CONGRESS.

SATURDAY, MARCH 27, 1852.

HOUSE OF REPRESENTATIVES.

The SPEAKER stated that the first business in order was the question on concurring in the amendments reported yesterday reported from the Committee of the Whole on the state of the Union to the deficiency bill.

Mr. HOUSTON demanded the previous question on the amendments.

Mr. MARSHALL, of Kentucky, moved to lay the bill on the table, and on this motion demanded the yeas and nays.

The yeas and nays were ordered, and taken, with the following result: Yeas 76, nays 97.

So the House refused to lay the bill on the table.

The question was then taken on concurring in the amendments reported from the Committee of the Whole, (which have heretofore been published in this paper,) and they were severally concurred in.

The bill, so amended, was then ordered to be engrossed and read a third time, and being engrossed was read the third time, and passed by the following vote:

YEAS—Messrs. Abercrombie, Allison, William Appleton, Thomas H. Bayly, Bennett, Bibighaus, Bowie, Boyd, Bragg, Biggs, Brooks, A. G. Brown, George H. Brown, Burrows, Edward C. Cabell, Chandler, Chapman, Clingman, Conger, Cottman, Cullom, George T. Davis, Dockery, Dunham, Eastman, Evans, Ewing, Florence, Fowler, Henry M. Fuller, Gentry, Goodenow, Grey, Harper, Haven, Horsford, Houston, Howard, Thomas M. Howe, Hunter, Ives, Robert W. Johnson, George G. King, Kuhns, Kurtz, Landry, Mann, Martin, McCorkle, Meacham, Meade, Miller, Miner, Melony, Henry D. Moore, John Moore, Morehead, Murray, Newton, Outlaw, Samuel W. Parker, Penn, Penniman, Perkins, Porter, Riddle, Robbins, Sackett, Schermerhorn, Schoolcraft, Scudder, Scurry, David L. Seymour, Origen S. Seymour, Skelton, Stanly, Frederick P. Stanton, Richard H. Stanton, Thaddeus Stevens, Strother, Stuart, Sutherland, Taylor, Benj. Thompson, Tuck, Walbridge, Walsh, Ward, Washburn, Watkins, Welch, Wells, Addison White, Alexander White, Williams—95.

NAYS—Messrs. Aiken, Willis Allen, Ashe, Averett, Babcock, Beale, Bissell, Bocock, Breckenridge, Brenton, Buell, Joseph Cable, Thompson Campbell, Caskie, Churchwell, Clark, Cleveland, Cobb, Curtis, Daniel, J. G. Davis, Dawson, Dimmick, Doty, Edgerton, Edmundson, Ficklin, Fitch, Floyd, Freeman, Thomas J. D. Fuller, Gamble, Gaylord, Gilmore, Hall, Isham G. Harris, Hart, Hendricks, Henn, Hibbard, Hillyer, Holladay, T. Y. Jew, Jr., Andrew Johnson, James Johnson, Daniel T. Jones, George W. Jones, J. Glancy Jones, Preston King, Letcher, Mace, Edward C. Marshall, Humphrey Marshall, Mason, McDonald, McLanahan, McQueen, Millson, Nabers, Olds, Orr, Andrew Parker, Peaslee, Polk, Powell, Robinson, Ross, Smart, Smith, Benj. Stanton, Sweetser, Geo. W. Thompson, Venable, Wallace, Wildrick, Woodward—76.

And the House adjourned.

MONDAY, MARCH 29, 1852.

IN SENATE.

A message was received from the President of the United States, in compliance with a resolution of the Senate of the 24th instant, in relation to the extension of the Capitol, covering a report from the Secretary of the Interior, furnishing the desired information; which was read and referred to the Committee on Public Buildings.

The PRESIDENT of the Senate laid before the body a communication from the Secretary of War, made in compliance with a resolution of the Senate of the 25th instant, calling for information as to whether any charges had been filed in his Department against the Commissioner appointed to run and mark the boundary line by an officer of the army, and if so, to transmit the same to the Senate; which was read and laid on the table.

[The communication from the Secretary states that no charges have been filed in the Department; as the Commissioner is in no manner accountable to the Department, no charges against him could be properly filed there; but says he was informed by the chief of the Bureau of Topographical Engineers that an officer of that corps, detached for duty on the boundary, and subsequently recalled, did some months since deposite a certain manuscript book, containing various charges or allegations of official misconduct against the Commissioner. The book forms no part of the records of the Department, but is the private property of the officer, and consequently he has no authority to direct a copy of it to be made and certified. "I am informed, however, (says the Secretary,) by the officer with whom it was deposited, that he would have no objection to place the original in possession of the Senate, or of any member thereof who may desire to inspect it."]

Mr. DOWNS presented resolutions of the Legislature of Louisiana, in favor of an appropriation for the removal of obstructions in the bayou Lafourche.

Also, from the same, in favor of a donation of land for the use and benefit of the Pine Grove Academy.

