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THE TWELFTH WEEK OF THE SESSION.

[FROM THE DAILY NATIONAL INTELLIGENCER OF FEBRUARY 24.]

The "inaudible and noiseless foot of Time" has brought us to the end of the twelfth week of the session, and within one week of the close of the Twenty-eighth Congress. Except the usual annual race for popularity in the House of Representatives upon the Civil Appropriation Bill, which has come off within the last week with more than the customary jockeying in one or two short turns of the course, *the Texas question* has absorbed nearly all attention, not in the Senate Chamber only, but in the House of Representatives, and almost every where else in this city. It has even superseded, in a great degree, the interest felt about the Cabinet of the new President, if indeed the Cabinet question and the Texas question be not so blended and mixed up together—as some of the letter-writers insinuate that they are—that the composition of the Cabinet depends upon the Texas question, and the fate of the Texas question upon the composition of the Cabinet. However that may be, the character of the new Cabinet, and the fate of the Texas question in the Senate, seem to hang in equally doubtful scales.

Upon this Texas question we pretend to arraign no man's opinion, and to question no man's motive. But we are not the less grieved and chagrined at what we see and hear; at the false and impudent fabrications of *news* from all quarters of the world—from England, from France, and from Mexico—to operate upon the minds of honorable men unsuspicious of such arts, upon whom some impression appears to be made by these despicable inventions; at the misplaced ingenuity with which the Constitution is tortured to extract authority for Congress from its express grants of power, which authority is otherwise delegated in other provisions of the Constitution; and last, but not least, at a disposition which we think we discover to overleap the bounds of the Constitution to do that which, it is hardly denied by some, the Constitution does not authorize.

To our readers, who understand the plain import of words, it can hardly be necessary to re-state the question which appears to us to be involved in the Joint Resolution which has passed the House. In three words, however, it is this: Texas is either independent to the extent of being able to convey to the United States complete sovereignty over the Territory she occupies, or she is not: If she be, that sovereignty certainly cannot be assumed without her consent: If she be not, she is a Province of Mexico, at war with that Power, and the sovereignty over her territory with equal certainty cannot be acquired without the consent of Mexico: In either case, the acquisition of Texas requires the assent and co-operation of a foreign Power: That assent can only be given by Treaty: the President of the United States, with the advice and consent of two-thirds of the Senate, is the treaty-making power established by the Constitution of the United States, which is *the supreme law:* Congress, therefore, has not the power to "annex" Texas by the passage of a Joint Resolution for that purpose.

Could any doubt be entertained upon so plain a proposition—were it possible that we could deceive ourselves about the import of the clearest provisions of the Constitution—we have the corroborative opinion, not only of the large majority of our friends of the legal profession, but of those also whose opinion on this subject is as high as that of any living men can be. We refer especially to that of Albert Gallatin, the survivor of all those contemporaries of the era of the Constitution who stood side by side with him in the early contests for a just construction of it; a man now venerable in years, but venerable yet more for the rectitude and perfect integrity of his life and principles; who "lives in the midst of posterity," and whose voice ought to be as persuasive and authoritative, in the present emergency, as that of one risen from the dead. In a letter of very recent date from him, referring to the manner in which Louisiana was acquired and afterwards admitted into the Union, he says:

"In the same manner Congress, by an analogous process, may resolve that Texas, *whenever acquired in conformity with the Constitution*, shall be admitted into the Union as a State or States. But territory can be acquired only by treaty or conquest. As this last mode is in this case out of the question, it is unnecessary to discuss in what cases conquest or occupation may, without the sanction of a treaty, confer a legitimate right. On this occasion the mutual assent of at least two parties, Texas and the United States, is absolutely necessary. Call it agreement, compact, or by any other name, *it is only by a treaty that the annexation of Texas can be effected.*"

What weight ought strained inferences from particular grants of power in the Constitution to have against its plainest and most vital provisions, thus fortified? As to the clause about the admission of "new States," we presume that it has been established, beyond the possibility of doubt, on the mind of our readers during this debate, that it has no reference to any other territory than such as actually appertains to the United States. And as to the attempt to overturn *the constitutional authority of the Senate* by inferences of power *for Congress* from the power to lay taxes, to make war, &c. it is with difficulty we can believe, though we feel bound to believe, that those who urge such arguments are serious in what they say.

For ourselves, we cannot resist the conviction, nor the obligation of stating it, that the passage of the Resolution from the House of Representatives in its present form, or in any form which does not require previous treaty arrangement, will be a direct breach of the Constitution, through which there is no limit to the abuses which may not "creep into the State."

