Weekly National Intelligencer.

WASHINGTON: SATURDAY, JULY 8, 1848. No. 365

THE WEEKLY NATIONAL INTELLIGENCER

The subscription price of this paper for a year is Three Dollars, payable in advance.

For the long Sessions of Congress (averaging eight months) the price will be Two Dollars; for the short Sessions One Dollar per copy.

A reduction of 20 per cent. (or one-fifth of the full charge) will be made to any one who shall order and pay for, at one time, five copies of the Weekly paper; and a like reduction of 25 per cent. (or one-fourth of the full charge) to any one who will order and pay for at one time ten or more copies.

No *accounts* being kept for this paper, it will not be forwarded to any one unless paid for in advance, nor sent any longer than the time for which it is so paid for.

THIRTIETH CONGRESS.

FIRST SESSION.

[*Extracts from our Daily Reports.*]

IN SENATE.

WEDNESDAY, JULY 5, 1848.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, made in compliance with a resolution of the Senate of the 25th May last, communicating information as to the manner in which the interest on the public debt has been paid.

[The Secretary states that circulars have been addressed to all the agents, giving notice that the interest on the public debt must be paid in specie; that remittances were made by the Treasurer of the United States, by drafts payable in specie, and so paid in favor of those agencies in the several depositories, for the purpose of paying the public debt in coin. That on the 16th May last a rumor of a possible violation of the law, unaccompanied by any evidence, reached the Department, when circulars were again sent. The Secretary says there is no evidence of any violation of the law by any of the disbursing officers. The specie is in their possession but a very few days before it is disbursed, and there can be no motive with them for violating the law. The letter states that under all the circumstances it has been thouhtg most wise to discontinue the formeragencies at Boston, New York, Philadelphia, and Charleston, and to assign the duty of paying the interest on the public debt there on the 1st of July, 1848, to the Assistant Treasurers at those places, to whom the duty would originally have been assigned if sufficient means had been placed by Congress at the disposal of the Department. The duty of paying the semi annual interest on the public debt is represented as onerous and important. The public debt, including the stock and Treasury notes still authorized to be issued, amounts to $65,778,540 41; the interest on which must be paid punctually semi-annually, embracing a very great number of names, including attorneys, trustees, executors, and administrators, and several hundred pages of schedules of names and amounts; and the Secretary says these payments cannot be made with punctuality and certainty without additional clerical force in the office of the Assistant Treasurer, and without an additional appropriation, which at this session, is requested from Congress.

The Secretary goes on to show, as satisfactory proof to the Senate that the Department has carried into full operation the provisions of the law, the tables of the Register of the Treasury, establishing—

1st. That during the seventeen months of the operation of the Subtreasury the payments in specie into the Treasury have been $67,801,776 22, and during the same period the disbursement in specie has been $69,059,574 81; that during the seventeen months the aggregate of receipts and disbursements has been $136,861,351 03. The coinage at the mint during three years and three months has been $36,507,119 07 under the special order of the Department, or several millions of dollars more than in thirty-seven years preceding—from 1792 to 1830.]

Mr. JOHNSON, of Louisiana, on leave, introduced a bill "to provide for a survey of the Red river, from its mouth to the head of its navigable waters."

On presenting the bill, Mr. J. remarked that a bill passed the Senate a few days since directing the Secretary of War to detail from the Corps of Topographical Engineers a competent officer to proceed forthwith to the State of Louisiana, there to survey the mouth of Red river, with a view to ascertain the most practicable mode of rendering the mouth of said river navigable for steamboats at all seasons of the year. This survey, although highly important, (for, in consequence of a large sand-bar formed at the mouth of the river, its navigation is nearly excluded from the Mississippi,) is not all that is required. There are other obstructions to the navigation of the Red river at different points which should be removed. The falls at Alexandria may be rendered navigable at all seasons, and the remains of the great raft in the river above Shreveport may be readily removed; but these are national works, which require appropriations by Congress. One hundred thousand dollars would probably be sufficient.

Mr. J. argued to show the importance of improving the navigation of this great river, in a national point of view, and the obligations of the National Government to make the necessary appropriations for the purpose. Three States, he said—Louisiana, Arkansas, and Texas—are directly and deeply interested in the navigation of the Red river; a large portion of their most valuable productions are greatly reduced in value in consequence of the obstructions to the navigation of Red river. Petitions, numerously signed by the citizens of Arkansas and Louisiana, praying appropriations to be made by Congress for the removal of the great raft and other obstructions to the navigation of Red river, were presented to the Senate and referred to the Committee on Commerce, some of them early in the session, but no report had been made. He considered it his duty, therefore, to introduce the bill.

ADJOURNMENT OF CONGRESS.

The resolution from the House touching the adjournment of Congress on the 17th July, came up in its order as the unfinished business; when

Mr. NILES rose to say that, on another occasion, he had expressed the opinion that this debate had gone far enough, and that it was time to check it, and gave notice to Mr. Clayton that, if there was any departure from the question before the Senate, he should call to order.

Mr. CLAYTON rose, and had not proceeded far when Mr. Niles called to order, making the point that the debate was irrelevant and improper, and never before tolerated in the Senate since he had the honor of a seat in the body.

Mr. WESTCOTT had inspected the rules, and confessed to have found nothing in them to restrain debate. This debate was a matter of taste altogether, and for the Senate to decide. If the Senate could show who of the candidates had the most resources and best talents for the station of President, the people would have no further trouble about the matter, and could give their vote in accordance with the views of the Senate.

Mr. CLAYTON alluded to the fact that, when Mr. Foote introduced the subject of the qualities of General Taylor for the station, he had said that his (Mr. C's.) side of the chamber was anxious to adjourn, to avoid a discussion on certain subjects connected with the Presidency, to which he meant to provoke them. Mr. C. appealed to the sense of justice and generosity of the other side, to permit him to make answer to matters in which he had been personally alluded to.

The VICE PRESIDENT decided that the debate was out of order and uncalled for.

Mr. CLAYTON appealed from the decision of the Chair.