Mr. SEWARD presented four petitions from citizens of New York, and a memorial of the Caln Quarterly Meeting of the religious society of Friends of Pennsylvania, asking the repeal of the late act of Congress for the delivery of fugitives from service or labor.

Mr. SEWARD moved that these petitions be referred to the Committee on the Judiciary.

Mr. NORRIS moved that they lie on the table, and demanded the yeas and nays, which were ordered, and it was decided in the affirmative, as follows:

YEAS—Messrs. Atchison, Badger, Bayard, Borland, Bradbury, Brodhead, Brooke, Cass, Clarke, Clemens, Cooper, Dawson, Dodge of Iowa, Douglas, Downs, Felch, Geyer, Gwin, Hunter, Jones of Iowa, Jones of Tennessee, King, Mallory, Mangum, Mason, Miller, Norris, Rusk, Sebastian, Spruance, Underwood, and Walker—33.

NAYS—Messrs. Chase, Davis, Dodge of Wisconsin, Fish, Foot, Hale, Hamlin, Seward, Sumner, Upham, and Wade—11.

Mr. SEWARD also presented a petition of inhabitants of Marcellus, New York, asking the adoption of certain measures for the extinction of slavery.

The motion to receive this petition was objected to, and, after a brief discussion, it was laid on the table, as follows:

YEAS—Messrs. Adams, Atchison, Badger, Bayard, Borland, Bradbury, Brodhead, Brooke, Cass, Clarke, Clemens, Dawson, Dodge of Iowa, Douglas, Downs, Felch, Fish, Geyer, Gwin, Hamlin, Hunter, Jones of Iowa, Jones of Tennessee, King, Mallory, Mangum, Mason, Miller, Norris, Rhett, Rusk, Sebastian, Shields, Spruance, Underwood, and Walker—36.

NAYS—Messrs. Chase, Dodge of Wisconsin, Foot, Hale, Seward, Sumner, and Wade—7.

Mr. HALE presented a petition, signed by men, women, and children, asking for a repeal of the fugitive slave law for reasons therein stated; among which was, that it offered a bribe to the judge, by giving him ten dollars for conviction and only five dollars where the fugitive was acquitted.

This led to a brief discussion, in which Messrs. MANGUM, HALE, MASON, and CHASE participated; Mr. MANGUM denouncing the petition as an atrocious libel.

The petition was laid on the table.

The following bills were read a third time and passed:

An act to authorize the payment of invalid pensions in certain cases.

An act to provide for the unpaid claims of officers and soldiers of the Virginia State and Continental lines of the Revolutionary war.

On motion by Mr. UNDERWOOD, the title was amended so as to make it read "An act to compensate the owners of certain military lands in the State of Kentucky granted to the officers and soldiers of the Virginia line of the army of the Revolution, which have been pre-occupied by paramount claims."

On motion by Mr. COOPER, the vote rejecting the bill for the benefit of the Carmelite Nunnery of Baltimore was reconsidered, and the further consideration of the bill was postponed to Friday next.

THE SPECIAL ORDER.

The Senate resumed the consideration of the bill to establish a navy yard and depot on the Bay of San Francisco, in California, and for other purposes.

After a discussion, in which Messrs. HUNTER, GWIN, and HALE participated—

On motion of Mr. CLARKE, the further consideration was postponed until to-morrow.

THE SILVER COINAGE.

On motion by Mr. HUNTER, the Senate then proceeded to the consideration of the bill amendatory of existing laws relative to the half-dollar, quarter-dollar, dime, and half-dime; and, after having been amended so as to make the bill take effect from the 1st of May next, it was ordered to be engrossed and read a third time.

[The bill, as ordered to be engrossed, is the same as published in this paper when introduced by Mr. HUNTER, on the 8th instant.]

On motion by Mr. HALE, the Senate proceeded to consider the bill increasing the salary of the District Judge of the United States for the district of New Hampshire; when a long debate ensued, in which Messrs. HALE, SHIELDS, PRATT, CLARKE, DAVIS, SUMNER, BORLAND, HAMLIN, and others participated; and the amendment reported by the committee having been agreed to—

On motion by Mr. DOWNS, the Senate adjourned.

HOUSE OF REPRESENTATIVES.

Mr. STANTON, of Tennessee, moved to suspend the rules so as to enable him to report, from the Committee on Naval Affairs, the bill of the Senate to enforce discipline and promote good conduct in the naval service of the United States, remarking that he desired to make a short statement in reference to this measure.

Mr. FOWLER wished to ask the chairman of the Committee on Naval Affairs a question. It had been stated that the expedition to the Chinese sea was for the purpose of entering upon negotiations at all hazards with the Japanese Government. He desired to know if this was a fact?

Mr. STANLY called the gentleman to order. The inquiry of the gentleman had nothing to do with the question before the House.

