, Spinner, Stanton, Stranahan, Tappan, Thorington, Thurston, Todd, Wade, Wakeman, Walbridge, Waldron, Washburne of Wisconsin, Washburne of Illinois, Washburn of Maine, Watson, Welch, Wood, Woodruff, and Woodworth—100.

NAYS—Messrs. Aiken, Allen, Barclay, Barksdale, Bell, Bennett of Mississippi, Bocock, Bowie, Boyce, Branch, Broom, Burnett, Cadwalader, Campbell of Kentucky, Carlile, Caruthers, Caskie, Clingman, Cobb of Georgia, Cobb of Alabama, Cox, Cullen, Davidson, Davis of Maryland, Dowdell, Edmundson, Elliott, English, Etheridge, Eustis, Evans, Faulkner, Foster, Fuller of Pennsylvania, Fuller of Maine, Goode, Greenwood, Hall of Iowa, Harris of Maryland, Harris of Illinois, Haven, Hoffman, Houston, Jewett, Jones of Tennessee, Jones of Pennsylvania, Kelly, Kennett, Kidwell, Lake, Letcher, Lindley, Lumpkin, Humphrey Marshall of Kentucky, Marshall of Illinois, Maxwell, McMullen, McQueen, Miller of Indiana, Millson, Millward, Oliver of Missouri, Orr, Packer, Paine, Peck, Phelps, Porter, Powell, Puryear, Quitman, Reade, Ready, Ricaud, Richardson, Ruffin, Rust, Sandidge, Savage, Smith of Tennessee, Smith of Virginia, Smith of Alabama, Sneed, Stephens, Stewart, Swope, Talbott, Taylor, Trippe, Underwood, Valk, Walker, Warner, Watkins, Wheeler, Whitney, Williams, Winslow, Wright of Mississippi, Wright of Tennessee, and Zollicoffer—101.

NAYS—Messrs. Albright, Allison, Ball, Banks, Barbour, Bennett of New York, Benson, Billinghurst, Bingham, Bishop, Bliss, Bradshaw, Brenton, Buffington, Burlingame, Campbell of Ohio, Chaffee, Clawson, Colfax, Comins, Covode, Cragin, Cumback, Damrell, Davis of Massachusetts, Day, Dean, De Witt, Dick, Dickson, Dodd, Dunn, Durfee, Edie, Emrie, Giddings, Gilbert, Granger, Grow, Hall of Massachusetts, Harlan, Harrison, Holloway, Horton of New York, Horton of Ohio, Howard, Kelsey, King, Knapp, Knight, Knowlton, Knox, Kunkel, Leiter, Matteson, McCarty, Meacham, Miller of New York, Moore, Morgan, Morrill, Mott, Murray, Nichols, Norton, Oliver of New York, Parker, Pelton, Pennington, Perry, Pettit, Pike, Pringle, Purviance, Robbins, Roberts, Sabin, Sapp, Scott, Sherman, Simmons, Spinner, Stanton, Stranahan, Tappan, Thorington, Thurston, Todd, Wade, Wakeman, Walbridge, Waldron, Washburne of Wisconsin, Washburne of Illinois, Washburn of Maine, Watson, Welch, Wood, Woodruff, and Woodworth—100.

Mr. Meacham, of Vermont, then submitted the following resolution, upon which he demanded the previous question:

Resolved, That, in the opinion of this House, the repeal of the Missouri Compromise of 1820, prohibiting Slavery north of latitude 36° 30′, was an example of useless and factious agitation of the Slavery question, unwise and unjust to the American people.

Mr. Stephens, of Georgia, also wished to offer a substitute for the resolution of Mr. Meacham, as follows:

Resolved, That the original friends of the Kansas and Nebraska act, though in a large majority on this floor, deem this a fit occasion to extend to the country their congratulations upon the encouraging progress of their cause, and the brightening prospect of its ultimate success.

Mr. Campbell, of Ohio, desired to know how these substitutes could be offered when the previous question was pending? He had a drawer full he should like to offer.

The Clerk stated that the substitutes were out of order, and that no amendment could now be offered.

Mr. Stephens, of Georgia, gave notice, that if the previous question should be voted down, he would offer his resolution as a substitute for that of the gentleman from Vermont.