Mr. MANGUM said that, with a view to disembarrass the Chair and the Senate, he should move to lay the question of order and appeal on the table, in order to allow the Senator from Delaware to proceed.

Mr. TURNEY adverted to the fact that the Senator from Delaware had already been pronounced out of order by the Chair; and was he to be permitted to proceed out of order?

Mr. CALHOUN would have greatly preferred that no debate had arisen on the subject, and also regretted that it had not been arrested in its incipiency, and the question of order have been earlier made. If it could be understood that the debate would cease to-day, and no other occurrence of the kind be permitted to take place, he should be for allowing the Senator from Delaware to reply.

Mr. BERRIEN was clearly of opinion with the Senator from South Carolina, that the debate ought to have been arrested in its incipiency, and appealed to Senators whether they were meeting the just expectations of the people if they debated extraneous matters when there was so much business of importance to transact? He could not acquiesce in the motion of his friend from North Carolina, (Mr. Mangum,) though he regretted to prevent his distinguished friend (Mr. Clayton) from replying. He felt it as being his imperious duty to go with the Senator from Connecticut, (Mr. Niles,) who had taken the stand which all should have done.

Mr. FOOTE, with his usual energy, maintained that the debate was strictly in order. He insisted that no Senator ought hypocritically to conceal his opinions on any great subject in which the interests of the country were so vitally concerned as they were in that of the Presidential election. He had never concealed his thoughts; he had charged it as his opinion that the object of the other side of the chamber in voting for an early adjournment was to avoid certain issues connected with the Presidential question; and, so believing, was he not bound to give his opinion? When questions were at issue from which the most awful consequences might ensue, had he not the right to insist that the session should not close until it was declared on what grounds they stood? He confessed that he did not anticipate objection from the quarter which it came. He alluded to the times of the great discussion between Messrs. Hayne and Webster, when the latter, in a speech that had never been surpassed in ancient or modern times, had discussed every thing connected with the policy of the Government, from its incipiency to that time, without ever glancing at the public lands, the question immediately before the Senate. He insisted that the debate was strictly in accordance with Senatorial usage, and that the case to which he had alluded justified the course then taken. He was but a young Senator, it was true, and more likely to be misled than others; but if he erred in his views, he did so in company with many of the oldest, wisest, and most eloquent Senators that had ever held seats in the body. He was in favor of permitting the Senator from Delaware to proceed, and thought that to prohibit him would be doing him a gross personal wrong.

Mr. HAMLIN was for sustaining the decision of the Chair, without pronouncing any opinion as to the relevancy or irrelevancy of the debate.

Mr. CLAYTON withdrew his appeal from the decision of the Chair.

Mr. MANGUM then moved that the Senator from Delaware have leave to proceed; and on that question demanded the yeas and nays, which were ordered.

Mr. BERRIEN thought the motion was neither more nor less than that the Senator from Delaware be allowed to proceed out of order.

Mr. DOWNS said, if the debate had been limited to one side he should feel the injustice of not permitting the Senator from Delaware to proceed; but such was not the fact. Both sides had been fairly heard, the Senator from North Carolina (Mr. Mangum) having occupied a portion of two days. The debate was so far perfectly equal: but, then, to have a speech from one of the most powerful and eloquent Senators of the other side without reply would be rather impolitic. Besides, the present period was important to the business of the Senate.

Mr. BORLAND thought it rather premature to pronounce the Senator from Delaware out of order before he made his speech. It was rather strange to make him out of order in advance. How could they tell that he might not speak directly to the question.

Mr. BADGER denied the correctness of the decision of the Chair, and expressed his regret that the appeal should have been withdrawn. When a debate ensues not strictly pertinent to the question before the Senate, it is the duty of the presiding officer to arrest it; but, if that is not done, it involves the unanimous consent of the Senate that it should go on, and then it is taken without the rule. Mr. B. alluded to the case during the present session where the debate took a wider range than the question before them warranted, as admitted by the Chair; but that officer, not having arrested it in the outset, did not feel himself at liberty to do so after it had progressed. He therefore could not very well see the consistency of the decision of the Chair in pronouncing the present debate out of order, when he had made the decision just alluded to in a precisely similar case.

Mr. WESTCOTT could see no great harm in the debate. He was opposed to calls to order for irrelevancy, as calculated to suppress the range of debate.

The debate was further continued by Messrs. BUTLER, FOOTE, NILES, JOHNSON, of Maryland, and others; when—

Mr. BRIGHT moved to postpone the further consideration of the subject to take up the Oregon bill; on which question he demanded the yeas and nays, which were ordered; and the question was decided in the negative, as follows:

YEAS—Messrs. Allen, Atchison, Atherton, Benton, Bradbury, Breese, Bright, Dickinson, Dix, Dodge, Downs, Felch, Fitzgerald, Hunter, Johnson, of Georgia, Lewis, Mason, Sebastian, Sturgeon, Walker—20.

NAYS—Messrs. Badger, Bell, Berrien, Borland, Butler, Calhoun, Cameron, Clarke, Clayton, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Foote, Greene, Hale, Hamlin, Johnson, of Maryland, Johnson, of Louisiana, Metcalfe, Mangum, Miller, Niles, Phelps, Rusk, Spruance, Turney, Underwood, Upham, Westcott—29.

Mr. TURNEY then moved to lay the resolution on the table, on the ground that the morning hour would be wasted from day to day in discussing irrelevant subjects, and demanded the yeas and nays, which were ordered. The question being taken it was decided in the negative, as follows:

YEAS—Messrs. Benton, Davis, of Mississippi, Downs, Hunter, Johnson, of Georgia, Lewis, Mason, Rusk, Sebastian, Sturgeon, Turney—11.

NAYS—Messrs. Allen, Atchison, Atherton, Badger, Bell, Berrien, Borland, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Clarke, Clayton, Corwin, Davis, of Massachusetts, Dickinson, Dix, Dodge, Felch, Fitzgerald, Foote, Greene, Hale, Hamlin, Johnson, of Maryland, Johnson, of Louisiana, Mangum, Metcalfe, Miller, Niles, Pearce, Phelps, Spruance, Underwood, Upham, Walker, Westcott—39.