Mr. STANTON, of Tennessee, remarked that with the permission of the House he should like to say a few words. This was a Senate bill, which was designed to substitute punishment in place of punishment by the lash, which every one knew had been abolished by Congress. There were no means by which discipline could be enforced in the navy upon ship board except by courts-martial, which in case of small offences were entirely too cumbrous and difficult to enable the officers to enforce that discipline which was necessary. This bill had been carefully prepared in the Senate, had passed there nearly unanimously, he believed; it had then come to the House, been read twice, referred to the Committee on Naval Affairs, and that committee had instructed him now to report it to the House, with one amendment. The East India squadron was now about to sail, and it was deemed very important by the Navy Department and the commander of that squadron that this bill should be passed, in order that they might have some substitute for the lash, lately abolished, with which to enforce discipline. Now, unless this bill should be passed before the East India squadron sailed, it was not likely that that squadron could receive information of its passage, if it should be passed, until twelve months, and in that time it would be in a condition very deleterious to the service. If the motion to suspend the rules should be agreed to, he would give an explanation of the bill.

The question was then taken on the motion to suspend the rules, and it was agreed to.

Mr. STANTON, from the Committee on Naval Affairs, to which had been referred the bill of the Senate to enforce discipline and promote good conduct in the naval service of the United States then reported the same back with an amendment, viz. strike out of the first section that part which reads "and oblige the offender to wear for any time not exceeding ten days a badge with the word 'thief' thereon."

The bill was then read.

Mr. STANTON, of Tennessee, remarked that the lash could not again be restored in the navy, and that the abolition of this punishment had left the officers of the navy without any summary means of producing discipline. This bill was designed to supply this want. Some of the punishments provided for in the bill, he acknowledged, were severe; but it was impossible to maintain a military system of any kind without punishments for offences.

Mr. S. then referred to that portion of the bill which provided a system of rewards for good conduct, and said that he considered this as the most important feature in the bill—one which would have a greater tendency to elevate the character of the sailor, and which held out a greater inducement for good conduct, than any thing ever adopted in this or the other branch of the service.

Mr. STUART suggested that the further consideration of this bill be postponed until next Thursday morning, so that in the mean time the bill could be printed, and members afforded an opportunity to examine it and be able to vote understandingly. He confessed that he did not understand the bill, and if pressed to vote upon it now, with the very limited understanding he had of it from its reading, he should vote against it.

Mr. STANTON, of Tennessee, objected to the postponement of the bill, as it was known that the East India squadron would sail on Wednesday next, and therefore it was very important that the bill should be acted on now. Besides, if the bill should be postponed until Thursday, it was a matter of doubt whether it would then be taken up.

Mr. HALL suggested to the gentleman from Michigan to withdraw his motion to postpone the bill, and substitute, in lieu thereof, a motion that the bill be referred to the Committee of the Whole on the state of the Union. The reason why he desired this to be done was because of the provisions of the fourth section, which, as he understood it, proposed to establish an entirely new principle upon which they should grant pensions to sailors in the navy. That section, as he understood it, provided that every sailor who served in the navy twenty years, and received a certificate of continuous good conduct, should be entitled to a pension of half-pay during the remainder of his life. If they should establish this principle in the navy, they might have to establish it in the army, and therefore it became a matter of great importance that this bill should be committed to the Committee of the Whole, where the whole matter could be discussed.

Mr. STANTON, of Tennessee, said that the effect of the clause to which the gentleman from Missouri referred was in his judgment simply to limit the principle upon which sailors were now admitted into the naval asylum. All sailors, after twenty years' service in the navy, were admitted, under certain circumstances, into the naval asylum; under the provision in this bill they would only be admitted after having served twenty years in the navy, and received a good conduct discharge at the termination of every term of enlistment.

Mr. STUART then proceeded to state his objections to the bill, declaring that it conferred arbitrary powers on the officers. He hoped it would be postponed till Thursday and printed, in order that all might have an opportunity of examining it.

Mr. STANLY remarked that it was very obvious that the gentleman from Michigan intended to oppose the bill in any form. The gentleman was opposed to giving a pension, even if the honest sailor had served for twenty years, and had announced that he never would vote for it. He took it for granted that the gentleman intended to try to defeat the bill. It was utterly impossible for each of the members, if they had all the arms of Briareus, and all the eyes of Argus, to examine every bill and measure presented for consideration. That would dispense with the whole organization of the committees of the House. They must take some matters on faith; and here was a bill which had been passed by the Senate, and gone through an examination of the Committee on Naval Affairs of the House, who had declared that the public service imperiously demanded some substitute for flogging, which had been abolished in the navy. Yet they saw gentlemen who came from the extreme western frontiers of the United States, who knew nothing in the world of naval affairs, except what they had learned out of books, endeavor to set at naught the opinion of commanders in the navy, whose life had been spent upon the ocean in the service of their country! He hoped they would now have a vote upon the bill, and in conclusion moved the previous question; but withdrew it at the request of

Mr. BAYLY, of Virginia, who said that he had been requested by a number of gentlemen interested in the navy to examine the bill, and if he approved of it, to say a word in its favor. He had examined it, and was not only satisfied of the propriety of passing it, but of the necessity of doing so at once. As had been already stated to the House, there were a large number of ships about to leave port. Under the law as it now stood, there was no mode of punishing any other than the highest grade of offences in the navy. It had been asked, why not pass this bill in the course of one or two weeks, and send it after the squadron which was about to sail? Now, every body who knew any thing of the naval service and the merchant service, knew that most of the difficulties on ship-board occurred during the first two or three weeks after they had left port; just as it was on a plantation with the overseer and the negroes. When sailors first left port they tried their commanders, and if they gave them an inch they took an ell.

