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SPEECH OF Mr. BENTON,

OF MISSOURI,

ON LAND TITLES IN CALIFORNIA.

In Senate, Friday, January 3, 1851.

CALIFORNIA LAND TITLES.

Mr. Benton's amendment to Mr. Gwin's substitute bill being under consideration, the amendment was read as follows:

Strike out all after the word "That," at the beginning of the first line, and insert:

For the purpose of ascertaining and settling the private land claims in the State of California, a recorder of land titles, learned in the law and skilled in the Spanish and English languages, shall be appointed by the President, by and with the advice and consent of the Senate, who shall collect and keep all the public archives of California in relation to land grants; and also shall call in for record all the evidences of land titles in California, and after recording the same shall return the originals to the parties, except where forgery or simulation shall be suspected by the recorder, and where there may be no written evidence extant of the original grant, a written statement may be made of the claim and received for record, stating all the circumstances in relation thereto, and especially all that relates to the fact of actual possession.

Sec. 2. *And be it further enacted*, That it shall be the duty of all towns, cities, villages, and pueblos, and of all missions which have not been secularized, and of all individuals claiming lands in California by virtue of any claim whatever, whether derived from the Spanish, the Mexican, or the California authorities before the conquest of California, or by any American officer since the conquest, to [illegible] all such evidences of title to the said recorder, upon due [illegible] public notification to that effect by the recorder.

Sec. 3. *And be it further enacted*, That, on receiving such evidences of title, the said recorder shall cause the same to be recorded in bound books, and shall make out duplicate abstracts of all claims, classified according to the authority from which they issued, and, retaining one abstract in his office, shall transmit the other to the Commissioner of the General Land Office at Washington; and it shall be the duty of the recorder, in conjunction with the district attorney of the United States for the district in which the claim may lie, to examine the same, and if believed by them or either of them to be invalid for any cause, it shall be the duty of the district attorney to issue a scire facias, stating the cause against the party in possession, or claimant, requiring him to appear in the district court, and show cause why his claim should not be held to be invalid and his grant cancelled; and a report of all such decisions by the recorder and district attorney, whether for or against the validity of the claim, shall be made to the Commissioner of the General Land Office, to be by him laid before the Secretary of the Interior, to be submitted to the Attorney General, who may order a scire facias in any case in which he deems the claim invalid.

Sec. 4. *And be it further enacted*, That, in deciding upon the question of issuing a scire facias against any claimant, the said recorder and district attorney shall be governed by the treaty of Guadalupe Victoria, the law of nations, the laws, usages, and customs of the Government from which the claim is derived, the proclamations of the commanding officers at the time of the conquest, and the capitulations made with such commanders, the decisions of the Supreme Court of the United States, as far as they are applicable, and the law of prescription in favor of possessory rights, the same as if it was a question between individuals; and in all cases actual possession before the conquest of the country shall be held to be *prima facie* evidence of valid title.

Sec 5. *And be it further enacted*, That the quantity of four common leagues, measured from the centre of the town, city, or pueblo, (except San Francisco,) two leagues in every direction shall be confirmed to all such towns, cities, and pueblos, (including the city of San Francisco, formerly Yerba Buena,) the occupied parts to their possessors having title, and the vacant parts, if any, to the municipal or town authorities, except such parts as may be required for military purposes within the United States, and with this reserve or exception, all the residue of the said four leagues square shall be confirmed to the city, town, village, or pueblo, according to the "instruction and decree of the captain general of the Internal Provinces of the West, dated at Chihuahua, and directed to the commandant at Monterey, of Upper California," and the four leagues square confirmed to San Francisco shall be measured south for its quantity.

Sec. 6. *And be it further enacted*, That the grants made by General Kearny at San Francisco shall be, and hereby are confirmed, so far as the United States are concerned, and without prejudice to individuals; and all the reserves made for the Government of the United States, except such as shall be needed for military purposes, or necessary public buildings, shall be, and the same hereby are granted to the said city of San Francisco.

Sec. 7. *And be it further enacted*, That all other grants made by any officers under the civil or military Government of the United States since the conquest of the country shall be, and the same hereby are reserved for the future decision of Congress; and it shall be the duty of the recorder of land titles to make a special report thereon, directed to the Commissioner of the General Land Office as soon as practicable, to be by him laid before the Secretary of the Interior, and communicated to Congress.

Sec. 8. *And be it further enacted*, That, on the trial of any scire facias to try the validity of a claim, the decision of the court shall be conclusive in favor of the claimant in every case, except in cases in which John Charles Fremont may be a claimant; and in all cases in which he may be a claimant, an appeal may be taken in favor of the United States to the Supreme Court of the United States, and in all decisions against [illegible] appeal may in like manner be taken to the …

and all the vacant ground which may still be found in the four leagues square is granted to the city or town authorities for city or town purposes.

This is the section of my bill in relation to these *pueblo*, or municipal grants; and now for the Spanish law which originated them. I quote principally from the report of Wm. Carey Jones, Esq., to the then Secretary of the Interior, now member of this body, (Mr. Ewing, of Ohio,) sent out in 1849 to examine California land titles, in which he gives, from personal examination, and under special instructions, the history of California land grants, or rather distributions, with the laws and decrees in which they are founded. At pages 53-4 of his printed report we find a formal decree upon this subject—not the oldest, but the most formal—and the one whose words I have followed in drawing the section under consideration. And here I should say that this printed report is a private print of an official report. The official report made to the Secretary of the Interior, and under his special instructions, by an agent sent to California for that purpose, was by him communicated to the Senate, but not printed by its order. When a motion to print was made, and that motion considered and sanctioned by the Printing Committee, to which it was referred, a motion was made in the Senate to lay that motion to print on the table; and that motion was agreed to by the Senate. Mr. Jones then had a thousand copies printed by Gideon & Co. for distribution among his friends; and from one of those copies I now quote.