The debate was then further continued by Messrs. BADGER, HUNTER, MANGUM, JOHNSON, of Georgia, HALE, TURNEY, and others, when the question was taken on Mr. Mangum's motion to allow Mr. Clayton to proceed, and decided in the affirmative as follows:

YEAS—Messrs. Badger, Bell, Borland, Breese, Calhoun, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Foote, Greene, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Lewis, Mangum, Metcalfe, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Westcott—26.

NAYS—Messrs. Atchison, Atherton, Benton, Berrien, Bradbury, Bright, Butler, Dickinson, Dix, Dodge, Downs, Felch, Fitzgerald, Hale, Hamlin, Hunter, Mason, Niles, Sebastian, Turney, Walker, Yulee—22.

Mr. CLAYTON then rose and addressed the Senate at great length and with great animation, defining his position in relation to General Taylor, and defending the position assumed by General Taylor.

The debate was also participated in by Messrs. FOOTE, FELCH, BREESE, WESTCOTT, JOHNSON, of Maryland, and others.

The question pending was upon the motion of Mr. Bright to strike out the 17th of July, and insert the 31st July.

Mr. DOWNS moved to postpone the consideration of the resolution until Monday week.

After debate, in which Messrs. BERRIEN, BREESE, DOWNS, LEWIS, TURNEY, and ALLEN participated, the motion was decided in the negative: Yeas 19, nays 32.

Mr. BREESE then moved to postpone until to-morrow week, which was also decided in the negative: Yeas 22, nays 28.

After further debate, in which Messrs. DOWNS, BRIGHT, RUSK, and BUTLER took part—

Mr. BELL moved to lay the resolution on the table, and briefly stated his reasons for making the motion. This motion was also decided in the negative: Yeas 25, nays 26.

Mr. DOWNS moved to amend the amendment by substituting the 14th August for the 31st July.

After debate by Messrs. ATHERTON, JOHNSON, of Maryland, BRADBURY, and JOHNSON, of Georgia—

Mr. LEWIS moved to lay the whole subject on the table, which was negatived—Yeas 24, nays 25.

Mr. RUSK moved that the Senate adjourn—Yeas 21, nays 26.

The question was then taken upon the amendment of Mr. Downs, substituting the 14th of August for the 31st of July, and determined in the negative—Yeas 14, nays 33.

After a few remarks from Messrs. DAVIS, of Mississippi, and ALLEN—

The question was taken upon the amendment of Mr. Bright, to strike out the 17th and insert the 31st July, and it was determined in the affirmative—Yeas 30, nays 18.

After a few words from Mr. DICKINSON—

A motion was made by Mr. BRIGHT to lay the resolution on the table, which was agreed to—Yeas 24, nays 22.

HOUSE OF REPRESENTATIVES.

MONDAY, JULY 3, 1848.

Mr. COLLAMER, by leave, introduced the following joint resolution:

Resolved, &c. That two brass field-pieces captured from the enemy at the battle of Bennington, in the State of Vermont, in 1777, now in the possession of the United States, be immediately well mounted, under the direction of the Secretary of War, and delivered to the Governor of the State of Vermont, to be hereafter holden as the property of said State.

The resolution having been read a first and second time—

Mr. COLLAMER addressed the House to the following effect: Mr. Speaker, a motion has now been entertained that when this House adjourns it will adjourn to the 5th instant, and *this* is, therefore, for all the practical purposes of this House, the 4th of July. I therefore take this as a fitting occasion to present this resolution. I am sensible that the House has little of time or patience to listen to a subject to them of so little interest or importance, and I will therefore state, as concisely as possible, the history of the two field-pieces mentioned in the resolution, and the claim of Vermont to the same.

In 1775, before the declaration of independence, and immediately after the commencement of hostilities with England, the people of Vermont, then called *The New Hampshire Grants*, captured the fortresses of Ticonderoga and Crown Point, and therein took one hundred and thirteen pieces of cannon, six mortars, and three howitzers, good for service. These all passed into the service of the United States, and the people of Vermont have received therefor no compensation. This constituted the basis of the artillery with which the war of the Revolution was achieved. In 1776 little but disaster attended the American arms. In 1777 General Burgoyne entered the country, from Canada, with his imposing army of invasion, the best-appointed and best-furnished army, though not the largest, ever landed in America. He captured Ticonderoga, opened the whole Northern frontier, pushed forward to the Hudson, and spread consternation through the country. It should, however, be remarked that he had some proper appreciation of Vermont. In the published journal of his expedition as it advanced will be found this entry of General Burgoyne: "The *Hampshire Grants*, in particular, a country 'unpeopled and almost unknown in the last war, [that is, the '*old French war*,] now abounds in the most active and most 'rebellious race on the continent, and hangs like a gathering 'storm upon my left." There was a depot of provisions at Bennington, in Vermont, and a detachment of Burgoyne's army under Col. Baum was sent to capture it, and upon this detachment this *gathering storm* burst like a tornado. Sir, I wish it remembered that no United States troops were present. It was the *people* of Vermont, assisted by their neighbors of New Hampshire under the *gallant Starke*, and a few bold neighbors from Berkshire, Massachusetts, who overthrew this army under Baum, behind their log breastwork, and captured over seven hundred men, besides the killed and dispersed; and then it was that they took these two field-pieces. Did they not belong to that people? But, sir, they were wanted by the country. They were taken down to the Hudson, and constituted a part of the artillery in the battles of Beamis's Heights and Saratoga, which resulted in the capture of the whole British army. They have been retained by the United States ever since. Sir, the expenses of Vermont in the Revolution have never been settled, or a dollar of them repaid. Their efforts at Ticonderoga, at Hubbarton, at Bennington, and even those of last war, when Vermont rose *in mass* and went to the rescue at Plattsburg, have never been adjusted or a dollar paid therefor by this nation. All I now ask is, that you return to Vermont these two field-pieces, which you have kept seventy years, and now, having worn out their carriages, you have thrown them aside as valueless, outside your arsenal; and there, sir, you may now see them, neglected and corroding, but there is chiselled on them the precious memento that they were captured at Bennington, 1777. This Government regards them as of *no value*. May we have them? Will you remount and return them? To us of Vermont they are invaluable. We will put them in the vestibule of our granite capitol, and they shall be kept bright, in patriotic, filial, and grateful remembrance of our fathers' valor. Again I ask, *may we have them?*

The resolution was then read a third time and passed unanimously.