Mr. B. then referred to the punishments in the bill, and said that they were not disproportionate to the offences which they were intended to punish. In conclusion, he moved the previous question.

The previous question was seconded: Ayes 81, noes 69.

The question being on agreeing to the amendment reported from the Committee on Naval Affairs—

Mr. ORR moved to lay the bill on the table, and on this motion demanded the yeas and nays, which were ordered, and being taken resulted: Yeas 71, nays 94.

So the bill was not laid on the table.

The amendment reported by the Committee on Naval Affairs was then agreed to, and the bill as amended read the third time.

The question being on the passage of the bill—

Mr. STANTON, of Tennessee, moved the previous question, which was seconded, and under the operation thereof the bill was rejected by the following vote:

YEAS—Messrs. Abercrombie, Aiken, Wm. Appleton, Ashe, T. H. Bayly, Bartlett, Bennett, Bocock, Bowie, Bragg, Breckenridge, George H. Brown, Burrows, E. Carrington Cabell, Chandler, Clingman, Cottman, George T. Davis, Dean, Dockery, Evans, Florence, Freeman, Henry M. Fuller, T. J. D. Fuller, Gentry, Goodenow, Goodrich, Grey, Hammond, Harper, Sampson W. Harris, Hart, Haven, Hillyer, Horsford, Thos. M. Howe, Jackson, James Johnson, R. W. Johnson, Geo. G. King, Kuhns, Landry, Martin, McDonald, Meacham, Meade, Miller, Miner, Henry D. Moore, Morehead, Penn, Porter, Riddle, Sackett, Schoolcraft, Scudder, Scurry, Smart, Snow, Stanly, Fred. P. Stanton, Richard H. Stanton, Abr'm P. Stevens, Sutherland, Taylor, Benjamin Thompson, Venable, Walbridge, Walsh, Ward, Washburn, Welch, Wells, Alexander White, and Williams—76.

NAYS—Messrs. Willis Allen, Allison, Averett, Barrere, Beale, Bissell, Brenton, Briggs, Albert G. Brown, Buell, Busby, Joseph Cable, Lewis D. Campbell, Thompson Campbell, Caskie, Chapman, Churchwell, Clark, Cleveland, Cobb, Curtis, Daniel, John G. Davis, Dawson, Dimmick, Doty, Dunham, Durkee, Eastman, Edgerton, Edmundson, Ficklin, Fitch, Floyd, Fowler, Gamble, Gaylord, Gorman, Grow, Isham G. Harris, Hendricks, Henn, Hibbard, Holladay, Houston, Howard, John W. Howe, Hunter, Ingersoll, Ives, Jenkins, Andrew Johnson, John Johnson, G. W. Jones, J. G. Jones, Preston King, Letcher, Lockhart, Mace, Mann, H. Marshall, Mason, McLanahan, McMullen, McQueen, Millson, Molony, J. Moore, Murray, Nabers, Newton, Olds, Orr, S. W. Parker, Peaslee, Penniman, Perkins, Polk, Powell, Robbins, Robinson, Ross, Savage, David L. Seymour, Smith, Benjamin Stanton, T. Stevens, St. Martin, Stuart, Sweetser, G. W. Thompson, Tuck, Wallace, Watkins, Addison White, Wilcox, and Woodward—97.

Mr. MILLSON moved to reconsider the vote by which the bill was rejected. He remarked that the bill contained provisions which could never command his assent. He represented a district as much interested in the passage of some such bill as this as any other in the United States. He had objections, nevertheless, to many provisions in the bill, but one only would he cite at this time. For nearly fifty years no commanding officer in the navy, however high his rank, was authorized by law to inflict, by his own authority, more than twelve lashes for any offence, and that law provided that for offences deemed deserving of severer punishment a court-martial should be convened for the trial of those offences. So careful was the law to guard the rights of even the humblest seaman in the service that it would not permit a severer punishment than twelve lashes to be inflicted upon a man at the mere discretion of the commanding officer. Yet the bill which had just been rejected by the House proposed to confer upon the commanding officer of any vessel, who might perhaps be a passed midshipman, the right to inflict upon a sailor the punishment of solitary confinement not to exceed thirty days, with irons upon his arms and ancles, the culprit to be restricted to bread and water; and all this without regard to the evidence upon which the punishment was inflicted. This power he could not consent to confer upon any officer of the navy. In conclusion, he asked that the motion to reconsider might lie over and the bill be printed.