At pages 53-4 of that report I find a decree of the Captain General of the Internal Western Provinces of New Spain, to whose jurisdiction the [illegible] capital of those Provinces, Chihuahua, March 22, 1791—about sixty years ago—his name, Pedro de Nava, and directed to Don Jose Antonio Roman, commandant at Monterey of Upper California. It is not the oldest decree, but old enough to show that it could not have been issued with any intent to defraud the United States, and in its terms was both retrospective and prospective—looking backwards and forwards—and equally applying to all *pueblos*, whether then or afterwards to be founded. It is entitled "*Grants by Captains of Presidios*," and decrees thus:

"In conformity with the opinion of the solicitor of this *Commandancia General*, I have determined, in a decree of this date, that notwithstanding the provisions made in the 18th article of the ordinance of *Intendants*, the *captains of presidios* are authorized to grant and distribute house lots and lands to the soldiers and citizens who may solicit them to fix their residences on. And considering the extent of four common leagues, measured from the centre of the presidio square, viz: two leagues in every direction, to be sufficient for the new pueblos, to be formed under the protection of said presidios, I have likewise determined, in order to avoid doubts and disputes in future, that said captains restrict themselves henceforward to the quantity of house lots and lands within the said four leagues, without exceeding in any manner said limits, leaving free and open the exclusive jurisdiction belonging to the managers of the royal hacienda respecting the sale, composition, and distribution of the remainder of the lands in the respective district. And that this order may be punctually observed and carried into effect, you will circulate it to the captains and commandants of the presidios of your province, informing me of having done so.

"God preserve you many years."

This decree of the Captain General was after the general law of the Indies for the sale, composition, and distribution of lands in Spanish America, called the "*Ordinanza de Intendentes*," and specially exempting the Californias from the system of the Intendants; as they had, in fact, a separate system, without a separate declaration to that effect, from the beginning. The previous decrees upon the subject were first from the Viceroy of New Spain, dated August 17, 1773, and entitled, "*Instructions to be observed by the commandant of the new establishments of San Diego and Monterey*, and of which these are extracts:

"Art. 10. As the mission settlements are hereafter to become cities, care should be taken in their foundation that the houses should be built in line, with wide streets and good market squares. By this means will not only be obtained symmetry, but the desire of the Indians will be excited not to withdraw; and even those not reduced may be reclaimed and drawn to establish themselves, and adopt a rational life.

"Art. 11. For the preservation of the new mission settlements, it is very essential that near them should be encouraged the raising of cattle, cultivation, and the planting of trees, and for this purpose to choose suitable lands, and on all to bestow strict attention.

"Art. 12. With the desire that population may be more speedily assured in the new establishments, I, for the present, grant [illegible] designate common lands, and also even to make individual concessions to such Indians as may most dedicate themselves to agriculture and the raising of cattle; for, having property of their own, the love of it will cause them to plant themselves more firmly; but the commandant must bear it in mind that it is very advisable not to allow them to live dispersed, each on the land given him, but that they must have their house and habitation in the town or mission where they have been gathered or settled.

"Art. 13. I grant the same faculty to the commandant with respect to distributing lands to the other settlers, (*pobladores*,) according to their merit and ability to improve; they also living in the town, and not dispersed, declaring that in the exercise of what is prescribed in this article and the preceding, he must act in every respect in conformity with the provisions made in the collection of laws respecting new reductions and settlements, granting them [illegible] for the owner's protection without exacting …

"The Mexican laws, as far as I am aware, make no change in this rule; and the colonization regulations of 1828 provide (article 13) that 'the reunion of many families into a town shall follow, in its formation, policy, &c., the rule established by the existing laws for the other towns of the republic.'

"From all these and other acts which might be quoted it would seem that, where no special grant has been made or limits assigned to a village, the common extent of four leagues would apply to it; it being understood, however, as the same law expresses, that the allotment should not interfere with the rights of other parties. The presidio settlements, under the order of 1791, were certainly entitled to their four leagues; the right of making grants within the same only transferred from the presidio captain to the municipal authorities who succeeded him, as is conformable to Spanish and Mexican law and custom. This was the case under the Spanish Government; and I am not aware that the principle has been changed, though no doubt grants have been made to individuals which infringed on such village limits. The Territorial Deputation of California, however, by an act of 6th August, 1834, directed that the ayuntamientos of the pueblos should 'make application for common and municipal lands (*ejidos y propios*) to be assigned them.' Wherever it shall appear that this was done, the town, I suppose, could only now claim what was then set apart for it. Where it was omitted or neglected, custom, reputed limits, and the old law would seem to be a safe rule."

This is what Mr. Jones says in relation to these municipal grants, and from him we learn that the towns had sometimes special limits assigned for their municipal grants larger than the four leagues square. My bill is consistent with this, for while it confirms the four leagues in every instance, without requiring any evidence [illegible] the grant was larger, the other sections of the bill will provide for it when the claim is laid before the Recorder of Land Titles. Of these larger presidio grants, he mentions several instances, among others, those of *San José* and *Los Angeles*, and shows the circumstances which entitle them to a full recognition of their limits.

The case of San Francisco receives a special notice from Mr. Jones, and he considers it entitled to the quantity of its four square leagues, not by measuring equal distances each way from the centre, which would run the greatest part of the grant into the bay, but by extending south—the only course of extension—but without affecting existing claims. At pages 332-'3 of his report he says:

"As to the point now under consideration, that of *San Francisco*, I find that in the acts of the departmental authorities, the settlements in and about the presidio were styled '*the pueblo of San Francisco*,' and the particular place where the village principally was and the city now is, '*the point of Yerba Buena*.' The local authorities, as its alcalde, or justice of the peace, were termed those of the pueblo of San Francisco. Its privileges were not, therefore, at any time limited to the point of Yerba Buena. Originally, probably, it had boundaries in common with the mission of Dolores, which would restrict it in its four leagues; but, after the conversion of the mission into a pueblo, the jurisdiction of the authorities of San Francisco was extended, and special license given to its principal magistrate to grant lots *at the mission*. San Francisco is situated on a tongue or neck of land, lying between the bay and the sea, increasing in breadth, in a southerly direction. A measurement of four leagues south from the presidio would give the city, in the present advanced value of property, a magnificent corporate domain, but not so much as was fairly assignable to the precincts of the presidio under the order of 1791, nor so much as all new pueblos are entitled to under the general laws of the Indias. There are private rights, however, existing within those limits, apart from any grants of the village authorities, which ought to be respected: some through grants from the former Government; some by location and improvement, a claim both under our own law and custom, and under the Spanish law, entitled to respect. To avoid the confusion—the destruction—that would grow out of disturbing the multiplied and vast interests that have arisen under the acts of the American authorities at San Francisco; to give the city what she would certainly have been entitled to by the terms of the old law, what she will need for the public improvements and adornments that her future population will require, and what is well due to the enterprise which has founded in so brief a space a great metropolis in that remote region, perhaps no better or juster measure could be suggested, than a confirmation of past acts, a release of Government claims to the extent of four leagues, measuring south from the presidio, and including all between sea and bay, with suitable provision for protecting private rights, whether under old grants or by recent improvements, and reserving such sites as the Government uses may require."