What excites our most especial wonder is, that Representatives from the South, in utter contempt and ridicule of the doctrines of strict construction and adherence to the letter of the Constitution, about which some of them have heretofore clamored and imprecated so much, should unite in support of the doctrine of *the Omnipotence of Congress*—the most alarming doctrine for them, certainly, ever broached since the formation of the Constitution—with the view of accomplishing a transient purpose, doubtfully sustained, or not sustained at all, by the momentary caprice of a majority of the people. As the section needing not merely general guaranties, but a special and local one; as the section numerically weakest at home and assailed from abroad; as the section against which act some of the most violent tendencies of the times; as the section suffering and destined continually to suffer a growing popular and political inferiority, under which all defences and all expedients must presently be vain, *when constitutional barriers are once pulled down*, we cannot but regard the present sacrifice, by the South, of the entire Constitution for the imaginary or at best temporary advantage of "immediate annexation" of Texas, as the wildest political infatuation.

Do not our Southern readers perceive that, if Congress be omnipotent to the extent of "annexing" Nations *foreign* to the United States, exercising jurisdiction over territory not belonging to us, it is more omnipotent, if there can be *degrees* of omnipotence, to exercise any power whatever *within* the United States? A majority of the House of Representatives passes a joint resolution for the annexation of Texas to the United States, because it will "enlarge the area of freedom," or for any other equally wise reason. A much larger majority of the House of Representatives, even as now constituted—not to speak of the future—entertain the opinion that certain relations peculiar to the Southern States are a great evil and the toleration of them a National sin. Do not our Southern friends see that, when they unite in the work of extracting authority for Congress from the power of taxation (or any other specified power) to annex foreign nations—a power extraneous to the Constitution, if any thing can be—they remove the only barrier upon which they can rely for the protection of their property, their lives, and their liberties, against usurped legislative power? Their only protection hitherto from the power of numbers and fanaticism united has been, that the Constitution recognises no right of interference by Congress in the matter referred to. Does the Constitution recognise any right to annex the United States to a foreign Power? Nothing like it: neither the one more than the other. The *silence* of the Constitution is as eloquent and as positive an interdict in the one case as in the other. In neither case can Congress, by the mere force of numbers, under the orders of King Caucus or King Multitude, disregard that silence by any action on their part less than Revolutionary.

To this we might add other arguments illustrative of the danger of that headlong haste, in matters of Government, which stops at no barrier in pursuit of a favorite object. But, desiring only to throw out hints for our readers to think upon, we rest here, and leave it to them to follow out the train of thought which we have barely (and hardly) opened to them.

California.—How can we, who are stealing Texas from Mexico, raise an outcry, if Great Britain is planting herself in California, to intercept us in the trade on the Pacific when our population is strong in Oregon? Nay, what *can* we say, if Great Britain takes possession of Cuba, and raises the flag of emancipation there?

A people who, like ours, are now committing a great outrage on Mexico, by first colonizing a territory of hers, then declaring its independence of its owner, and subsequently appropriating the territory and people to ourselves, must be dumbfounded if Great Britain takes California or Mexico, or wretchedly inconsistent should we complain.

If we do right, the world will hear us, and we will be heard, in court and council, through the thunder of cannon, if necessary, against the aspirations of Great Britain. But if we lead the way in national plunder, who can but drop his head in shame?—*New York Express.*

Such is the language of the New York Express in allusion to the news, pretended to have been lately received by some invisible agency, from Mexico, of the discovery, since Santa Anna's capture, of a Treaty between him and Great Britain for the cession of California to the latter. The comment of the Express loses none of its force as an argument from the fact that the *news* is false—fabricated, along with various other implements of equal merit, to work upon the Senate with. The whole story is not only false, but ridiculous withal. There is neither truth nor the semblance of probability in it.

Mr. BARROW—TEXAS.

An attempt was made in the House of Representatives of Louisiana, on the 14th instant, to instruct the Hon. Alexander Barrow out of his seat in the United States Senate. Mr. Bickham, a Locofoco member, offered a resolution inviting Mr. Barrow to resign, inasmuch as, by his declaration of unconditional hostility to the annexation of Texas, he exhibited "a contemptuous disregard to the wishes and best interests of his constituents." Mr. Pilie immediately moved to lay the resolution indefinitely on the table.

When the vote was taken, several Whig members declared that, though opposed to the doctrine of instruction, they were willing and anxious to meet the question, and on that account only would vote against the motion to lay upon the table. Among them were such stanch and undoubted Whigs as Messrs. Stille, Parham, Crossman, &c. The motion nevertheless prevailed, and the resolution was laid on the table by a vote of 22 to 20. It was the courtesy of the Whigs alone which prompted them to allow the resolution to go to a second reading, and induced them to vote against the summary proposition to kill it on its presentation. *Had the resolution taken its usual course, it would have been rejected by a majority of nearly two to one.* There are a number of Whigs in the House favorable to annexation, but there is not one who would dream of evicting Alexander Barrow because that gentleman has the independence to think for himself. The slavish doctrine that makes the United States Senator a blind tool of legislative behest finds no favor with the Whig party in Louisiana.—*New Orleans Bee.*

The Hon. Henry W. Dwight, of Berkshire, Massachusetts, (which district he represented in Congress for two or three terms about twenty years ago,) died suddenly on Friday evening at the Franklin House, in the city of New York, on his return from a visit to Washington, from congestion of the brain and bowels.