Mr. EVANS said that the rejection of this bill was one of the offsprings of the modern philanthropy of the present time. He considered insubordination upon a vessel of war as one of the highest crimes, as it perilled the life of every one upon the vessel. He referred to the present lack of discipline in the navy, and attributed it to the want of a sufficient punishment for offences committed. He deeply regretted having voted to abolish flogging in the navy, and said that the crews of our men-of-war were composed of foreigners, and not of good sailors. They were composed of worthless men, vagabonds, and jail-birds; men who perhaps had committed piracies, who require the strong arm of the law to be held over them.

Mr. STANTON, of Tennessee, then spoke in favor of the bill, replying to the arguments of gentlemen who had opposed it.

Mr. ORR followed, and referred to the summary action of a previous Congress in the abolition or punishment by the lash. He then foresaw the evil consequences which would grow upon the navy in consequence of that act; and now gentlemen attempted to remedy these evils by equally hasty legislation! This bill had been reported to the House, and, without giving any one an opportunity of seeing whether they were favorable to it or not, under the operation of the previous question it was attempted to be rammed down the throats of members, *nolens volens*. He was in favor of a well-regulated bill, and did not know but what the principal features of this bill might meet his sanction, but he could not, without examination and consideration, be induced to vote for it. He hoped that the motion to recoisider would go over until next Monday, and that the bill would be printed, so that all could examine it.

Mr. VENABLE said that he had voted for the bill, and had done so because he desired to sustain the dignity and glory of our navy. Those gentlemen who voted against the bill had got themselves into a difficulty; he trusted they would get out; but he would not help them. He then strongly advocated the bill before the House.

Mr. JONES, of Tennessee, said that he proposed to relieve the majority from the dilemma into which the gentleman from North Carolina had said they had fallen, by moving to lay the motion to reconsider on the table.

Pending which motion the House adjourned.

TUESDAY, MARCH 30, 1852.

IN SENATE.

Mr. DODGE, of Wisconsin, introduced a bill granting to the State of Wisconsin a donation of public lands to aid in the construction of a railroad from the town of Sheboygan, on Lake Michigan, to the Mississippi river.

Mr. JONES, of Iowa, introduced a bill for the relief of the counties of Des Moines and Dubuque, in the State of Iowa.

On motion by Mr. DOUGLAS, the bill to reduce and define the boundaries of the military reserve at the St. Peters' river, in the Territory of Minnesota, and to secure the rights of the actual settlers thereon, was read a second time and referred to the Committee on Territories.

THE SILVER COINAGE.

The bill amendatory of existing laws relative to the half dollar, quarter dollar, dime, and half-dime was read a third time; when

Mr. HUNTER asked the unanimous consent of the Senate to make an amendment, which consisted simply of striking out the 1st of May, and substituting the 1st of June for the time in which the bill is to go into force. The amendment having been made by unanimous consent, the bill was passed.

SALARY OF DISTRICT JUDGE OF N. HAMPSHIRE.

The Senate took up the bill to increase the salary of the district judge of New Hampshire.

Mr. ATCHISON moved to strike out $1,600, and insert $1,400, giving as a reason his indisposition to increase the salaries of judicial offices, always greedily sought for by lawyers; and, besides, he thought the tenure of the office ought to weigh something, as it was for life, or, at all events, during good behavior.

Mr. HALE insisted that the salary allowed the judge was notoriously inadequate; he thought that the compensation would not be the means of restraining persons from seeking office. He had no doubt that, if the contract system were adopted in relation to the matter, there would be found men ready enough to leave even the fertile valleys of the West to bid for it. He insisted that the object should be to obtain the services of men of integrity, legal experience, and talent, and that they should be allowed a compensation suitable to the duties they had to discharge.

Mr. CLARKE argued in favor of just and liberal salaries to judges of the United States courts.

Mr. CHASE was in favor of adequate salaries, but would be governed by the compensation allowed to judges of the State courts. He alluded to the sum allowed the associate judges of the State of New Hampshire, which he had understood to be $1,200 per annum. He thought it bad policy to put the salaries of judges of the United States courts above those of the State, and closed his remarks by moving to strike out $1,400 and insert $1,200.

Mr. ATCHISON coincided with the views of Mr. CHASE, and withdrew his amendment.

A long discussion then ensued, which lasted to the usual hour of adjournment, in which Messrs. RHETT, BADGER, BORLAND, BRADBURY, and others participated; when the question was taken on Mr. CHASE's amendment, and decided in the negative:

YEAS—Messrs. Atchison, Borland, Brooke, Chase, Clemens, Dodge of Iowa, Douglas, Felch, Jones of Tennessee, King, Rhett, Rusk, Sebastian, and Wade—14.

NAYS—Messrs. Adams, Badger, Bell, Bradbury, Brodhead, Clarke, Davis, Dodge of Wisconsin, Downs, Fish, Foot, Gwin, Hale, Jones of Iowa, Mallory, Miller, Morton, Norris, Pratt, Seward, Shields, Smith, Soule, Spruance, Sumner, Underwood, Upham, and Walker—28.

Mr. UNDERWOOD then moved to amend the bill by inserting $1,400 instead of $1,600, which Mr. HALE accepted, and the bill was reported to the Senate as amended.