Thus much, Mr. President, I have felt it my duty to say in support of the fifth section of my bill, which applies to the municipal grants. It confirms by the law itself, *ex proprio vigore*, the quantity of four leagues square, which was the minimum quantity granted by a general law; and I have no doubt that larger quantities were granted by special decrees to different pueblos as they grew up, and expanded, and increased in population and wealth, and became towns and cities. They were gifts to domiciliated Indians, to discharged soldiers, and to emigrating settlers; and it is revolting to think that the descendants and the assignees of those recipients of the paternal bounty of the King of Spain, may be dragged before a board of commissioners to prove their titles, with the chance of being hauled up into the United States district courts in California, to prove them a second time there, and a further chance to be pulled across [illegible] Pacific to the Atlantic to [illegible] Supreme Court of …

that ought to attach to property of such great value and commercial importance."

The seventh section relates to other grants of this kind, made by American officers since the conquest, but of a class which I do not think it right to confirm without knowing more about them. I therefore provide for a special report to be made upon them by the recorder of land titles, leaving them after the report to the disposition of Congress. This class of grants seem to have been made by the *alcaldes*—the *cadi* of the Turks and Moors, from which latter the Spanish title of *calde* is derived, with the prefix of *al* for *the*—and is a sort of justice of the peace, or local judge in Spanish legislation.

These alcaldes, cadis, or justices of the peace in California—or at least some of them—seem to have taken it into their heads that, *virtute officii*, and as successors to their old namesakes, they had the faculty, each within his township, of disposing of the public lands, and incontinently acted upon that apprehension. One of these officials stated his own case in answer to an inquiry put to him before a certain court martial which once sat in the arsenal near this city, and in which the conduct of an officer with respect to one piece of ground was called in question. Col. Fremont, on a specification under the charge of "*mutiny*" preferred against him by the War Department, was convicted of the mutiny in purchasing an island of rock for the Government for a fort, to save it from the British; and that being mutiny, he wished to see what kind of an offence it was. and how far it was [illegible] that other officers, civil and military, both [illegible] and gave [illegible] public lands [illegible] question to that effect Mr. Edwin Bryant, a citizen of Kentucky and a some time *cadi* at San Francisco, and a witness before the court, made this answer to a question put to him with respect to his land operations:

"*I supposed the question to refer to this decree, (the decree of Gen. Kearny,) under which, as I said, the land was not actually sold. I did, however, as alcalde of San Francisco, by Gov. Kearny's appointment, grant and sell lots belonging to the public, without special orders from Governor Kearny, but under the usages and customary powers of the alcalde.*"

This is conclusive of the fact that sales and grants of public land were made in California by at least one justice of the peace—an American justice with a Spanish title—since the conquest of the country. It is believed that many other justices did the same; and I deem it unwise to confirm their acts without having a list of them, and knowing what grants or sales they made, and their present condition. So far as the grants and sales may have enured to the benefit of the alcalde himself, either directly or circuitously, or to his kin within the levitical degrees of prohibited marriages, I should think it would be well, both as a penalty for the past and as a caution for the future, not to confirm them at all. But that will be an after question. My bill only proposes a report upon all such operations for the information and future action of Congress. Mr. Jones, in his report, page 31, thus notices these alcalde grants and sales:

"Other operations in lands which had not been reduced to private property at the time of the cessation of the former Government have taken place in and about different towns and villages, by the alcaldes and other municipal authorities continuing to make grants of lots and outlots, more or less according to the mode of the former Government. This, I understand, has been done under the supposition of a right to the lands granted, existing in the respective towns as corporations. Transactions of this nature have been to a very large extent at San Francisco; several hundred inlots of fifty varas square, and outlots of one hundred varas square, have been thus disposed of by the sucessive alcaldes of the place since the occupation of it by the American forces, both those appointed by the naval and military commanders, and those subsequently chosen by the inhabitants."

One other special provision remains to be stated and explained; it is in section 8, and relates to the claims of John Charles Fremont, and allows an appeal to the Supreme Court in all cases in which there may be a decision in the district court in his favor, while making such decisions in favor of other claimants conclusive against the United States. A regard to his own character, and to prevent injury to others on his account, induces this exception. Mr. Fremont has a claim—purchased by an agent (Mr. Larkin) without his knowledge of its existence, and when he had directed another to be purchased. That claim will come up with others for adjudication; and he felt, when drawing his bill at the last session, and making a decision in favor of the claimant, [illegible] might give occasion [illegible] by a board of commissioners [illegible] to those who were disposed to say it, to say that the design was to screen his own title from examination in the Supreme Court. He felt this, and felt it to be unjust; but also felt that it would look ostentatious and uncalled for, to volunteer an exception against himself. But now, and after what has happened, he no longer feels any hesitation on that account; and, in conformity to his feelings, I now make the exception which will take his case out of the general provisions of the bill, and subject it to run the gauntlet of all the courts, from the lowest to the highest, and from the shores of the Pacific ocean to the shores of the Atlantic, and against all the counsel which the substitute bill authorizes to be employed. He [illegible] of all this, according to his letter [illegible] was read yester…

labors. These labors can be divided into halves and quarters, but not less.

"Art. 8. To the colonists, whose occupation is farming, there cannot be given less than one labor, and those whose occupation is stock raising there cannot be given less than one sitio.

"Art. 9. The Government of itself, or by means of the authorities authorized for that purpose, can augment said portions of land as may be deemed proper, agreeably to the conditions and circumstances of the colonists."

"Art. 19. To each empresario who introduces and establishes families in any of the provinces designated for colonization, there shall be granted at the rate of three haciendas and two labors for each two hundred families so introduced by him, but he will lose the right of property over said lands, should he not have populated and cultivated them in twelve years from the date of the concession. The premium cannot exceed nine haciendas and six labors, whatever may be the number of families he introduces."

"Art. 22 The date of the concession for lands constitutes an inviolable law, for the right of property and legal ownership; should any one through error, or by subsequent concession, occupy land belonging to another, he shall have no right to it, further than a preference in case of sale, at the current price."

"Art. 26. All the instruments of husbandry, machinery, and other utensils that are introduced by the colonists for their use, at the time of their coming to the empire shall be free, as also the merchandise introduced by each family to the amount of two thousand dollars."