PROCEEDINGS IN CONGRESS.

IN SENATE.

Saturday, February 22, 1845.

Mr. WOODBRIDGE, from the Committee on the Public Lands, made a report on the petition of a number of citizens of Indiana, praying the correction of an error in the surveys of the public land in White county, Indiana.

Mr. CHOATE, on leave, introduced a bill for the extension of Morse's electro-magnetic telegraph from Baltimore to the city of New York; which was read twice and referred to the Committee on Commerce.

APPEALS IN BANKRUPTCY.

The bill providing for appeals in cases of bankruptcy coming up, the question being upon the adoption of an amendment offered yesterday by Mr. Woodbury—

The amendment was advocated by Messrs. WOODBURY and CHOATE, and opposed by Messrs. BERRIEN and DICKINSON. After considerable discussion, entirely of a technical nature, the bill was informally passed over.

BILLS PASSED.

The following engrossed bills were read the third time and passed, viz:

A bill supplementary to an act to repeal an act for the better organization of the district court of United States within the State of Louisiana, and for other purposes, passed February 13, 1845.

A bill to extend the patent heretofore granted to William Woodworth.

A bill to extend the jurisdiction of the district courts of the United States in certain cases upon the lakes and navigable waters connected the same.

A bill for the relief of the Corporation of Washington.

A bill to amend an act to carry into effect in the States of Alabama and Mississippi the existing compacts with those States with regard to the five per cent. fund and the school reservations.

A bill for the relief of Noah Miller, of the State of Maine.

Joint resolution directing an examination of Putnam's ploughing and dredging machine.

ANNEXATION OF TEXAS.

The Senate resumed the consideration of the joint resolutions from the House for the annexation of Texas; when—

Mr. HUNTINGTON continued the argument he commenced on Friday. He had already stated, he said, the views which he entertained respecting the unconstitutionality of admitting Texas into the Union under the joint resolutions now before the Senate. He would now proceed to examine the question of expediency; and, under any view which he could take of it, he could come to no other conclusion than that it was inexpedient to annex Texas to the Union, either by the resolutions now before the Senate, or by any other mode. We did not need the territory of Texas in order to extend the amount of our public lands, and, if we did, we have been told, at the last session of Congress, by the Senator from Missouri, who probably knows as much upon this subject, if not more, than any other person, that the territory of Texas was covered by grants; he doubted if any considerable portion of the land in Texas was not so covered. But we know not what *is* the territory of Texas; the boundaries between Texas and Mexico are not yet agreed upon; so that there is not only a mortgage to an unknown extent, but we shall most probably have to obtain our title at the point of the bayonet. We are legislating for the obtaining a territory, the value of which we do not and cannot ascertain. We know but little of its boundary; we shall probably have to fight for the title. The public lands of Texas are, by the joint resolutions, to be retained by her, for the purpose of paying her debts. But the event will be that if Texas be joined to the United States, we shall have to pay her debts, or be held up to the civilized world as having deprived Texas of the means of doing so, and we shall be charged with the flagrant injustice of the act. We take all her property except her public lands, and assume no responsibility as to her debts. But we shall ultimately have to pay them. Thus we virtually purchase; because we shall have eventually to pay a mortgage of an unlimited and unknown amount, and the moral certainty of a war with Mexico, by the annexation of Texas. Mr. H. denied that there was any necessity for annexation for the purpose of preventing Texas from falling into the hands of a foreign Power.

Again, he objected to the annexation of Texas as a violation of our treaty with Mexico, and would evidently lead to a war with that country. And although he did not fear the consequences of a just war, we ought to be very careful that we did not rush into a war the cause of which was not just. The Senate was probably not aware of the feeling of the commercial men, of the men of business in the country. This important portion of our community were in great doubt and uncertainty as to the course of their commercial adventure—afraid of the consequences which might flow from this project of annexation.

The passage of these resolutions would produce heartburnings and jealousies throughout the country. What necessity is there for throwing into our community a fresh cause of irritation in relation to an already sufficiently vexatious question?

The preservation of the guaranties of the Constitution was as necessary to one section of the country as the other. Our progress as a nation had been eminently prosperous under the operation of these guaranties; let us preserve those balances of our Constitution and keep each branch of the Government in its proper sphere. Mr. H. could not agree that the Texas question was settled by the late Presidential election. In many parts of the country the subject was kept entirely out of sight. Many leading men voted for the successful candidate under a protest as to this question. He denied that the annexation of Texas would settle the question of slavery, or that it would be the bond of peace between us and the other manufacturing countries of the world, because we should then make Great Britain depend upon us for cotton. Great Britain now takes from us what cotton she wants; she will not take more than she wants if Texas should be united to us. She will then buy what she wants, as she buys it now, where she can obtain it on the best terms.