On the question, Shall the bill be engrossed for a third reading? the yeas and nays were demanded by Mr. BORLAND, and it was decided in the affirmative, as follows:

YEAS—Messrs. Adams, Badger, Bell, Bradbury, Brodhead, Brooke, Clarke, Davis, Dodge of Wisconsin, Downs, Felch, Fish, Foot, Gwin, Hale, Hunter, Jones of Iowa, Jones of Tennessee, King, Mallory, Miller, Morton, Norris, Pratt, Rhett, Rusk, Seward, Shields, Soule, Spruance, Sumner, Underwood, Upham, and Walker—34.

NAYS—Messrs. Atchison, Borland, Chase, Clemens, Dodge of Iowa, Douglas, Sebastian, and Wade—8.

The Senate then proceeded to the consideration of Executive business, and, after some time spent therein, the doors were reopened—

And the Senate adjourned.

HOUSE OF REPRESENTATIVES.

The House having resolved itself into Committee of the Whole on the state of the Union, (Mr. HIBBARD, of New Hampshire in the chair,) resumed the consideration of the bill to encourage agriculture, commerce, manufactures, and all other branches of industry, by granting to every man who is the head of a family and a citizen of the United States a homestead of one hundred and sixty acres of land, out of the public domain, upon condition of occupancy and cultivation of the same for the period therein specified.

Mr. BROWN, of Mississippi, remarked that, some days since, one of his colleagues (Mr. FREEMAN) asked and obtained consent to publish a speech in reply to one made by himself. The subject was not interesting to the House of Representatives, and he therefore did not care to occupy an hour of its time in reply to the remarks of his colleague. He, however, wished to answer his arguments, and gave notice that, following his example, he would publish a rejoinder, if no objection was made to such a course. [Cries of "agreed!" "agreed!"]

Mr. JONES, of Tennessee, (in his seat.) File all your speeches under the rule, and let's go to voting.

Mr. GENTRY. I hope, by universal consent, this practice will become general. [Laughter]

Mr. JOHNSON, of Tennessee, said that the first section of this bill contained a restriction that no person who was worth five hundred dollars should be entitled to the benefits of its provisions. He desired to offer a substitute for this section, which would permit an individual to enter his land without any property qualifications whatever, and with no condition except to cultivate the same for a period of five years. He knew there was a great contrariety of opinion in the House on this subject, and he desired to have the judgment of the committee on the two propositions.

Mr. FULLER, of Maine, then proceeded to urge some objections to the principles contained in the bill, remarking that he regarded it as illegal, unjust, and partial in its provisions, and, if he were before a tribunal differently constituted, he would premise his remarks by a motion to dismiss this bill. This right of partition, for so he must term it, was introduced by the gentleman from Tennessee, (Mr. JOHNSON,) and reported back from the Committee on Agriculture with sundry amendments. He denied the title of these partitioners, either in law or equity, and the right of this Government to make partitions. He denied that this Government held the public domain by such a tenure as was susceptible of such partition as was here asked for. He asked by what right, by what title-deed, a certain specified class of persons, aliens, foreigners, or American citizens of limited age, of particular condition in domestic and pecuniary affairs, should come here and gratuitously ask this Government to assign and set out to them in severalty, by metes and bounds, any portion of the public domain, the common property of the people of the United States, to the exclusion of a much greater portion, having equal rights and equal privileges? Nay, more, a class of persons such as might casually happen to come within the provisions of this bill on the first day of January, 1852, and for the remaining three hundred and sixty-four days of the current year, there would be falling under each day a class of persons equally entitled to the beneficence of this Government.

If there was any subject of legislation on which the American people were more tenacious than another, it was against any principle of legislation which made an invidious distinction in the bestowment of governmental favors, pensions, and patronage. The axiom was true, and applicable to American citizens, that the blessings of Government, like the dews of heaven, should fall upon all.

He was opposed to the thousand and one schemes now pending before Congress by which to rid the General Government, in the shortest possible time, of the public domain, and held that the old land system which had been in force for thirty years past was the best system which the wit and wisdom of man had yet devised.

He then proceeded to sustain the following propositions: First, that the public lands should be disposed of for the common use and benefit of all the people of the United States, as one people; second, that each State should participate in the common benefits, in proportion to the expenses of the Government which they are required to bear; and, third, that the public lands shall not be disposed of for any other use and purpose whatever.

Mr. CHURCHWELL briefly replied to the arguments of Mr. FULLER, and remarked that in no period of the progress of this Government had there been so much anxiety upon the subject of the disposition of the public domain as at the present time. To dispose of the public domain seemed to be the desire of a large number of the owners of the soil, (the people,) as indicated by the desire of their Representatives from all quarters of the country. As evidence of this fact he referred to the various plans presented to Congress to dispose of the public domain. Of all these propositions none struck him with so much force and favor as that of his colleague, (Mr. JOHNSON.) It was calculated to advance the interests of the Government, of individuals, and society, and elevate the moral nature of man. It would give to every man the means of bettering his condition in every sense of the word, of sustaining himself, supporting his family, and educating his children. When he looked at our country and its vast resources, he was surprised that some such measure as this had not been adopted long ere this.