These are a few extracts from the general colonization laws of Mexico. Liberal as they were, all the *special legislation* for California was still more so, and the *local* authorities being vested with absolute power to make grants and give the complete legal title to any quantity not exceeding eleven *sitios*; while the General Government granted without limit. Thus, Jones's Report, pages 4, 5, under the head of direction for distributing lands in the Californias:

"The directions were very simple. They gave the Governors of the Territories the exclusive faculty of making grants within the terms of the law, that is, to the extent of eleven leagues, or *sitios*, to individuals; and colonization grants, (more properly *contracts*,) that is, grants of larger tracts, to *empresarios*, or persons who should undertake, for a consideration in land, to bring families to the country for the purpose of colonization. Grants of the first description, that is, to families or single persons, and not exceeding eleven *sitios*, were 'not to be held definitively valid' until sanctioned by the *Territorial Deputation*. Those of the second class, that is, *empresario* or colonization grants, (or contracts,) required a like sanction by the *Supreme Government*. In case the concurrence of the Deputation was refused to a grant of the first mentioned class, the Governor should appeal, in favor of the grantee, from the Assembly to the Supreme Government."

The large grants, of which the public has heard so much, were also a subject of inquiry committed to Mr. Jones; and his report greatly diminishes the expectations excited, and brings down nearly all these immense principalities to the ordinary grant of eleven square leagues, and usually made before there was any apprehension that California would become American property; that is to say, before the winter of 1845, '46, when the return of Col. Fremont with his topographical party, and the prospect of war between the United States and Mexico first spread that alarm. Of these so called large grants, Mr Jones, at pages 22-3, thus speaks:

"I did not find in the archives of California any record of large grants, in the sense I suppose the term to be here used. There are a number of grants to the full extent of the privilege accorded by law to individual concessions, and of the authority of the local Government to make, independent of the Central Government—to wit, of eleven *sitios*, or leagues square.

"There are understood, in the country, however, to be large claims, reputed to be founded on grants direct from the Mexican Government—one held by Captain Sutter, another by General Vallejo. The archives (as far as I could discover) only show that Captain Sutter received, on the 18th of July, 1841, from Governor Alvarado, the usual grant of *eleven sitios*, on the river Sacramento, and this is all I ascertained. The archives likewise show that Gen. Vallejo received from Gov. Micheltorrena, on the 22d October, 1843, a grant of ten sitios, called 'Petaluma,' in the district of Sonoma; and I was informed by a respectable gentleman in California that Gen. V. had likewise a grant from the Mexican Government, given for a valuable consideration, of a large tract known by the name of 'Soscol,' and including the site of the present town of Benicia, founded by Messrs. Vallejo and Semple, in the Straits of Carquinez. It is also reported that the same gentleman has extensive claims in the valley of Sonoma and on Suisun bay. It appears from documents which General Vallejo caused to be published in the [illegible] California in 1837 that he was deputed, in the year [illegible] *with the object* [to] found a settlement in the valley of Sonoma, [illegible] *of arresting the progress of the Russian settlements of Bodega and Ross*.' Gen. Vallejo was at that time (1835) military commander of the northern frontier. He afterwards, (in 1836,) by virtue of a revolution which occurred in that year in California, became military commandant of the department—the civil and military government being by the same act divided—to which office he was confirmed in 1838 by the Supreme Government.

"The following extract from Gov. Figueroa's instructions to him, will show the extent of Gen. Vallejo's powers, as agent for colonizing the north:

"'You are empowered to solicit families in all the territory and other States of the Mexican Republic, in order to colonize the northern frontiers, granting lands to all [illegible] may wish to establish [illegible] there …

specially exempted, and that in the preamble to the ORDINANCE of 1786—the ordinance creating twelve *Intend*… for the administration of the crown lands in New Spain, under which system Morales was the first, and perhaps last, for the Intendency of Louisiana. California was specially exempted from the operation of that ordinance, an… will be retroactive, and illegal, and unjust to apply it… now. I also said that the grants within the limits of t… authority by the local officers of California, were comp… within themselves—became full legal titles without furt… confirmation by the mother or central government—and t… to arraign them is to arraign legal titles, dating from bef… the era of our independence, and destroying property of o… two, and three generations possession under lawful titles. … now make good this point—that these local grants we… "*legal*" titles.

I quote from Jones's Report, page 6, under the inqui… into perfect titles:

"There were not, as far as I could learn, any regular su… veys made of grants in California, up to the time of the cess… tion of the former Government. There was no public or au… thorized surveyor in the country. The grants usuall… contained a direction that the grantee should receive judici… possession of the land 'from the proper magistrate (usuall… the nearest alcalde) in virtue of the grant;' and that the boun… daries of the tract should then be designated by that function… ary with 'suitable landmarks.' [illegible] this injunction was usually complied with only by procuring the attendance of the magistrate to give judicial possession according to the verbal description contained in the grant. Some of the old grants have been subsequently surveyed, as I was informed, by a surveyor under appointment of Col. Mason, acting as Governor of California. I did not see any official record of such surveys, or understand that there was any. The '*perfecting of the title*' *I suppose to have been accomplished when the grant received the concurrence of the Assembly; all provisions of the law, and of the colonization regulations of the Supreme Government, pre-requisites to the title being 'definitively valid,' having been then fulfilled. These, I think, must be counted complete titles.*"

Now, the whole of the grants in California granted before the conquest come under two classes as to their origin—a few, and but a few, derived from the supreme central or mother authority; and they, of course, are "*legal*" grants; the mass of them were granted by the local authorities under legal regulations, and are divided into *municipal* and *rural* grants; and these are "*legal*" titles by the act of the provincial or territorial authorities alone. And now these "*legal*" grants are all to be impeached in mass—all held to be invalid until the contrary is proved—all subjected, if the substitute bill passes, to three sets of lawsuits to try their validity.

The missions are separate grants, all derived from the supreme authority, and most of them secularized, if not all, under the Mexican law of August 17th, 1833. A full report may be seen upon them in Mr. Jones's report, from page 14 to page 21. They require no separate legislation; and are therefore left to the general provisions of the bill.

Having finished the exposition of the merits of my own bill, I feel bound to present, with some particularity, the defects of the one offered by the Senator from California, (Mr. Gwin,) and which I think cannot become law without deplorable effects to California. I take up these objectionable clauses in the order in which I find them in his bill.

First. As to the times and places at which the commissioners are to hold their sessions. This in the substitute bill is left to be fixed by the President. This, in my opinion, is doubly wrong. It is a detail with which the President should not be troubled; and it is a part of a judicial process that should be fixed by law, that all persons might know, as in courts of justice, when and where the title to their property is to be tried.

Secondly. The substitute bill limits the claims which may go before the board to those which are *derived* from the Spanish or Mexican Government. Now this limitation may cut off all those, or raise a question about them, which were derived from the Californian local authorities; and these, as we have seen, constitute the great mass of the whole—the whole of the municipal, and nearly all the rural grants under eleven *sitios*. The bill submitted by the other Senator from California at the last session (Mr. Fremont) provided for all claims derived from the Californian authorities, as well as those derived from the Mexican and Spanish; and the bill I now offer does the same.