With respect to commerce and manufactures, we have at present all the advantages which we should derive from annexation; our proximity now gives us all the facilities which we should enjoy then. It has been said the annexation of Texas would strengthen the Union, because border States are always the most loyal and faithful; if loyalty and fidelity be increased by distance, then the further our borders are from the centre the stronger will be our Union—a conclusion rather opposed to the experience of history. We have been told that it would be better to join Texas with the Union, because we should not then have a rival republic as a neighbor. We must have some neighbor, and had we not as well have a republic as a monarchy? Mr. H. concluded by reading from the resolutions passed by the Legislature of Connecticut, which deprecated the annexation of Texas as a violation of our treaties, and as a declaration of war against Mexico. He was opposed to annexation on account of its inexpediency as well as its unconstitutionality.

Mr. ASHLEY objected to the course of argument which had been adopted by Senators who took the opposite view of the subject under discussion, and who endeavored to explain the Constitution by the expressed opinions of some four or five members of the Convention which formed the Constitution, instead of taking the entire bearing and plain common sense construction of the Constitution itself. He denied that we had *now* to admit Texas; that country was ours, and had been so since 1803.

Mr. A. argued in favor of the constitutionality of the proceedings before the Senate, and defended the expediency of adopting them. The non-annexation of Texas, he said, would lead to the depopulation of the Southern States. He went into an elaborate statistical argument respecting the staple productions of the South and those of Texas; said that the flow of emigration to that country was so great, that on one of the lines of transit through Arkansas, the demands of the continued stream of emigrants were at one time so great as to raise the price of corn from three bits the bushel to two dollars; and this was only one stream out of three. He deprecated the introduction of the subject of slavery in this discussion; spoke about the balance of power between the slaveholding and non-slaveholding States; this, he said, had been destroyed, and the idea that the admission of Texas into the Union would permanently restore it was perfectly nugatory. Four-fifths of the surface of the country is either in the hands of the non-slaveholding States, or was unfit for the advantageous existence of slavery. The balance of power had been destroyed, and could never be permanently restored.

The sympathies of the Abolitionists were for the black race; but their course was not calculated to benefit that people, and would, if persisted in, lead to a war of extermination. The annexation of Texas would furnish the means of averting this catastrophe, and he regarded this outlet as provided by Providence for this purpose.

Mr. A. labored under the effects of a very severe cold, and was compelled very much to abridge the observations which he had intended to submit to the Senate.

Mr. DICKINSON said he should confine himself to a few general remarks. The subject before the Senate had been fully discussed by the people, and had also been fully and ably discussed here; so much so, that he scarcely knew how to proceed without trespassing upon ground which had been previously occupied. The law of nations, the history of the world, fact and fiction, mythology and fable, had all been ransacked, and borne their part amply and fully in these discussions.

In reply to observations which had been made, and questions which had been asked, by honorable Senators, he would say that the question of annexation had been made one of the principal issues at the late Presidential election in the State of New York, and had been triumphantly sustained. He would also state that that distinguished citizen Mr. Van Buren, although opposed to the details of the treaty introduced at the last session, was the friend of annexation, and wished to see it accomplished. Nor was the successful candidate for the chief magistracy of the State of New York opposed to annexation, although he opposed the treaty of last year. It was only with respect to details that any opposition to the annexation of Texas existed among the Democratic party in New York. The party in New York opposed to annexation had maintained that issue during the late election; the result showed the feelings and opinions of the State.

Mr. D. examined minutely the history of Texas and the state of its connexion with the United States, and urged that it was the duty of this Government to meet the hopes and the wishes of the people of that country. He then investigated the constitutional question, and maintained that the Constitution did not forbid the admission of Texas in the form and manner proposed. The question of slavery was not legitimate to the present discussion, and he should avoid it, except by a very incidental and brief allusion.

After Mr. D. concluded his observations—

Mr. DAYTON obtained the floor.

Mr. WALKER said he believed there was a general understanding that the vote on this question should be taken on Wednesday next. He hoped that a resolution would be passed to that effect.

Mr. SEVIER and Mr. CRITTENDEN had not heard of such an understanding.

Mr. McDUFFIE hoped that a resolution would be adopted on Monday morning to continue the debate until nine or ten o'clock every night until finished, the Senate taking a recess from four to five o'clock.

Mr. ALLEN moved to take a recess now for an hour, and to return and continue the debate until nine o'clock.

Mr. DAYTON maintained his right to the floor, and moved an adjournment.

Mr. WALKER called for the yeas and nays, which resulted in—yeas 24, nays 21; and the Senate adjourned to Monday at 11 o'clock.

Monday, February 24.

Mr. BERRIEN, from the Committee on the Judiciary, reported the act for the admission of Florida and Iowa into the Union.

Also, the act to amend the Judiciary act passed the 24th September, 1789.

Mr. BATES, from the Committee on Pensions, reported an act for the relief of Samuel Neely; which was read a third time and passed.

Also, an unfavorable report in the case of the heirs of Martha Hough; of Moses White; of Stephen Snow; in the case of Joseph M. Rhea; of Lucy Ann Roberts; of William Carman; and of John Hall.