Mr. GROW denied the position that the Government had any right to make the public lands a source of revenue, and argued to prove that every citizen had as natural a right to the soil as he had to air and sunlight. Each person had a right to so much of the earth's surface as was necessary to his support. He contended that, as a question of revenue, it became important to the Government to make this donation of land, and that it would contribute to the increase of national as well as domestic wealth, to the defence of the country, and to commerce. He considered it the duty of Congress to hold out a reasonable inducement for the settlement of the public lands. Every consideration of justice and humanity demanded that these lands should be granted in limited quantities to actual settlers, and that they should restore to man his natural right to the soil.

Mr. SKELTON proposed to give the reasons which would influence him to vote for the bill. He believed that the true principles of this Government was to give to each man the utmost liberty consistent with the safety of his fellow-citizens. On this basis he attributed the peculiar prosperity of our country, and this was a principle directly opposite to socialism and agrarianism, which he utterly repudiated. In his opinion, the time had now arrived when some disposition of the public domain would have to be made. They had before them projects to devote the public lands for railroad purposes, covering about thirty millions of acres, and one of the reasons why he proposed to vote for the bill under consideration was because it would prevent the adoption of other projects hurtful in themselves. He was surprised to find so many Democrats advocating the disposition of the public domain to build up chartered companies and corporations, for this was in opposition to the principles of the Democratic party. Mr. S. then proceeded to show the advantages which would be derived from the adoption of a proposition like the one now before the committee.

Mr. WILLIAMS next obtained the floor, but yielded to a motion that the committee rise; which being agreed to, the committee rose and reported progress.

Mr. CLARK then offered the usual resolution to close all debate on the homestead bill in two hours after the committee shall again resume its consideration.

Pending which, the House adjourned.

WEDNESDAY, MARCH 31, 1852.

IN SENATE.

Mr. DAWSON presented the memorial of John James Flournoy, of Georgia, remonstrating against the admission of Utah into the Union as a State, and setting forth the reasons therefor. He says the constitution interposes no barrier to admission, provided the State constitution be in form of a republican government. Mr. F. holds that the very quintessence of republicanism is an equal share of powers and privileges, which matter, he thinks, touches Utah most nearly, and shows Congress its imperative rule of action. Polygamy, he asserts, exists in that Territory in monarchical and anarchical principles—the head and leading men calling themselves, in mockery of the gospel, the twelve apostles; have certain social prerogatives and self-assumed privileges, which, he says, is an inequality, founded on a Nimrodian basis, and makes Utah not a pure republic, but an oligarchy, in which certain men *peer* over the people and maintain exclusive privileges; that Utah cannot be republican until all men share equally; and that each layman be entitled to the same privileges as each bishop or each apostle.

It was referred to the Committee on Territories, amid a general laugh.

RUSSIA SHEET-IRON.

Mr. BRODHEAD presented a memorial, which he characterized as important, coming from G. J. H. Shoenburg & Co., of Pittsburgh, Pennsylvania, and citizens of St. Louis, Missouri, asking the passage of a law by which there may be secured to them for a limited period the manufacture of the article known as Russia sheet-iron within the limits of the United States.

The memorialists set forth that they have acquired the process of manufacturing Russia sheet-iron, but that under the patent laws they cannot obtain a patent, as they are not the inventors, the mode being the same as that by which the article is manufactured in Russia. They represent that, unless a special act of Congress secures to them for a limited period the exclusive manufacture of the article, rival establishments would spring up in the United States, and that the competition thereby engendered would prevent them from realizing an adequate remuneration for their labor and expense of procuring the process, &c. They contend that the manufacture in this country would greatly cheapen the article and bring it into general use.

NEW MODE OF TAKING YEAS AND NAYS.

Mr. MORTON presented a memorial from Henry Johnson, of Washington, claiming to have discovered a new, simple, and durable machine for taking the yeas and nays in alphabetical order almost instantly, without the slightest possibility of error, mistakes, or failures; that it cannot be disabled so as to prevent it from being used, and is perfectly secure from non-entitled voters. The memorial asks that a committee may be appointed to examine and experiment on his invention, in order that he may know what disposition Congress is disposed to make of so time-saving a machine. Referred to the Committee to audit and control the Contingent Expenses of the Senate.

Mr. BORLAND submitted the following resolution:

Resolved, That the Secretary of the Navy be directed to communicate to the Senate the object of the naval expedition recently ordered into the Indian ocean, and particularly to the coast of Japan, and copies of any instructions that have been given to the commander of that expedition.

Mr. BORLAND asked its immediate consideration, giving his reasons therefor, which were that the expedition was about to sail, and information was desired of its objects, as he presumed, judging from what had occurred, that we should be called on to make appropriations.

Mr. GWIN having objected to its consideration, the resolution lies over under the rules.

MODIFICATION OF THE TARIFF.