Thirdly. The substitute bill limits the time of the duration of these Mexican and Spanish grants to which the [illegible] July, 1846. Those which originated before the [illegible]. This is an unfortunate limitation in my opinion, both as to the idea of fixing a day, and the fact of the day fixed. The 7th day of July was not the day of the conquest of California: it was only the day of the taking possession of the town of Monterey. The country north of the Bay of San Francisco had been conquered by Col. Fremont, and the men of his party, and the American settlers of the Sacramento valley, before that time; and the country south, including Los Angeles, the seat of government, was conquered afterwards by Fremont and Stockton, to wit, August 13th, 1846. The day, therefore, named in the bill has no relation to any political event affecting titles in California, and divides the time when the [illegible] and a confusion of Mexican …

vacant parts, if any, to the municipal or town authorities, except such parts as may be required for military purposes within the United States, and with this reserve or exception, all the residue of the said four leagues square shall be confirmed to the city, town, village, or pueblo, according to the "instruction and decree of the captain general of the Internal Provinces of the West, dated at Chihuahua, and directed to the commandant at Monterey, of Upper California," and the four leagues square confirmed to San Francisco shall be measured south for its quantity.

Sec. 6. *And be it further enacted,* That the grants made by General Kearny at San Francisco shall be, and hereby are confirmed, so far as the United States are concerned, and without prejudice to individuals; and all the reserves made for the Government of the United States, except such as shall be needed for military purposes, or necessary public buildings, shall be, and the same hereby are granted to the said city of San Francisco.

Sec. 7. *And be it further enacted,* That all other grants made by any officers under the civil or military Government of the United States since the conquest of the country shall be, and the same hereby are reserved for the future decision of Congress; and it shall be the duty of the recorder of land titles to make a special report thereon, directed to the Commissioner of the General Land Office as soon as practicable, to be by him laid before the Secretary of the Interior, and communicated to Congress.

Sec. 8. *And be it further enacted,* That, on the trial of any scire facias to try the validity of a claim, the decision of the court shall be conclusive in favor of the claimant in every case, except in cases in which John Charles Fremont may be a claimant; and in all cases in which he may be a claimant, an appeal may be taken in favor of the United States to the Supreme Court of the United States, and in all decisions against the claimant an appeal may in like manner be taken to the Supreme Court.

Sec. 9. *And be it further enacted,* That the recorder of land titles on receiving notice of each claim shall lay down the same conjecturally, according to the claim, on district maps to be constructed by him; and, as soon as confirmed, shall order the same to be duly surveyed according to the confirmation.

Sec. 10. *And be it further enacted,* That the recorder of land titles shall keep his office at the seat of government of the State, but shall repair to the principal cities, towns, and settlements, on due and public notice, to receive notices and evidences of claims.

Sec 11. *And be it further enacted,* And the said recorder of land titles shall be allowed a salary of ——— thousand dollars per annum, and twenty cents per mile for all necessary travelling, and also shall be allowed a clerk, who shall receive a salary of ——— thousand dollars per annum, and the same mileage and ten cents per hundred words on all papers recorded or copies given out. And the district attorney shall be allowed one thousand dollars per annum, and twenty cents per mile for his necessary travelling under this act, in addition to his other compensation.

The amendment being read—

Mr. BENTON said: I made a general exposition of the plan I propose on yesterday, and shall now explain some of its special provisions before I go further into its general merits, or look further into the effects of the substitute bill proposed by the Senator from California, (Mr. GWIN.) The bill which I propose consists of general and special provisions, the latter growing out of peculiar circumstances in California, and necessary to be separately attended to in order to avoid injustice and confusion. I have put myself to the trouble and labor of examining closely the condition of land titles in California, and hope to offer nothing to the Senate for which there is not a reason to be found.

The first of these special provisions is in section 5, and grows out of the peculiar system of land *distribution* (for so the Spanish laws called it) of the crown lands in California. The settlement of the Californias was different from that in other parts of Spanish America: it was by ecclesiastical missions: and on account of the remoteness of the country—its isolation, and exposure to dangers—a most liberal system of land distributions was adopted, and great care was taken for the protection of the settlements. Every settlement was to be formed round a *presidio*—military station—extending two common leagues every way from the centre of the presidio; so that every point should be equally convenient for protection. Within that extent the captain of the station, and afterwards the municipal authorities of the town, village, or city which grew up about it, was authorized to distribute land, not at discretion, but according to a rule laid down; and which was wise and equitable, and adapted to the wants of every inhabitant. First, a *pueblo*, or village was to be laid off, consisting of streets and squares; and within that pueblo every settler was to have a house lot of so many *varas* (the Spanish yard, three geometrical feet) square; then an out lot, for cultivation, of moderate and fixed size; then a right of common in the ungranted remainder. This system applied to every settlement in the country, and these settlements commenced in Upper California, the one which we now own, about the time of the commencement of the American revolution—a few years before; and having originated under a peculiar policy, and as an exception to the general mode of distributing lands in California, I deem it just and proper, now that we have become masters of the country, and propose to overhaul all the titles, that we should observe the distinctions between the different kinds of grants—the difference between the *municipal*—thus granted in small parcels in the pueblos; and the *rural*, consisting of large grants in the country. The fifth section of my bill conforms to that distinction, and in the very terms of the Spanish law, except in the case of *Yerba Buena*, or San Francisco, where a deviation in the mode of measuring for quantity is admitted. Instead of measuring two leagues every way from the centre, which would put half the grant into the bay of San Francisco, it proceeds south, in this instance, for quantity—the only direction in which it can be found—but without prejudice to private claims. With this reservation, and with an exception of what is not wanted by the United States for military purposes, or necessary buildings, all the titles in the four leagues in all the towns, cities, villages, and pueblos are confirmed; ...ishments of San Diego and Monterey, and of which these are extracts:

"Art. 10. As the mission settlements are hereafter to become cities, care should be taken in their foundation that the houses should be built in line, with wide streets and good market squares. By this means will not only be obtained symmetry, but the desire of the Indians will be excited not to withdraw; and even those not reduced may be reclaimed and drawn to establish themselves, and adopt a rational life.

"Art. 11. For the preservation of the new mission settlements, it is very essential that near them should be encouraged the raising of cattle, cultivation, and the planting of trees, and for this purpose to choose suitable lands, and on all to bestow strict attention.