Mr. DIX, from the Committee on Pensions, made an unfavorable report on House bill for the relief of Justin Jacobs.

Also, an unfavorable report on House bill for the relief of Joseph Craignilas, of Tennessee.

Mr. PHELPS, from the Committee on Patents, reported a bill for the relief of Uri Emmons.

The civil and diplomatic appropriation bill was received from the House, read twice, and referred to the Committee on Finance.

Mr. TAPPAN, from the Joint Committee on the Library, presented a communication from the Collector of the Customs at New York, relative to the box of books which had been presented by the French Chamber of Deputies to the United States, and which had been sold at New York for storage and other expenses. The error had arisen, it appeared, from ignorance of the proper disposition of the box and a want of clearness in the address.

MILITARY ACADEMY AT WEST POINT.

The bill making appropriations for the support of this establishment for the year 1846 being before the Senate on its third reading—

The yeas and nays were asked for by Mr. BREESE, who said he was instructed to vote against the appropriation.

Mr. WOODBURY observed that he was also instructed to vote against the bill.

The bill was passed by yeas and nays, as follows:

YEAS—Messrs. Archer, Ashley, Atchison, Bagby, Barrow, Bates, Bayard, Benton, Berrien, Buchanan, Choate, Clayton, Colquitt, Dayton, Dickinson, Dix, Evans, Francis, Henderson, Huger, Huntington, Johnson, Mangum, Miller, Phelps, Porter, Sevier, Sturgeon, Upham, Walker, White, Woodbridge—32.

NAYS—Messrs. Allen, Atherton, Breese, Fairfield, Foster, Hannegan, Niles, Semple, Tappan, Woodbury—10.

ANNEXATION OF TEXAS.

The Joint Resolution from the House of Representatives providing for the annexation of Texas being under consideration—

Mr. DAYTON addressed the Senate. He began by saying that he was impelled to speak, not only by the impulse of his own feelings, but also by the request of the State which he had the honor to represent. The resolution before the Senate, he maintained, was objectionable both in form and substance, being drawn up with such looseness as might almost justify a suspicion of intention. In its general character, it was directly in opposition to the spirit of the law by which Louisiana was admitted into the Union, which was full of conditions and restrictions. This resolution did not even provide for any mode of making Texas acquainted with the passage of this law; and in other parts of the resolution the phraseology was equally loose and uncertain.

He wished to examine the power claimed under the Constitution to admit foreign territory into the Union; and, in doing so, said he would look at the text of the Constitution, rather than to any commentary upon it. He did not want to be referred to a scrap of Mr. Jefferson's, or a line of Mr. Madison's, to determine the meaning of the Constitution; he was disposed to take it in its full, broad, and intelligible import. He referred, incidentally, to the assertion made by the Senator from New York, (Mr. Dickinson,) that the annexation of Texas had been made one of the principal issues at the late election in that State. If so, how was it that the successful candidate as Governor, who had voted against the annexation treaty, had received several thousand votes more than had been given for the successful Presidential candidate? He could not admit that the admission of Texas had been made a prominent question at that election.

Mr. D. said the admission of Texas in the mode proposed was opposed by every one of the modes of construction which could be applied to the Constitution. It was a question which ought not to be decided by a single chance expression, but by the entire letter and spirit of that sacred instrument. Examine that letter and spirit, and see if any authority can be deduced therefrom in favor of the proceeding before the Senate; the search would, in his opinion, be a fruitless one. Among other arguments, he asked, how does the resolution by which it is proposed to annex Texas to the Union correspond with our naturalization laws? If we admit Texas, she comes into the Union with all the powers and privileges which are possessed by any other State; the whole nation of Texas is naturalized in a day; every Texan citizen becomes at once a citizen of the United States. A man (German, Irish, or of any other European nation) lands at Galveston; he goes to bed a citizen of Texas, he sloughs off all his foreign allegiance, and every other alien quality in one night, and rises the next morning clothed with all the attributes of an American citizen! His brother, who lands at New York, has to wait five years before he can possess the same advantages. Could such a result have ever been contemplated by the framers of the Constitution?

The population of Texas is made up, according to Mr. Kennedy, of classes of various colors, habits, and capabilities; we are to admit them all, piebald, ignorant, and incapable however they may be. The free people are all to be represented, and three-fifths of the slaves; the whole mass come in upon an equal footing with the free white citizens of the United States, although it is doubted whether the Constitution extends the rights of naturalization to any but the white race. Chancellor Kent had doubts upon this point; but this resolution overlooked and overstepped all doubts, and proposed to bring in the whole mass of every race and every color, &c.

Mr. D. denied that there was any clause in the Constitution which gave an extra-territorial power to Congress. He deprecated the thirst for national aggrandizement which this project manifested, and drew a very vivid picture of its probable effect of indulging it. We all agree (said Mr. D.) that the territory of Texas may be annexed to the United States under the treaty-making power; and, he argued, the general assent that this might be done was a proof that the territory could not be annexed by an act of legislation.