Mr. MILLER submitted the following resolution, which was ordered to be printed:

Resolved, That the paramount interests of the country require that the duties prescribed by the act entitled "An act reducing the duty on imports, and for other purposes," passed July 30, 1846, should be altered and modified, so that, while they may raise sufficient revenue to meet the wants of the Government, they may also give proper encouragement and protection to American labor, enterprise, and capital; and also to guard the Government against known abuses and fraud in the collection of its revenue.

BILLS INTRODUCED.

Mr. DOUGLAS introduced a bill supplemental to an act entitled "An act extending the jurisdiction of the district courts in certain cases over the lakes and navigable waters connecting the same," approved February 26, 1845, which was referred to the Committee on the Judiciary.

Also, a bill to change the name of Joseph Lewis Breese, a midshipman in the navy of the United States.

Mr. BADGER said the bill was simply to allow a young midshipman to change his name from Joseph Lewis Breese to Samuel Livingston Breese, and asked the unanimous consent of the Senate to have it considered.

No objection having been made, the bill was considered in committee.

The bill was supported by Messrs. BADGER, DOUGLAS, DAVIS, and BAYARD, and opposed by Messrs. HALE, PRATT, UNDERWOOD, and others; and on the question, Shall the bill be engrossed for a third reading? it was decided in the affirmative:

YEAS—Messrs. Atchison, Badger, Bayard, Borland, Brodhead, Brooke, Clarke, Clemens, Cooper, Davis, Dodge of Wisconsin, Dodge of Iowa, Douglas, Downs, Fish, Foot, Geyer, Gwin, Hamlin, Miller, Rusk, Smith, Soule, Spruance, Sumner, and Wade—26.

NAYS—Messrs. Adams, Bradbury, Cass, Chase, Dawson, Felch, Hale, Hunter, King, Morton, Norris, Pratt, Rhett, Seward, Underwood, and Walker—16.

BILLS PASSED.

The following bills were severally read a third time and passed:

An act increasing the salary of the district judge of the United States for the district of New Hampshire.

An act for the relief of Seneca G. Simmons.

An act for the relief of Henry L. Kinney.

Mr. BORLAND moved to amend the title so as to read "An act to enable the proper accounting officers to complete a settlement with Capt. Henry L. Kinney;" which was agreed to.

MAIL FROM NEW ORLEANS TO VERA CRUZ.

Mr. SOULE asked the Senate to do him the personal favor of taking up the bill to provide for the transportation of the mails from New Orleans to Vera Cruz, via Tampico, and back in steam vessels; which was yielded, and the Senate proceeded to consider the same.

[This bill authorizes the Postmaster to contract for five years, at a rate not exceeding $100,000 a year, with W. C. Templeton; the steamers not to be less than eight hundred tons, of best form and construction, adapted to war purposes and navigation of Southern waters, the same to be ready in the shortest possible time.]

Mr. SOULE advocated the bill, and explained its importance.

Mr. CASS expressed himself as favorable to the bill, but wished the name of the contractor omitted, leaving it free for competition, under the whole management of the Postmaster General.

Mr. CLEMENS moved to amend the bill by striking out the name of Wm. C. Templeton, and inserting "such person or persons," with some other verbal amendments.

On the amendment of Mr. CLEMENS a long discussion ensued, in which Messrs. DAVIS, RUSK, BORLAND, MALLORY, and others participated; when the question was taken on agreeing to the amendments, and decided in the affirmative.

Mr. HUNTER moved further to amend the bill by striking out the words "adapted to war purposes."

This amendment also led to a protracted discussion, in which Messrs. PRATT, HALE, MALLORY, BADGER, BORLAND, CASS, and others participated; when the question was taken on the amendment, and decided in the affirmative: Ayes 19, noes 14.

Mr. BORLAND moved to add an additional section, in effect requiring the Postmaster General to establish a daily regular mail from Louisville, Kentucky, by way of the Ohio and Mississipi rivers, to New Orleans, supplying the several post offices on the way; and that the service be provided for under the general laws by open advertisement and contract, provided the expense shall not exceed $100,000; but after some discussion withdrew it.

The bill was then reported to the Senate, and on the question, "Will the Senate concur in the amendment of Mr. HUNTER?" it was decided in the affirmative, as follows:

YEAS—Messrs. Adams, Bayard, Borland, Bradbury, Brodhead, Brooke, Cass, Chase, Clarke, Davis, Dodge of Wisconsin, Dodge of Iowa, Fish, Geyer, Hunter, Jones of Iowa, King, Mallory, Mason, Miller, Sumner, Underwood, Wade, and Walker—24.

NAYS—Messrs. Atchison, Badger, Clemens, Dawson, Douglas, Downs, Foot, Gwin, Hale, Hamlin, Jones of Tennessee, Morton, Norris, Pratt, Rusk, Sebastian, Seward, Smith, Soule, and Spruance—20.

The bill was then ordered to be engrossed for a third reading.

The following is the bill as ordered to be engrossed:

"That the Postmaster General be and he is hereby auth