"Art. 12. With the desire that population may be more speedily assured in the new est[...] grant the commandant power to designate common lands, and also even to make individual concessions to such Indians as may most dedicate themselves to agriculture and the raising of cattle; for, having property of their own, the love of it will cause them to plant themselves more firmly; but the commandant must bear it in mind that it is very advisable not to allow them to live dispersed, each on the land given him, but that they must have their house and habitation in the town or mission where they have been gathered or settled.

"Art. 13. I grant the same faculty to the commandant with respect to distributing lands to the other settlers, (*pobladores*,) according to their merit and ability to improve; they also living in the town, and not dispersed, declaring that in the exercise of what is prescribed in this article and the preceding, he must act in every respect in conformity with the provisions made in the collection of laws respecting new reductions and settlements, granting them legal titles for the owner's protection without exacting any remuneration therefor, or for the act of possession."

This decree was three years before the declaration of our independence, and presents three points to be observed: *first*, that the commandants of posts were authorized to make municipal or town grants by way of distribution in California. *Second*, that these distributions were to be made both to Indians and white settlers. *Third*, that they were to grant legal titles, and without price or fee.

The next of these decrees which I shall produce is that by the Captain General of the Western Internal Provinces, Don Felipe de Neve, dated June 1st, 1779, and approved by a royal cedula of October 14, 1781, entitled "*Regulation and instruction for the presidios of the Peninsula of Californias, the erection of new Missions, and encouragement of the population and extension of the establishments of Monterey.*" I give extracts: (*Pages 51-2, Jones's report.*)

"4th. The house lots to be granted to the new settlers shall be designated by the Governor in the places and of the extent correspondent to the tract where the new pueblos are to be established, in such manner that streets and a square shall be formed, according to the provisions of the laws of the kingdom, and agreeably to the same, competent common lands (*egidos*) shall be designated for the pueblos, and pasture grounds, with suitable sowing lands, for municipal purposes, (*propios.*)

5th. Each *suerte* of land, (out-lot,) whether capable of irrigation (*de riego*) or dependant on the seasons, (*de temporal*,) shall consist of two hundred varas in length by two hundred in breadth, this being the area generally occupied in the sowing of one fanega of Indian corn; the distribution of these house lots and pieces of land to the new settlers shall be made in the name of the King our master by the Government, with equity, and in proportion to the ground which admits of irrigation, so that after making the necessary demarcation, and reserving vacant the fourth part of the number which may result, counting with the number of settlers, should there be sufficient, each one shall have two suertes of irrigable land, and other two of dry ground, delivered to him; and of the royal lands (*realengos*) as much as may be considered necessary shall be separated for the *propios* of the pueblo; and of the remainder, as well as of the house lots, shall be granted in the name of H. M. by the Governor, to those who may hereafter come to colonize, and particularly to soldiers, who, having fulfilled the term of their engagement, or on account of advanced age, may retire from service, and likewise to the families of those who may die; but these persons must make their improvements at their own expense, out of the funds which each possesses, and will not be entitled to receive from the royal revenue either salary, rations, or cattle, this privilege being limited to those who leave their own country for the purpose of peopling this.

6th. The houses built on lots granted and designated to the new settlers, and the parcels of land comprehended in their respective concessions, shall be perpetually hereditary to their sons and descendants, or to their daughters, who marry useful colonists, who have received no grants of land for themselves; provided they all comply with the obligations expressed in these instructions; and, in order that the sons of the possessors of these concessions, observe the obedience and respect which they owe to their parents, the latter shall be freely authorized, in case of having two or more sons, to choose which of them, being a layman, shall succeed to the house and lots, and they may likewise dispose of them among their children, but not so as to divide a single lot, because each and all of these are to remain indivisible and inalienable forever."

The decree of the Captain General, Don Pedro de Nava, of March 22, 1791, was in accordance to these previous decrees, and to give them certainty in their extent by fixing the quantity allowed to each presidio for town grants to a square of four leagues—in conformity to all which the fifth section of my bill is drawn.

Thus far I quote the text of the law: I will now give the words of Mr. Jones, in his report to the Secretary of the Interior, in relation to these municipal grants, as I find them at page 32 of the report:

"The royal regulation of 1781 for the Californias directs suitable municipal allotments to be made, 'conformable to the law;' and this likewise must refer to the law specifying four leagues square.

"The letter of instructions of 1791, authorizing the captains of presidios to make grants in the neighborhood of their respective posts, specifies the same quantity, to wit, 'the extent of four common leagues, measured from the centre of the presidio square, two leagues in each direction, as sufficient for the new pueblos to be formed under the protection of the presidios.'

...avoid the confusion—the des[...] out of disturbing the multiplied and vast interests that have arisen under the acts of the American authorities at San Francisco; to give the city what she would certainly have been entitled to by the terms of the old law, what she will need for the public improvements and adornments that her future population will require, and what is well due to the enterprise which has founded in so brief a space a great metropolis in that remote region, perhaps no better or juster measure could be suggested, than a confirmation of past acts, a release of Government claims to the extent of four leagues, measuring south from the presidio, and including all between sea and bay, with suitable provision for protecting private rights, whether under old grants or by recent improvements, and reserving such sites as the Government uses may require."

Thus much, Mr. President, I have felt it my duty to say in support of the fifth section of my [...] law itself, *ex proprio vigore*, the quantity of four leagues square, which was the minimum quantity granted by a general law; and I have no doubt that larger quantities were granted by special decrees to different pueblos as they grew up, and expanded, and increased in population and wealth, and became towns and cities. They were gifts to domiciliated Indians, to discharged soldiers, and to emigrating settlers; and it is revolting to think that the descendants and the assignees of those recipients of the paternal bounty of the King of Spain, may be dragged before a board of commissioners to prove their titles, with the chance of being hauled up into the United States district courts in California, to prove them a second time there, and a further chance to be pulled across the continent from the Pacific to the Atlantic to prove them a third time before the Supreme Court of the United States. It is horrible to think of, and more cruel, and not less illegal, than direct confiscation.

The sixth section of my bill also contains a special provision, which needs explanation to justify it. It confirms the grants made by Gen. Kearny in San Francisco during the time that he was Governor in California; and this supposes the fact that he made such grants. This is true; and in answer to that branch of the inquiries of the Secretary of the Interior which relate to grants of land in California subsequent to the conquest, he produces, at page 30 of the report, this decree of Gen. Kearny, dated March 10th, 1847:

"I, Brigadier General S. W. Kearny, Governor of California, by virtue of authority in me vested by the President of the United States of America, do hereby *grant*, *convey*, and *release* unto the town of San Francisco, the people, or corporate authorities thereof, all the right, title, and interest of the *Government of the United States* and of the *Territory of California* in and to the beach and water lots on the east front of said town of San Francisco, included between the points known as the Rincon and Fort Montgomery, excepting such lots as may be selected for the use of the United States Government by the senior officers of the army and navy now there; provided the said ground hereby ceded shall be divided into lots and sold by public auction to the highest bidder, after three months' notice previously given; the proceeds of said sale to be for the benefit of the town of San Francisco."