With regard to the proviso that Texas was to pay her own debts, Mr. D. argued that if the annexation proposed in the joint resolution were to take place, the United States would, in the eye of law, and the eye of nations, be liable to pay these debts. What has caused the rise of Texan bonds? What but the knowledge that, if this annexation take place, the United States will be liable to their payment?

Much had been said during the debate about fanaticism and abolition, and the opponents of annexation had been charged with abolitionism. This was certainly a charge which did not apply to New Jersey. Out of seventy-five thousand votes given at the last election, there were seventy-five given to abolition candidates. Could as much be said for New Hampshire?

Mr. D. denied that the admission of Texas would settle the question of slavery forever, as some had maintained. It would settle it no longer than the South could carve slave States thereout to march into the Union side by side with free States from the North. When this could no longer be done, we should be called upon to annex more and more territory to the Union. Mexico, California, Cuba, all must be united upon the same principle. Where was this to stop?

Mr. D.'s speech was argumentative in its matter, and brilliant and effective in its delivery, which occupied nearly two hours. [It will be reported at length hereafter.]

Mr. ARCHER asked to withdraw his motion, made at the commencement of the debate, for the indefinite postponement of the resolution; and the question then arose upon the adoption of the resolution.

Mr. BERRIEN said he desired to speak upon the question before the Senate; but his time had been so much occupied with attending to business which had been referred to him by the Senate, that he should wish to be allowed a little more time for preparation. He would therefore move (it being near the dinner hour) that the Senate take a recess until 5 o'clock.

Mr. DICKINSON wished that some specific time could be fixed for the termination of the debate.

Mr. MERRICK proposed that the hour of four, on Wednesday, be fixed as the time for taking the vote.

Mr. CRITTENDEN said the question was too important to allow Senators to pledge themselves to bring the debate to a close at any specified hour.

Mr. MERRICK withdrew his motion.

Mr. BENTON was opposed to the fixing a time for the termination of the debate. He wished every Senator, who desired to speak upon the question, to have an opportunity of doing so. But he was also desirous of bringing the matter to a decision, and was prepared to sit day by day and night by night, if necessary, to accomplish that end.

Mr. BERRIEN was equally desirous of terminating the debate, and equally willing to adopt the mode alluded to by the Senator from Missouri.

Mr. WALKER was opposed to the debate being continued beyond Wednesday.

The Senate then took a recess until 5 o'clock.

EVENING SESSION.

Mr. BERRIEN, who was entitled to the floor on the Texas question, being absent from indisposition—

Mr. McDUFFIE, though very unwell, expressed a willingness to address the Senate on the subject, and continued to argue strongly in favor of the resolution until eight o'clock, when he concluded.

Mr. ALLEN then obtained the floor, and

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

A great number of memorials and petitions were presented and referred.

REDUCTION OF POSTAGE.

The House, being in Committee of the Whole, proceeded to the consideration of the bill from the Senate to reduce the rates of postage, to limit and correct the abuse of the franking privilege, and to protect the Post Office Department from frauds.

The CHAIR said that the entire reading of the bill would be dispensed with, and that it would be read by sections for amendment.

To this several members objected, and demanded that the bill be in the first instance read throughout, and then be taken up by sections for amendment.

After the bill had been read throughout, it was taken up by sections for amendment, and the first section being again read—

Mr. HOPKINS, chairman of the Committee on the Post Office and Post Roads, moved to strike it out, and to insert, in lieu thereof, the first section of the House bill of the same title. [The sections of each bill will be given at large when the question shall be put.]

Mr. H. accompanied his motion by a speech of considerable length, full of facts illustrating the difference between the two bills, and showing that the Post Office establishment must become a heavy charge on the Treasury if the Senate bill be passed.

Mr. RATHBUN moved that the committee rise, for the purpose of introducing into the House a resolution to close debate on the bill.

The question was put on the motion to rise, and there appeared ayes 83, noes 54.

So the committee rose, and—

Mr. HAMLIN, of Maine, offered a resolution that all debate in Committee of the Whole on the bill cease in *ten minutes* after the committee shall have again resumed the consideration of the bill.

Mr. H. at the same time moved the previous question on his resolution.

Mr. COBB moved a call of the House, saying he wished to have the expression of the sense of a full House as to whether the South was to be gagged down or not, when a most obnoxious measure was about to be imposed upon it.

Mr. HAMLIN modified his resolution so as to close debate at two o'clock to-day. [It wanted twenty minutes to one o'clock.]

Mr. PAYNE asked the gentleman from Georgia (Mr. Cobb) to withdraw his motion for a call, and he would move to lay Mr. Hamlin's resolution on the table.

Mr. COBB declined to withdraw the motion for a call.

And the question was taken by yeas and nays, and there appeared for the call 64, against it 112.

So the call was refused, and—

Mr. PAYNE moved that Mr. Hamlin's resolution to close debate on the bill lie on the table.