The question was seconded, and the question being on the adoption of the resolution, it was agreed to by the following vote:

YEAS—Messrs. Albright, Allison, Ball, Banks, Barbour, Bennett of New York, Benson, Billinghurst, Bingham, Bishop, Bliss, Bradshaw, Brenton, Broom, Buffington, Burlingame, Campbell of Ohio, Chaffee, Clark, Clawson, Colfax, Comins, Covode, Cragin, Cumback, Damrell, Davis of Massachusetts, Day, Dean, De Witt, Dick, Dickson, Dodd, Dunn, Durfee, Edie, Emrie, Etheridge, Giddings, Gilbert, Granger, Grow, Hall of Massachusetts, Harlan, Harrison, Haven, Holloway, Horton of New York, Horton of Ohio, Howard, Kelsey, King, Knapp, Knight, Knowlton, Knox, Kunkel, Leiter, Matteson, McCarty, Meacham, Miller of New York, Moore, Morgan, Morrill, Mott, Murray, Nichols, Norton, Oliver of New York, Parker, Pelton, Pennington, Perry, Pettit, Pike, Pringle, Purviance, Robbins, Roberts, Sabin, Sapp, Scott, Sherman, Simmons, Spinner, Stanton, Stranahan, Tappan, Thorington, Thurston, Todd, Wade, Wakeman, Walbridge, Waldron, Washburne of Wisconsin, Washburne of Illinois, Washburn of Maine, Watson, Welch, Wood, Woodruff, and Woodworth—103.

NAYS—Messrs. Aiken, Allen, Barclay, Barksdale, Bell, Bennett of Mississippi, Bocock, Bowie, Boyce, Branch, Burnett, Cadwalader, Campbell of Kentucky, Carlile, Caruthers, Caskie, Clingman, Cobb of Georgia, Cobb of Alabama, Cox, Davidson, Davis of Maryland, Dowdell, Edmundson, Elliott, English, Etheridge, Eustis, Evans, Faulkner, Foster, Fuller of Pennsylvania, Fuller of Maine, Goode, Greenwood, Hall of Iowa, Harris of Maryland, Harris of Illinois, Haven, Hoffman, Houston, Jewett, Jones of Tennessee, Jones of Pennsylvania, Kelly, Kennett, Kidwell, Lake, Letcher, Lindley, Lumpkin, Humphrey Marshall of Kentucky, Marshall of Illinois, Maxwell, McMullen, McQueen, Miller of Indiana, Millson, Millward, Oliver of Missouri, Orr, Packer, Paine, Peck, Phelps, Porter, Powell, Puryear, Quitman, Reade, Ready, Ricaud, Richardson, Ruffin, Rust, Sandidge, Savage, Smith of Tennessee, Smith of Virginia, Smith of Alabama, Sneed, Stephens, Stewart, Swope, Talbott, Taylor, Trippe, Underwood, Valk, Walker, Warner, Watkins, Wheeler, Whitney, Williams, Winslow, Wright of Mississippi, Wright of Tennessee, and Zollicoffer—101.

NAYS—Messrs. Albright, Allison, Ball, Banks, Barbour, Bennett of New York, Benson, Billinghurst, Bingham, Bishop, Bliss, Bradshaw, Brenton, Buffington, Burlingame, Campbell of Ohio, Chaffee, Clawson, Colfax, Comins, Covode, Cragin, Cumback, Damrell, Davis of Massachusetts, Day, Dean, De Witt, Dick Dickson, Dodd, Dunn, Durfee, Edie, Emrie, Giddings, Gilbert, Granger, Grow, Hall of Massachusetts, Harlan, Harrison, Holloway, Horton of New York, Horton of Ohio, Howard, Kelsey, King, Knapp, Knight, Knowlton, Knox, Kunkel, Leiter, Matteson, McCarty, Meacham, Miller of New York, Moore, Morgan, Morrill, Mott, Murray, Nichols, Norton, Oliver of New York, Parker, Pelton, Pennington, Perry, Pettit, Pike, Pringle, Purviance, Robbins, Roberts, Sabin, Sapp, Scott, Sherman, Simmons, Spinner, Stanton, Stranahan, Tappan, Thorington, Thurston, Todd, Wade, Wakeman, Walbridge, Waldron, Washburne of Wisconsin, Washburne of Illinois, Washburn of Maine, Watson, Welch, Wood, Woodruff, and Woodworth—100.

Mr. Meacham, of Vermont, then submitted the following resolution, upon which he demanded the previous question:

Resolved, That, in the opinion of this House, the repeal of the Missouri Compromise of 1820, prohibiting Slavery north of latitude 36° 30′, was an example of useless and factious agitation of the Slavery question, unwise and unjust to the American people.

Mr. Stephens, of Georgia, also wished to offer a substitute for the resolution of Mr. Meacham, as follows:

Resolved, That the original friends of the Kansas and Nebraska act, though in a large majority on this floor, deem this a fit occasion to extend to the country their congratulations upon the encouraging progress of their cause, and the brightening prospect of its ultimate success.

Mr. Campbell, of Ohio, desired to know how these substitutes could be offered when the previous question was pending? He had a drawer full he should like to offer.

The Clerk stated that the substitutes were out of order, and that no amendment could now be offered.

Mr. Stephens, of Georgia, gave notice, that if the previous question should be voted down, he would offer his resolution as a substitute for that of the gentleman from Vermont.