The section which I propose confirms this decree, without any inquiry into its legality. I merely take it as a fact, and deal with it accordingly, and for the purpose of quieting possessions and saving a flourishing city from the calamity of contested titles. Under the bill of the Senator from California, (Mr. GWIN,) this decree, and the grants under it, would be excluded even from consideration. It is neither a Mexican nor a Spanish decree—(to which his bill is confined)—nor is it before the 7th day of July, 1846, to which it is limited. If something like the section I have proposed is not adopted, there may be much ruinous litigation, and even fatal violence in San Francisco, in relation to these grants; and Congress will certainly be petitioned, by special messengers sent from the country, to interpose the shield of legislative authority. If the decree had not said that its authority was derived from the President of the United States, I should have supposed that Gen. Kearny had acted under the belief that he possessed the power of previous California Governors. But, without inquiring into the question of power to make the decree—proceeding on the fact that it was made, and that property is possessed under it, and that Congress can confirm as well as originate dispositions of the public lands, I propose to confirm the possessors in their property, without inquiry or conditions. But the equity of doing so is shown by Mr. Jones, in his report. He says, (page 30, 31:)

"Pursuant to the terms of this paper, what are termed 'government reservations' were made, both within and outside the limits specified, and the remainder of the lots designated have been since in great part sold by the town of San Francisco. These lots extend into the shallow water along the beach of San Francisco, and are very suitable and requisite for the business purposes of that growing city. The number of four hundred and forty-four of them were sold in the summer ensuing the 'decree;' and in December last, I have learned since my return, the remainder, or a large portion of them, were disposed of by the corporation. But little public use has been made of what are denominated the 'government reservations.' Portions of them are reputed to be covered by old grants; portions have been settled on and occupied by way of preemption; and other portions, particularly 'Rincon Point,' have been rented out, as I am informed, to individuals, by the late military government.

"Under the above 'decree' of General Kearny, and the consequent acts of the authorities of San Francisco, such multiplied, diversified, and important private interests have arisen, that, at this late day, no good, but immense mischief, would result from disturbing them. The city has derived a large amount of revenue from the sale of the lots; the lots have been resold, and transferred in every variety of way, and passed through many hands, and on many of them costly and permanent improvements have been made; improvements required by the business and wants of the community, and which ought to give the makers of them an equitable interest in the land, even without the faith of the Government implied by leaving the act of its agent so long unquestioned. An act of Congress, relinquishing thus in the lawful mode the interest of the United States in those beach and water lots, would seem to be only an act of justice to the city and to the lot holders, and to be necessary to give that validity and confidence

[...] by the American forces, both those appointed by naval and military commanders, and those subsequently chosen by the inhabitants."

One other special provision remains to be stated and explained; it is in section 8, and relates to the claims of John Charles Fremont, and allows an appeal to the Supreme Court in all cases in which there may be a decision in the district court in his favor, while making such decisions in favor of other claimants conclusive against the United States. A regard to his own character, and to prevent injury to others on account, induces this exception. Mr. Fremont has a claim—purchased by an agent (Mr. Larkin) without his knowledge of its existence, and when he had directed another to be purchased. That claim will come up with others for adjudication; and he felt, when drawing his bill at the last session, that making [...] decisions of the district court conclusive in favor of the claimant, that it might give occasion to those who were disposed to say it, to say that the design was to screen his own title from examination in the Supreme Court. He felt this, and felt it to be unjust; but also felt that it would look ostentatious and uncalled for, to volunteer an exception against himself. But now, and after what has happened, he no longer feels any hesitation on that account; and, in conformity to his feelings, I now make the exception which will take his case out of the general provisions of the bill, and subject it to run the gauntlet of all the courts, from the lowest to the highest, and from the shores of the Pacific ocean to the shores of the Atlantic, and against all the counsel which the substitute bill authorizes to be employed. He is willing to run the gauntlet of all this, according to his letter in relation to the Mariposa estate, which was read yesterday; but he is not willing that other claimants should be so subjected, or that his exertions in their behalf should be weakened by the supposition of an interested motive.

Having explained these special provisions in my bill, I now return to its general plan, and will adduce some reasons founded in Spanish law, and in the state of land titles in California, in favor of the leading ideas which it contains, and the leading views which I presented yesterday. I promised, and then to give "chapter and verse" for every thing I alleged, and now proceed to do it.

I speak, *first*, of the leading provision, that of creating a keeper of the land archives—a recorder—to collect the titles and evidences of claims to lands in California, and to record and preserve them. This is an office of such evident necessity—of such general utility both to the fair claimant and the public, that it is difficult to conceive of any system for ascertaining and settling land titles in a newly-acquired country in which it can be omitted. It is an office which was created in upper Louisiana preliminary to the appointment of a board of commissioners, and still exists there, although the board has been long since discontinued. The bill submitted at the last session by the other Senator from California, (Mr. FREMONT,) contained a provision for such an office. The substitute now offered by the Senator present from California, contains no such provision, but merely sets the commissioners to work adjudicating titles, with the double appeals to the district and supreme courts, without any provision either for a preliminary or subsequent collection, preservation, and record of titles.

One of the inquiries to which the attention of Mr. Jones was directed by the Secretary of the Interior related to this very point—the existence and condition of the land archives; and his anwer shows the necessity of immediately creating an officer to collect and preserve all these evidences of grants and titles. He shows, page 7, that these archives are in a very imperfect state now. They were formerly kept at *Los Angeles*, but removed after the conquest to Monterey, and, besides other imperfections, a book of grants for the year 1846, seen by Col. Fremont when he was Governor at Los Angeles, and delivered by him to the officers appointed by Gen. Kearny, was not to be found by Mr. Jones. It was the most material of all the land books, being the one that covered the year of the conquest, and the one from which Mr. Fremont made the *memoranda* for the information of his government which I shall presently notice, and in which the grants of that year, including the 3,000 square leagues to Macnamara, should be found. These books have been without any officer appointed by law to take care of them; and it stands to reason that such an officer should now be appointed. The bill which I propose, provides for such an officer; the bill proposed by Mr. Fremont at the last session provided for one; the substitute bill now offered by the Senator present from California (Mr. GWIN) does not.