WEDNESDAY, JULY 5, 1848.

The SPEAKER announced the report of the Committee on Commerce, and the accompanying resolutions on the message of the President giving his reasons for withholding his approval from the river and harbor bill of last session, on the memorial of the Chicago Convention, and on various other memorials for the improvement of rivers and harbors, as the subject first in order.

The resolutions were read as follows:

Resolved, That the constitution of the United States vests in Congress the power to appropriate money to open and improve harbors, and remove obstructions from navigable rivers, in all cases where such improvements are necessary to the protection and facility of commerce with foreign nations or the commerce among the States.

2. *Resolved*, That the interests of our national commerce, the common defence, and general welfare of the United States require a judicious exercise of the foregoing powers.

3. *Resolved*, That the reasons assigned by the President in his veto message of December 15, 1847, for his refusal to approve and sign the bill passed March 3, 1847, making appropriations for the improvement of certain harbors and rivers, are deemed insufficient and unsatisfactory.

4. *Resolved*, That it would be inexpedient, and contrary to the principles of the constitution, to give the general consent of Congress, in advance of legislation by the States, to the imposition of tonnage duties by the several States as a means of improving the ports and harbors at which such duties may be levied.

5. *Resolved*, That the report of the Committee on Commerce on the memorial of the Chicago Convention, respecting harbor and river improvements, the President's message of December 15, 1847, on the same subject, and the bill referred to said committee in relation to tonnage duties, with the minority report on the same subject, be printed, and that the Committee on Printing be directed to inquire into the expediency of printing extra copies of said report.

Mr. SIMS, who was entitled to the floor, said he had no disposition to occupy the time of the House at this late period of the session upon the subject of these resolutions. He would much prefer that the regular necessary business before them should be attended to; and, in order to arrive at that result, he would move to lay the report and resolutions on the table.

The yeas and nays were ordered on the motion to lay on the table.

Mr. McCLERNAND asked to be excused from voting, and for leave to state his reasons for his motion.

The SPEAKER. The gentleman cannot be allowed to state any reasons under the rule.

Mr. McCLERNAND, then, would vote against the resolutions, because in effect they must precipitate the country into an enormous public debt; and because, too, they could not be regarded otherwise than as an attack, a gratuitous attack, upon the Administration.

The question to lay upon the table was put and decided in the negative, by the following vote:

YEAS—Messrs. Atkinson, Bayly, Beale, Bedinger, Birdsall, Bowdon, Brodhead, William G. Brown, Burt, Chase, Franklin Clark, B. L. Clark, Williamson R. W. Cobb, Cummins, Daniel, Dickinson, Featherston, Ficklin, Fries, Green, Willard P. Hall, Hammons, Haralson, Harmanson, Harris, Hill, George S. Houston, Inge, Charles J. Ingersoll, Iverson, Jameson, Andrew Johnson, J. H. Johnson, Robert W. Johnson, G. W. Jones, Kenton, Lahm, La Sere, Lord, Lumpkin, Maclay, McClernand, McDowell, McKay, Miller, Peaslee, Phelps, Pilsbury, Rhett, Richey, Sawyer, Simpson, Sims, Smart, Stanton, Thomas, Jacob Thompson, R. A. Thompson, Venable, Wallace, Wick, Wiley, Williams, Woodward—65.

NAYS—Messrs. Abbott, Barrow, Belcher, Bingham, Blanchard, Botts, Bowlin, Brady, Buckner, Butler, Canby, Chapman, Clingman, Collamer, Collins, Conger, Cranston, Crowell, Crozier, Darling, Dickey, Dixon, Donnell, Dunn, Eckert, Edwards, Embree, A. Evans, N. Evans, Faran, Farrelly, Fisher, Flournoy, Freedley, Fulton, Gayle, Gentry, Giddings, Goggin, Gott, Grinnell, Hale, Nathan K. Hall, J. G. Hampton, Moses Hampton, Henry, Elias B. Holmes, John W. Houston, Hubbard, Hudson, Hunt, Irvin, Jenkins, John W. Jones, Kellogg, T. B. King, D. P. King, William T. Lawrence, Sidney Lawrence, Leffler, Lincoln, Lynde, McClelland, McIlvaine, H. Mann, Marsh, Marvin, Morehead, Morris, Mullin, Nelson, Newell, Outlaw, Palfrey, Peck, Pendleton, Petrie, Petitt, Pollock, Preston, Putnam, Reynolds, Julius Rockwell, John A. Rockwell, Root, Rumsey, St. John, Shirrell, Silvester, Slingerland, Caleb B. Smith, Truman Smith, Starkweather, Stephens, Charles E. Stuart, Tallmadge, Taylor, Thibodaux, James Thompson, John B. Thompson, William Thompson, Thurston, Toombs, Turner, Van Dyke, Vinton, Warren, Wentworth, White, Wilson—109.

Mr. McCLELLAND had very little objection to the first and second of these resolutions, though he confessed if he had been on that committee he would not have agreed to report any of them. He thought it would have been sufficient for the committee to have made their report, and had that report, together with the President's veto message, circulated among the people.

The first resolution he looked upon as rather loosely drawn, and many and various constructions would be put upon it. Yet he had no particular objection to vote for that resolution.

The second resolution he could vote for with great pleasure.

The third he could not vote for at all. He viewed it as unnecessary. He looked upon it, furthermore, as a direct reflection on the President of the United States. He differed with the President, and did not agree that the reasons he had assigned in that veto message were good and sufficient; but at the same time he was unwilling to give any vote in this House which might be tortured into a censure of that officer, for the simple reason that he, in the discharge of his duties, was compelled to differ with him; and whatever difference of opinion might exist between the President and himself as a member of this House, he was nevertheless obliged to presume that he had acted honestly in the discharge of his duties, and the President had as good a right to differ from him as had any member of this House.