The question was seconded, and the question being on the adoption of the resolution, it was agreed to by the following vote:

YEAS—Messrs. Albright, Allison, Ball, Banks, Barbour, Bennett of New York, Benson, Billinghurst, Bingham, Bishop, Bliss, Bradshaw, Brenton, Buffington, Burlingame, Campbell of Ohio, Chaffee, Clawson, Colfax, Comins, Covode, Cragin, Cumback, Damrell, Davis of Massachusetts, Day, Dean, De Witt, Dick, Dickson, Dodd, Dunn, Durfee, Edie, Emrie, Etheridge, Giddings, Gilbert, Granger, Grow, Hall of Massachusetts, Harlan, Harrison, Haven, Holloway, Horton of New York, Horton of Ohio, Howard, Kelsey, King, Knapp, Knight, Knowlton, Knox, Kunkel, Leiter, Matteson, McCarty, Meacham, Miller of New York, Moore, Morgan, Morrill, Mott, Murray, Nichols, Norton, Oliver of New York, Parker, Pelton, Pennington, Perry, Pettit, Pike, Pringle, Purviance, Robbins, Roberts, Sabin, Sapp, Scott, Sherman, Simmons, Spinner, Stanton, Stranahan, Tappan, Thorington, Thurston, Todd, Wade, Wakeman, Walbridge, Waldron, Washburne of Wisconsin, Washburne of Illinois, Washburn of Maine, Watson, Welch, Wheeler, Wood, Woodruff, and Woodworth—101.

NAYS—Messrs. Aiken, Allen, Barclay, Barksdale, Bell, Bennett of Mississippi, Bocock, Bowie, Boyce, Branch, Broom, Burnett, Cadwalader, Campbell of Kentucky, Carlile, Caruthers, Caskie, Clingman, Cobb of Georgia, Cobb of Alabama, Cox, Davidson, Davis of Maryland, Dowdell, Edmundson, Elliott, English, Etheridge, Eustis, Evans, Faulkner, Foster, Fuller of Pennsylvania, Fuller of Maine, Goode, Greenwood, Hall of Iowa, Harris of Maryland, Harris of Illinois, Haven, Hoffman, Houston, Jewett, Jones of Tennessee, Jones of Pennsylvania, Kelly, Kennett, Kidwell, Lake, Letcher, Lindley, Lumpkin, Humphrey Marshall of Kentucky, Marshall of Illinois, Maxwell, McMullen, McQueen, Miller of Indiana, Millson, Millward, Oliver of Missouri, Orr, Packer, Paine, Peck, Phelps, Porter, Powell, Puryear, Quitman, Reade, Ready, Ricaud, Richardson, Ruffin, Rust, Sandidge, Savage, Smith of Tennessee, Smith of Virginia, Smith of Alabama, Sneed, Stephens, Stewart, Swope, Talbott, Taylor, Trippe, Underwood, Valk, Walker, Warner, Watkins, Wheeler, Whitney, Williams, Winslow, Wright of Mississippi, Wright of Tennessee, and Zollicoffer—100.

Mr. Fuller, of Pennsylvania, then submitted the following resolution, upon which he demanded the previous question:

Resolved, That a useless and factious agitation of the question of Slavery, in or out of Congress, is unwise, unjust to a portion of the American people, injurious to every section of our country, and therefore should not be countenanced.

Mr. Jones, of Tennessee, requested the gentleman to strike from his resolution the words "useless and unnecessary." He (Mr. Jones) thought that *all* agitation was useless and unnecessary, as well as wrong.

Mr. Fuller consented to modify his resolution as requested by the gentleman from Tennessee.

And the resolution was accordingly modified so as to read "that *any* agitation," &c.

The previous question was then seconded.

Mr. Meacham, of Vermont, desired to offer the following, as a substitute for the resolution, but was prevented from doing so by the operation of the previous question:

Resolved, That, in the opinion of this House, the repeal of the Missouri Compromise of 1820, prohibiting Slavery north of latitude 36° 30′, was an example of useless and factious agitation of the Slavery question, both in and out of Congress, which was unwise and unjust to a portion of the American people. [Laughter.]

Mr. Ball, of Ohio, moved that the resolution of Mr. Fuller be laid on the table; which motion was disagreed to—yeas 92, nays 110.

The resolution was then adopted by the following vote:

YEAS—Messrs. Aiken, Allen, Barclay, Barksdale, Bell, Bennett of Mississippi, Bocock, Bowie, Boyce, Branch, Broom, Burnett, Cadwalader, Campbell of Kentucky, Carlile, Caruthers, Caskie, Clingman, Cobb of Georgia, Cobb of Alabama, Cox, Cullen, Davidson, Davis of Maryland, Dowdell, Edmundson, Elliott, English, Etheridge, Eustis, Evans, Faulkner, Foster, Fuller of Pennsylvania, Fuller of Maine, Goode, Greenwood, Hall of Ohio, Harris of Maryland,