This question was decided, by yeas and nays, in the negative—74 in favor of laying it on the table, and 104 against it.

Mr. HAMLIN then further modified his amendment so as to make it read "two hours after the committee shall resume the consideration of the bill." [It was now twenty minutes past one o'clock.]

The previous question was here demanded, 87 to 63.

Mr. DROMGOOLE asked for the yeas and nays on the previous question, that is, Shall the main question (to agree to the resolution) be now put? saying that the question of the closing of debate on this bill, at this time, was a very important question.

Mr. DOUGLASS asked if a motion for a call of the House was in order?

The SPEAKER said that, as the previous question had been seconded, a motion for a call was not in order.

Mr. JONES, of Tennessee inquired if a motion to lay the resolution on the table was in order?

The SPEAKER, after some consideration, said that a motion to lay on the table was not then in order.

Mr. JONES, of Tennessee, asked if a motion to adjourn was in order?

The SPEAKER: It is in order.

Mr. JONES: Then I move that the House do now adjourn.

The question was decided in the negative by yeas and nays. For an adjournment 13, against it 151.

The previous question was then put, that is, Shall the main question (to agree to Mr. Hamlin's resolution) be now put? It was decided in the affirmative by yeas and nays: yeas 95, nays 71.

Mr. ROBERTS here renewed the motion that the resolution do lie on the table.

The question on this motion was also taken by yeas and nays, and decided in the negative: Yeas 75, nays 103.

The question was now put that the House do agree to the resolution. It was also taken by yeas and nays.

After the Clerk had called the yeas and nays, and before the result of the vote was announced by the Speaker—

Mr. C. J. INGERSOLL said he rose to a question of order—and he wished the Reporters to take notice of it—he wished to know if it would be in order to sit till 10 o'clock to night to arrange this important question?

The response of the Speaker was not heard at the Reporter's desk.

The SPEAKER then announced the vote on the resolution, as follows:

YEAS—Messrs. Abbott, Anderson, Baker, Benton, Brengle, Brinkerhoff, Jeremiah Brown, Carpenter, Jeremiah E. Cary, Shepherd Cary, Carroll, Catlin, Causin, Chilton, Collamer, Cranston, Dana, Darragh, Richard D. Davis, Dickey, Dillingham, Duncan, Dunlap, Ellis, Farlee, Fish, Florence, Foot, Fuller, Giddings, Byram Green, Grinnell, Grider, Hale, Hannibal Hamlin, Hardin, Harper, Herrick, Hudson, Hungerford, Washington Hunt, James B. Hunt, Irvin, Jenks, Perley B. Johnson, John P. Kennedy, Preston King, Daniel P. King, Kirkpatrick, Leonard, Lyon, Maclay, McClelland, McConnell, McIlvaine, Marsh, E. Joy Morris, Joseph Morris, Freeman H. Morse, Moseley, Newton, Norris, Parmenter, Phœnix, Pollock, Elisha R. Potter, Emery D. Potter, Pratt, Purdy, Rathbun, Charles M. Reed, Rockwell, Rodney, Rogers, Russell, St. John, Schenck, Severance, Thomas H. Seymour, David L. Seymour, Simons, Albert Smith, Thomas Smith, Caleb B. Smith, Robert Smith, Stetson, Andrew Stewart, John Stewart, Strong, Thomasson, Tibbatts, Tilden, Tyler, Vanmeter, Wentworth, Wethered, Wheaton, John White, Benj. White, Williams, Winthrop, William Wright, Joseph A. Wright—104.

NAYS—Messrs. Arrington, Ashe, Atkinson, Barringer, Bayly, Belser, Edward J. Black, James Black, James A. Black, Blackwell, Bowlin, Boyd, Brodhead, Milton Brown, William J. Brown, Burke, Burt, Caldwell, Reuben Chapman, Chappell, Clingman, Cobb, Coles, Cross, Cullom, Daniel, John W. Davis, Dean, Deberry, Dellet, Douglass, Dromgoole, Ficklin, Foster, French, Hammett, Haralson, Hays, Henley, Hoge, Hopkins, Hubard, Charles J. Ingersoll, Jameson, Cave Johnson, Andrew Johnson, George W. Jones, Lucas, Lumpkin, McCauslen, McClernand, McKay, Payne, Peyton, David S. Reid, Relfe, Rhett, Ritter, Roberts, Sample, Saunders, Senter, Simpson, John T. Smith, Steenrod, Sykes, Thompson, Tucker, Weller, Woodward, Yancey, Yost—72.

And so it was decided that all debate on the bill to reduce the rates of postage and to correct abuses and frauds on the Post Office Department, shall cease in Committee of the Whole in two hours after the said bill shall be again resumed in committee.

Mr. CARY, of Maine, moved a reconsideration of the vote last taken, and said he had been a member of a Whig Legislature in Maine, when the majority was in the habit of ramming every thing down, right or wrong, without consideration or reflection. He never expected to see such a course practised here in this Democratic House of Representatives. He then said that he wished to move several amendments, which he had prepared, and went somewhat into the merits of the bill; when

Mr. RATHBUN rose to a question of order. It was this: that on a motion to reconsider the vote adopting the resolution to close debate, the merits of the bill could not be discussed.