Having requested the Clerk to read the fourth resolution, Mr. McC. said he had very little doubt, from the examination he had been enabled to give this subject, that it would be improper and inexpedient to give this power to the States in advance of the action of each State on this particular subject; but at the same time he could not vote for that resolution because he believed it constitutional. He thought Congress had power to give authority to the States in advance, and it seemed to him that any one who would refer to the constitutional provisions on that subject, would concur with him in that opinion. The clause of the constitution which related to this question was in the following words: "No State shall, without the consent of Congress, lay any duty of tonnage," &c.

Whether that consent was given before or after any action on the part of the State, it was certainly constitutional, because this grant of power was express, authorizing Congress to give their consent to the States to impose these tonnage duties. His opinion was that the power could not be given to the extent that had been contended for by some gentlemen on this floor. He thought it a very limited power, and upon the lakes and upon the largest rivers of the United States, which had heretofore been improved by appropriations from Congress, the power would be of no avail. But at the same time (for he wanted to speak briefly on the subject) he could not vote for this resolution, because he thought the power was constitutionally in Congress to give authority to any State in this Union to pass laws in regard to tonnage duties previous to the action of the State itself. He could not, therefore, vote for this resolution. He suggested an amendment to strike out that part of this resolution which related to the question of constitutionality.

Mr. HUNT was very unwilling to consume the time of the House, at this advanced stage of the session, in debating the propositions contained in these resolutions. It was a subject which had been very fully discussed on former occasions, not only in this House but throughout the country, which had been fully investigated by every gentleman here, and on which, no doubt, every one was as fully prepared to vote without further debate as they would be after days had been consumed in its further discussion.

Mr. ATKINSON wished to make an inquiry of the gentleman. Being one of the Committee on Commerce, by which this bill had been reported, he desired to know of the gentleman who was the chairman of that committee whether the report had received the unanimous sanction of the committee, or whether there were dissenting voices; and, if so, who they were.

Mr. HUNT replied that this subject was referred to the Committee on Commerce at an early day of the session. They had felt it their duty to investigate it and take some action on the various questions referred to them by the message of the President, and the bill of the gentleman from South Carolina (Mr. Rhett) in relation to tonnage duties. There had been a very full discussion of the subject in committee, and the conclusions arrived at were adopted by the majority of the committee—the gentleman from Virginia (Mr. Atkinson) and the gentleman from South Carolina (Mr. Simpson) dissenting from these resolutions.

He wished to call the attention of the House for a moment to the true character of the resolutions as they had been commented upon by the gentleman from Michigan.

Mr. TURNER inquired if the resolutions had been printed?

Mr. HUNT replied that they had, but not by the order of the House.

Mr. TURNER hoped, then, that the gentleman would allow them to be referred, or at least postponed, until they could be examined by all.

Mr. RHETT said if the gentlemen would agree to refer them to the Committee of the Whole on the state of the Union, and fix any day on which they should come up, they would be perfectly ready to meet them.

Mr. HUNT replied that the gentleman from South Carolina would recollect that these resolutions had been reported two weeks ago, and that his colleague (Mr. Sims) had at that time got the floor, and they had gone over until this morning. They had been printed in the papers of the city, and he could not suppose it was necessary to take up any further time for gentlemen to prepare to vote.

Mr. LAHM inquired, in case the previous question were moved and seconded, if it would be in order to call for a division so as to vote upon the resolutions separately?

Mr. HUNT. Undoubtedly.

Mr. LAHM said there were two for which he would vote.

Mr. HUNT proceeded to say that the first resolution declared the power of Congress to make improvements of harbors and rivers in all cases where they were "necessary to the protection and facility of commerce with foreign nations or the commerce among the States." It was a general declaration of that power, in specific and precise phraseology, which he thought could not be questioned. He believed every gentleman had made up his mind on that point.

Mr. FARAN wished to be allowed, while the gentleman was on the first resolution, to put to him one question. That resolution declared that the power of Congress extended to all cases where it was necessary to facilitate commerce among the States. He wished to ask the gentleman whether he understood the resolution to extend to cases of a local and not purely of a national character?

Mr. HUNT replied that every gentleman would judge for himself of the extent of the power granted to Congress by the constitution to regulate commerce among the States. In his opinion the power extended to all cases where it was necessary to protect commerce among the States, whether the rivers were large or small, but it did not extend to purely local works.

As to the duty of this Government to exercise this power, there was a difference of opinion; but he believed there was a majority of the House, and of the country, who were prepared to declare their opinions in favor of this also. But he would not take up the time of the House.

He had a single word to say in reference to the third resolution, which had been objected to by the gentleman from Michigan, on the ground that it was disrespectful to the President of the United States. It would be remembered that, at the opening of the session, the President had thought it his duty to send a message to this House, with the bill passed by the last Congress, containing his reasons for refusing to give his assent to that bill. It could not have been supposed by the President that this Congress would take any action on that specific bill; there was an end of it, and the power of Congress was exhausted when the President had refused his assent to the bill; and the only object in sending it here was to make up an issue with Congress, and (if any thing was hoped to be secured) to control the action of Congress. That message had been referred to the Committee on Commerce, and for what purpose? According to the view taken by the committee, it was incumbent on them to express, in proper form, their dissent from the message; and the resolution simply declared that the reasons assigned by the President were insufficient and unsatisfactory. The Committee on Commerce felt them to be unsatisfactory. He believed they were unsatisfactory not only to Congress, but the country; and he thought, upon a subject of such magnitude, when the President had gone out of his way to proclaim in advance that he would not give his assent to any measure which might be adopted for the protection of our national commerce, that it was not only proper on the part of Congress, but that it was eminently due to themselves and the country to declare their sentiments; that it was due to the importance of the subject; due to the public opinion of the country; and he thought they would fall short of that duty if they failed to record, in unequivocal terms, that the judgment of the President as to the constitutional power of the Government, and the objections he had assigned to the exercise of that power, were not satisfactory, and would not control the action of Congress.

Mr. EVANS, of Maryland, remarked that the President of the United States never hesitated to declare his opinions of the action of Congress, and that he or his friends did not consider *that* disrespectful, even when done with the direct view to influence the action of Congress.

Mr. HUNT said it was quite as respectful for Congress to express their opinion upon the message of the President which had been communicated to them, as it was for the President in advance to advise Congress of what his action would be.

As to the fourth resolution, he entirely agreed with the gentleman from Michigan that it was entirely within the power of Congress to give its assent to the imposition of tonnage duties by any State. That power was given in express terms by the constitution. But in his opinion—and that was the conclusion of the Committee on Commerce—it was not within the meaning and intent of the constitution that Congress should give its assent in general terms, in advance, to any law a State might pass. Such a course would virtually abrogate that clause of the constitution which declared that Congress should give its assent and surrender up the whole power over tonnage duties to the States without prohibition. The clause of the constitution which conferred this power was:

"No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into an agreement or compact with another State, or with a foreign Power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay."

These several powers stood on the same footing, and were grouped together under the same clause of the constitution. What sort of a proposition would it be to give the consent of Congress in advance to any State to engage in war or enter into a treaty with a foreign Power?

Mr. McCLELLAND wished to ask the gentleman whether any agreement or contract with another State, or with a foreign Power, could be entered into by a State previous to obtaining the consent of Congress?

Mr. HUNT replied, Certainly not. The practice always had been for the States to make their agreements, and then submit them specifically to the sanction of Congress that they might know when they gave their assent what they gave their assent to. The practice with reference to tonnage duties had been the same, for several States, time after time, had passed laws to impose tonnage duties.

Mr. McCLELLAND admitted that was the proper course, and all the precedents went to show that was the course which had heretofore been pursued. But at the same time there was nothing in that clause which went to show that Congress had not the power, if they pleased to exercise it, to give their consent to the States to impose tonnage duties previous to any action by the State, upon the subject.

Mr. HUNT said his own opinion was that it would not be a legitimate and proper exercise of the power of Congress to give its consent in advance to the imposition of tonnage duties by a State. But he was not tenacious as to the precise phraseology of the resolution. If the gentleman objected to that part which declared it to be contrary to the principles of the constitution, he would give way to enable him to offer an amendment, and submit the question to the sense of the House.

Mr. RHETT, in reference to the remark that all the precedents went to show that Congress had never in anticipation given its consent to the imposition of tonnage duties by the States, asked whether the law authorizing the State of Georgia to lay tonnage duties for the improvement of the harbor of Savannah did not give the consent of Congress in advance of the action of the State?

Mr. HUNT thought in that particular instance the gentleman was correct, although in other cases the law had previously been passed by the State of Georgia, and submitted to the sanction of Congress.

Mr. RHETT asked whether the Senate had not given its consent to treaties in anticipation of their being made? And had any body ever said that was unconstitutional?

Mr. HUNT replied that they always knew what the treaty was. They had never given their assent in general terms to a treaty of which they knew nothing.

Mr. RHETT said the gentleman was mistaken. The Senate had put down terms not in the treaty, and the other party had come up to them. The treaty with Mexico, which had now gone into effect, was an instance.

Mr. HUNT was not aware that the Senate in any instance had given their assent to the formation of a treaty without at the same time having indicated to them the specific terms and principles embodied in the treaty. But he was not tenacious as to the terms of the resolution, and was willing that it should be modified to meet the objection raised.

Mr. THOMPSON, of Pennsylvania, desired to ask the gentleman from New York a question. His second resolution affirmed the right to make the appropriation of money mentioned in the first resolution under the constitutional power to regulate commerce, as well as the power to legislate for the "common defence and general welfare." Under which clause did the gentleman claim the power?

Mr. HUNT replied that hte second resolution expressly derived the power from that clause which gave to Congress the right to regulate commerce with foreign nations and among the several States. It did not draw it all from the general-welfare clause.

Mr. THOMPSON said he would vote for the first resolution, and against the second, because he believed the power to make the grant was to be found under the constitutional power to regulate commerce, and only there. He would not lose the exercise of any such power under these expressions of "common defence and general welfare."

The third resolution he would not vote for. It could tend to no useful purpose; we could discharge our duty without the necessity of making this expression against the message of December last of the President.

As to the fourth resolution, he was opposed to it. He believed it constitutional, and that tonnage duties might be imposed. Where vessels and boats paid no taxes for State purposes, it might be a most proper exercise of legislative duty under a clear constitutional power to levy such duties, if the States should feel disposed to do so. He was opposed to this resolution, which denied the constitutional right to assent in advance that they might be laid.

Mr. HUNT would move to amend the fourth resolution by striking out the words, "and contrary to the principles of the constitution." He would also propose to amend the fifth resolution, but, being informed by the Speaker that but one amendment was in order at a time, waived the latter amendment; and, remarking that he believed there was no necessity for further debate in order to an enlightened and deliberate expression of the opinions of this House upon the subject, demanded the previous question.

Mr. C. J. INGERSOLL inquired if the resolutions could be divided, so as to take a separate vote on each?

The SPEAKER replied that they could after the previous question was seconded.

Mr. C. J. INGERSOLL. That is all I want.

Mr. RHETT expressed his dissatisfaction that the chairman of the committee, after making his speech and moving an amendment, should demand the previous question, but was called to order.

Mr. THOMPSON, of Pennsylvania, inquired if it was in order to move to postpone the resolutions?

The SPEAKER replied in the negative.

Mr. RHETT inquired if it was in order to move to go into Committee of the Whole on the state of the Union; and, being answered affirmatively, he made that motion, which was decided in the negative—Yeas 78, nays 101.

The previous question was then seconded, and the question was stated, Shall the main question be now put?

Mr. McCLERNAND asked the yeas and nays, which were ordered; and they resulted as follows: Yeas 100, nays 78.

So the main question was ordered to be now put.

The amendment moved by Mr. Hunt to the fourth resolution—viz. strike out the words "and contrary to the principles of the constitution"—was agreed to.