Mr. SCHENCK said that there was a further question of order: a resolution to close debate was not debatable, and consequently a motion to reconsider a vote on such a resolution could not be debated.

The SPEAKER decided that the motion to reconsider admitted of a restricted debate, which he defined, and admonished Mr. Cary to confine himself within those limits.

Mr. CARY resumed, again got into the merits of the bill; when—

Mr. HARDIN called him to order for touching on the matter contained in the bill; but, after a few words of explanation from the Speaker, withdrew his call.

Mr. CARY resumed and advised the friends of the bill not to be so touchy—so sensitive. He then indicated the import of several amendments which he desired to offer to the bill.

Mr. HUNT, of New York, called Mr. Cary to order again for touching the merits and details of the bill. The Chair further explained as to how far the question admitted of debate, and Mr. Hunt pressed his call to order no further.

Mr. C. J. INGERSOLL said that whenever the gentleman from Maine was out of order, he would move that he have leave to proceed in order, and call for the yeas and nays on the motion.

Mr. CARY again resumed his speech on his motion to reconsider, and spoke for some time, certainly as much to the operation of the bill as to the propriety of curtailing debate upon it. Mr. C. took occasion to reflect, and pretty severely too, on his colleague, (Mr. Hamlin,) for moving this resolution; and at length got deeply into the financial concerns of the country. After he had concluded—

Mr. RATHBUN moved the previous question; but withdrew it at the request of—

Mr. HAMLIN, of Maine, who explained his reasons for moving the resolution. He had well studied the subject involved in the bill—he was prepared to vote—and he thought every other member of the House was equally as well prepared. There were but a few days, a very few days, left of the session; the time for action had arrived; the time for long speeches had passed away. Hence his motion to close debate. His colleague could have used as much time of the two hours allowed by the resolution as he had used in his motion to reconsider, and saved himself the trouble of his reflections on his Mr. H.'s motives.

Mr. CARY rose and said he did not choose to have time measured—doled out to him by his colleague—he chose to take what time he wanted like a man—he would not be indebted to his colleague for a minute.

Mr. HAMLIN resumed, and answered all the points raised by his colleague, Mr. Cary.

Mr. PAYNE complained of the haste of the present proceedings, and said the House was called upon to take the bill upon trust, blindfolded, without a word upon it. And why? Because, forsooth, the Senate have perfected it and passed it. He would not take it on such terms. His confidence in the Senate was not great enough. It was the duty of this body to investigate: the Constitution imposed that duty on the House. The Chairman of the Post Office Committee had told you the Senate bill would ruin the Post Office establishment, and yet the House is called upon to pass it without two hours' consideration. And why? Because New York called upon you to do so. He would concede much to New York; he was proud of her. But when he saw that, from avarice, she was endeavoring to bring ruin on the country, he was bound to oppose her. The bill was an insidious attempt to impose upon the country.

Here Mr. P. was called to order by the Chair.

Mr. RATHBUN explained why the friends of the bill were pushing it so hastily.

Mr. PAYNE then went into particulars as to the result of the five and the ten cent postage, and again expressed his want of confidence in the judgment of the Senate as to the operation of the bill. He contended that it was the intention of the supporters of the measure to throw the Post Office establishment upon custom-house duties for support. To this he would never agree. He would never agree to tax sugar and salt to pay the postage on the letters of merchants and traders of the great cities and the commercial sections of the Union. He would rather see the whole establishment annihilated than do this. If the new system did not throw the Post Office Department upon the custom house revenues for support, it would forever close all further mail facilities, privileges, and advantages to the new States. And he called earnestly upon the members from those States to look to this.

Mr. P. now entered fully into the merits and details of the bill. A strict adherence to the narrow limits of the question of reconsideration of the vote on Mr. Hamlin's resolution to close debate in two hours seemed to be entirely lost sight of.

Mr. ANDREW STEWART moved the previous question.

Mr. THOMPSON moved an adjournment. The yeas and nays were called on the motion, and there were for an adjournment 31, against it 134.

Mr. WINTHROP moved that the motion to reconsider the vote adopting Mr. Hamlin's resolution to close debate in two hours do die on the table. Mr. W. inquired of the Chair whether the effect of laying the motion to reconsider on the table would not be to leave Mr. Hamlin's resolution in force?

The CHAIR answered that it would.

Mr. RATHBUN then inquired if a motion to reconsider the vote to lay Mr. Cary's motion to reconsider on the table would be debatable.

The SPEAKER replied that such a motion would not be debatable.

The question was then taken by yeas and nays on Mr. Winthrop's motion to lay the motion to reconsider on the table, and decided in the affirmative, yeas 102, nays 54.

On Tuesday the House again went into Committee on the bill to re