The question then recurred on agreeing to the resolutions.

Mr. THOMPSON, of Pennsylvania, called for a division of the question, so as to take a separate vote on each resolution; and the question was so divided.

The first resolution was agreed to by the following vote:

YEAS—Messrs. Abbott, Adams, Ashmun, Barringer, Barrow, Belcher, Bingham, Birdsall, Blanchard, Botts, Bowlin, Boyden, Brady, Buckner, Butler, Canby, Chapman, Clingman, Cocke, Collamer, Collins, Conger, Cranston, Crowell, Crozier, Darling, Dickey, Dixon, Duer, Daniel Duncan, Dunn, Eckert, Edwards, Embree, Alexander Evans, Nathan Evans, Farrelly, Fisher, Flournoy, Freedley, Fulton, Gaines, Gayle, Gentry, Giddings, Goggin, Gott, Grinnell, Hale, Nathan K. Hall, James G. Hampton, Moses Hampton, Henry, Elias B. Holmes, John W. Houston, Hubbard, Hudson, Hunt, Charles J. Ingersoll, Irvin, Jenkins, Robert W. Johnson, John W. Jones, Kellogg, Thos B. King, D. P. King, Lahm, Wm. T. Lawrence, Sidney Lawrence, Leffler, Lincoln, Lynde, Maclay, McClelland, McIlvaine, Job Mann, H. Mann, Marvin, Morehead, Morris, Mullin, Nelson, Nes, Newell, Outlaw, Palfrey, Peck, Pendleton, Petrie, Peyton, Pollock, Preston, Putnam, Reynolds, Richardson, Julius Rockwell, John A. Rockwell, Roman, Root, Rumsey, St. John, Schenck, Shepperd, Shirrel, Silvester, Slingerland, Caleb B. Smith, Robert Smith, Truman Smith, Stanton, Starkweather, Stephens, Chas. E. Stuart, Tallmadge, Taylor, Thibodaux, James Thompson, Richard W. Thompson, John B. Thompson, Wm. Thompson, Thurston, Turner, Van Dyke, Vinton, Warren, Wentworth, White, and Wilson—128.

NAYS—Messrs. Atkinson, Bayly, Beale, Bedinger, Bowdon, Boyd, Brodhead, William G. Brown, Albert G. Brown, Burt, Chase, Franklin Clark, Beverly L. Clark, Howell Cobb, W. R. W. Cobb, Cummins, Dickinson, Faran, Featherston, Ficklin, Fries, Green, W. P. Hall, Hammons, Haralson, Harmanson, Harris, Hill, George S. Houston, Iverson, Jameson, A. Johnson, James H. Johnson, George W. Jones, Kennon, Lord, Lumpkin, McClernand, McDowell, McKay, Miller, Peaslee, Phelps, Pilsbury, Rhett, Richey, Sawyer, Simpson, Sims, Smart, Thomas, Jacob Thompson, Robert A. Thompson, Venable, Wallace, Wick, Wiley, Williams, and Woodward—59.

Mr. TURNER moved to reconsider this vote, stating that he had made the motion to reconsider that he might be enabled to give his reasons why he was opposed to the passage of these resolutions at this time.

Mr. COBB, after consultation with the gentleman from Illinois, moved that the House resolve itself into Committee of the Whole on the state of the Union. He intimated that, if this motion should be agreed to, the gentleman from Illinois would retain the floor for to-morrow. Agreed to.

THURSDAY, JULY 6, 1848.

The business first in order was the report of the Committee on Commerce, and accompanying resolutions, on the message of the President assigning his reasons for withholding his sanction to the river and harbor bill of last session, the memorial of the Chicago Convention, and various other memorials for the improvement of rivers and harbors.

The pending motion was to reconsider the vote of yesterday by which the first resolution was agreed to.

Mr. TURNER, who was entitled to the floor, rose and occupied an hour in giving expression to his views on the subject of internal improvements, and in opposition to the Committee on Commerce in reporting the resolutions before the House. When he concluded—

Mr. WENTWORTH said, if any member of this House ought to speak on this question, one coming from his locality ought to be heard in relation to it; but there were an immense number of measures before Congress which ought to be acted upon before the adjournment, and before he sat down he should therefore move to lay the motion to reconsider on the table. This was the first Whig Congress that he had ever attended, and it was the only Congress he had seen delay so long the passage of a bill for harbor and river improvements. After commenting on this fact he called upon the House to print the Chicago memorial, the report thereon, and Mr. Polk's veto message in one document, that they might go to the country and be read by the people together. He concluded by moving to lay the motion to reconsider on the table.

The motion was agreed to.

Mr. PRESTON, by leave, from the Committee on the Library, to which was referred Senate bill to purchase the papers of Alexander Hamilton, deceased, reported the same back to the House without amendment. Committed.

FRIDAY, JULY 7, 1848.

DISBANDING THE OFFICERS OF THE ARMY.

Mr. BOTTS, from the Committee on Military Affairs, to which was referred the amendments of the Senate to the bill of the House to amend the act entitled an act supplemental to an act entitled "An act providing for the prosecution of the existing war between the United States and the republic of Mexico and for other purposes," reported the same back to the House with amendments.

This bill relates to the disbanding of the officers of the army at the close of the war with Mexico.

The amendment of the Senate postpones the execution of the bill until the fourth of March, 1849.

On motion of Mr. BOTTS the House proceeded to the consideration of the said bill and amendments.

Mr. JONES, of Tennessee, was opposed both to the bill and to the amendments. He was opposed to continuing these officers in the service. He thought the time had arrived, by the proclamation of the President that the war was terminated, when that law which is now attempted to be extended to the 4th of March next takes effect, and it became the duty of the President to execute that law. He could see no necessity for continuing any of these officers in the service longer than the emergency which called them into the service. The emergency having ceased, they should not be continued in the service of the country, and therefore he moved that the bill and its amendments be committed to the Committee of the Whole on the state of the Union.

Mr. GENTRY, as at present advised, and with the information before him, concurred in the views presented by his colleague (Mr. Jones) fully. When legislation was had by Congress for the creation of additional officers of the army, it was deemed sound policy to provide that when the public necessity which required this creation of officers should have passed away, the law by which they were created should provide for the termination of their office at the end of the war. He saw no reason nor public policy which required a change in this respect. Why should they suspend the operation of the law to the 4th of March next? They might as well suspend the law which provides for disbanding the rank and file—the privates as well as officers. If the existing law should operate injuriously—if any officer has rendered pre eminent services, which would commend him as an exception from its operation, let the law take effect, and then let a special law be passed to restore him to his rank. But it was proposed to keep in the service all the officers until the 4th of March next. He could not, he repeated, see any reason for this suspension of the operation of the law; he preferred, as he had stated, that those who were meritorious should be restored to their rank by special law.

Mr. BOTTS said there was certainly no reason why he, as a member of the Committee on Military Affairs, or as the chairman of that committee, should feel any particular anxiety for the passage of this bill. But it became his duty as the organ of that committee to state to the House the reasons why they had agreed to concur in some of the amendments of the Senate, and to propose amendments to others.

Mr. HOUSTON, of Alabama, inquired if this bill did not make an appropriation, and, therefore, if, as a matter of course, it must not go to the Committee of the Whole on the state of the Union?

The SPEAKER said he was not aware that the bill contained an appropriation, but the gentleman from Alabama must be aware that, if it did, it had already been in Committee of the Whole on the state of the Union, had been passed by this House and sent to the Senate, whence it had come with some amendments.

Mr. BURT assured the gentleman from Alabama the bill made no appropriation.

Mr. HOUSTON said it might not in direct terms, but he thought it would be found that a large amount was involved.

Mr. BOTTS again rose for the purpose of making an explanation of the character of this bill, and of the necessity of its passage. Personally he should be satisfied with any action the House might take upon it. He would repeat what he said yesterday respecting the case which was now presented to the House. He then recapitulated the provisions of the law of the last Congress, which provides that on the restoration of peace the major generals then in commission shall be reduced to one, and the brigadier generals to two. This bill, which had been to the Senate and had come back with an amendment, must therefore either be passed immediately, or the unavoidable consequence would be that either Gen. Scott or Gen. Taylor must be stricken from the roll, and likewise all brigadier generals save two, who would be retained at the discretion of the President of the United States. The time has arrived when the act, whose provisions he had quoted, would be in full force, the President's proclamation of peace having been published, unless this bill were passed this day.

The Senate, instead of repealing this section of the act, proposes to suspend it till the fourth day of March next; and this not only as respects general officers, but all other officers connected with the army. The object of this, Mr. B. said, was simply to allow time for more judicious legislation than could now be possible. It was not hereby intended to retain these officers in commission until the 4th of March; but as they would, under the operation of the existing law, go out immediately on the proclamation of peace, and no time now remained for deliberation, the postponement was made to prevent such a result, and gain the time necessary to act understandingly in the case. It was in contemplation by both Houses to provide for the country a peace establishment. Now, until it should have been decided what number of troops were to be retained in the service, it could not of course be ascertained how many officers it would be necessary to retain. It was understood, as of course, that more would be required than were in commission before the war, especially if the peace establishment was to be increased, as it probably would be. How, then, was it possible for Congress to decide in an hour how many of the officers now in commission should be dismissed? It was impossible; and to give the House time for deliberation the Military Committee proposed that there should be a postponement, as recommended by the Senate. Should the House agree to do this, it would be competent to repeal the provision to-morrow, if it so pleased, and go on to provide a peace establishment. To repeal the law at once would inflict great hardship on some of the officers. Mr. B. cited particularly the case of meritorious captains who had recently been promoted to a majority.

Mr. GENTRY said that if the object of suspending was no more than what had now been stated, he should give it his hearty concurrence; but the terms of the amendment were general and sweeping. If its effect was confined to officers promoted, he should have no objection to it. But what did we want with all these additional generals? Off with their epaulets! The war was now over, and there was no need of retaining them a day longer.

Mr. BOYDEN suggested, in reply to Mr. Botts, that the proclamation of peace, though made to-day, was dated on the 4th instant; so, if there was any force in what the gentleman had said on that subject, the officers were out of the service already.

Mr. BOTTS said that he had not before asserted that all the officers would go out, but only those of a high grade. He would not undertake to say whether the proclamation would take effect in law from the day of its date or the day of its promulgation. He should suppose it would be reckoned from the day when it was made known to the world. It might be dated a month back. Four of the oldest and most meritorious captains in the line, without any request of their own, had been promoted to be majors. Now, there could not be a more glaring and more monstrous act of injustice than that these men, without a fault, should in their old age be legislated out of office. Were there time to do what was desired by his friend from Tennessee, (Mr. Gentry,) Mr. B. should be as ready as he; but it was because of the want of time that, in order to avoid oppression and rashness, he wished to postpone the repeal of the act, and retain these offices, not until the 4th of March next, but until there should be a fair opportunity of acting on their case without inflicting injustice.

Mr. ROCKWELL, of Connecticut, moved that the House go into Committee of the Whole on the private calendar.

Mr. VINTON said, if that motion was pressed, he should move to go into Committee of the Whole on the state of the Union.

The question being put on Mr. Rockwell's motion, it was negatived.

Mr. VINTON then moved to go into Committee of the Whole on the state of the Union.

Mr. SAWYER demanded the yeas and nays, but the House refused to order them; and voted, under a count by tellers, in favor of the motion—Ayes 69, noes 56.

Mr. ROCKWELL, of Connecticut, moved that the House resolve itself into Committee of the Whole on the private calendar. Lost.

So the House resolved itself into Committee of the Whole on the state of the Union, (Mr. Root in the chair.)

WILLIAM B. WEBB,

Attorney and Counsellor at Law,

Washington, D. C.

Will attend to all business entrusted to him with promptness and fidelity, to suits before the several Courts of the District, to private collections, and to the presentation and prosecution of Land, Pay, Pension, and other Claims before Congress or the several Departments.

Office and residence on 6th, between D and E streets.

june 19—eotif