I stated yesterday the extreme desire of the Spanish Government to populate California, and for that purpose, the inducements and rewards held out to prevail upon people to accept and occupy grants of land. I stated that assistance in money, cattle, implements, and seeds were given to the settler; that exemption from all contributions, even church tithes, was often granted for a certain number of years after the grant; and that contractors, called *empresarios*, were employed at a high reward—five square leagues to himself for every hundred families introduced—to bring in families; to each of whom a minimum of one league square for a *rural* grant was allowed. I said then I would give chapter and verse for that statement; and now do so.

Extracts from Mexican colonization laws, quoted by Mr. Jones, pp. 42, '3, and following:

"Art. 5. The measurement of land shall be the following: establishing the *vara* at three geometrical feet; a straight line of five thousand *varas* shall be a league; a square, each of whose sides shall be one league, shall be called a sitio; and this shall be the unit of counting one, two, or more sitios; five sitios shall compose one hacienda.

"Art. 6. In the distribution made by Government of lands to the colonists, for the formation of villages, towns, cities, and provinces, a distinction shall be made between the grazing lands destined for the raising of stock, and lands suitable for farming or planting, on account of the facility of irrigation.

"Art 7. One *labor* shall be composed of one million square varas, that is to say, one thousand varas on each side, which measurement shall be the unit for counting one, two, or more

[...] Mexican Government [...] Sutter, another by General Vallejo. The archives (so far as I could discover) only show that Captain Sutter received, on the 18th of July, 1841, from Governor Alvarado, the usual grant of *eleven sitios*, on the river Sacramento, and this is all I ascertained. The archives likewise show that Gen. Vallejo received from Gov. Micheltorrena, on the 22d October, 1843, a grant of ten sitios, called 'Petaluma,' in the district of Sonoma; and I was informed by a respectable gentleman in California that Gen. V. had likewise a grant from the Mexican Government, given for a valuable consideration, of a large tract known by the name of 'Soscol,' and including the site of the present town of Benicia, founded by Messrs. Vallejo and Semple, in the Straits of Carquinez. It is also reported that the same gentleman has extensive claims in the valley of Sonoma and on Sui[...] [...] from documents which General Vallejo caused to be published in the newspapers of California in 1847, *that he was deputed, in the year 1835, by Gen. Figueroa, to found a settlement in the valley of Sonoma, 'with the object of arresting the progress of the Russian settlements of Bodega and Ross.'* Gen. Vallejo was at that time (1835) military commander of the northern frontier. He afterwards, (in 1836,) by virtue of a revolution which occurred in that year in California, became military commandant of the department—the civil and military government being by the same act divided—to which office he was confirmed in 1838 by the Supreme Government.

"The following extract from Gov. Figueroa's instructions to him, will show the extent of Gen. Vallejo's powers, as agent for colonizing the north:

"'You are empowered to solicit families in all the territory and other States of the Mexican Republic, in order to colonize the northern frontiers, granting lands to all persons who may wish to establish themselves there, and those grants shall be confirmed to them by the Territorial Government, whenever the grantees shall apply therefor; the title which they obtain from you serving them in the mean time as a sufficient guaranty, as you are the only individual authorized by the superior authority to concede lands in the frontier under your charge. The Supreme Government of the territory is convinced that you are the only officer to whom so great an enterprise can be entrusted; and in order that it may be accomplished in a certain manner, it is willing to defray the necessary expenses to that end.'

"An official letter to Gen. Vallejo from the Department of War and Marine, dated at Mexico, 5th August, 1839, expresses approbation of what had hitherto been done in establishing the colony, and the desire that the settlements should continue to increase 'until they should be so strong as to be respected not only by the Indian tribes, but also by the establishments of the foreigners who should attempt to invade that valuable region.'

"There is but one grant that I could learn of which covers any portion of the gold mines. Previous to the occupation of the country by the Americans, the parts now known as *The Gold Region* were infested with the wild Indians, and no attempts made to settle there. The grant that I refer to was made by Governor Micheltorrena to Don Juan B. Alvarado, in February 1844, and is called the *Mariposas*, being situated on the Mariposas creek, and between the Sierra Nevada and the river Joaquin, and comprises ten *sitios*, or leagues square, conceded, as the grant expresses, 'in consideration of the public services' of the grantee. It was purchased from the grantee (Alvarado) in February, 1847, by Thomas O. Larkin, Esq. for Mr. J. C. Fremont, and is now owned by that gentleman."

Thus diminishes the "stupendous grants" to defraud the United States, of which so much has been heard. Almost every one of which a record can be found, dwindled down to a common eleven league grant, and made before a change of government was dreamed of, and in places where it was worth lives to undertake to settle them—places over which the wild and savage Indians held dominion. Of this kind was Gen. Vallejo's grant north of the Bay of San Francisco, *from the Governor-General in 1843*; and of the same kind was then the ten leagues grant to the ex-deputy Governor Alvarado, *by the same Governor-General in 1844, in the valley of the* San Joaquin, and of which Col. Fremont, through an agent, became the purchaser in 1847. But few people could be prevailed on to accept such grants, on account of the danger of settling them, and on that account some contained a dispensation from immediate settlement. Of this kind was the Mariposas grant; and so great was this danger in relation to that grant, that, even in 1849, when Mr. Fremont went to take possession, six men were killed upon it the first night he slept there—not of his party, but of another camp less vigilant and experienced. There is some gold upon it, though he knew nothing of it; and it might have been a bed of sand; for that valley has much sand. It was bought for a cattle farm, and was merely bought by the agent under a general direction to purchase a *rancho*, and because he had failed to obtain the one indicated in another place, and where there is no gold and no Indians. When Mr. Fremont returned to California, after being required by his honor to quit the army, it was to colonize this grant, in company with his old comrades of the mountains, and to live a retired life there. For that purpose he shipped from New York all the necessary agricultural implements, grist and saw mill irons inclusive, to go round by Cape Horn, while with the old comrades who adhered to him he undertook to complete his last line of exploration across the continent with a view to the location of the great national central highway from the Mississipppi to the Pacific ocean. The mistake of a guide—not one of his old comrades—balked that expedition; but the agricultural implements went round, and on arriving the unexpected revelation of golden treasures caused them to be laid aside for mining tools. This is the Mariposa (Butterfly) farm, as it was bought to be—the Mariposas mine, as it turns out to be—held under the same authority under which Gen. Vallejo holds what is to be the capital of Calfornia; and in defence of which Mr. Fremont is ready to run the gauntlet of all the lawsuits provided for in the substitute bill, but is not willing to see others subjected to the same calamitous process.

I said yesterday, and I have made it appear to-day, that there was both a local Californian authority, and a Mexican or Spanish general authority, to grant distributions of land in California. This is now proved. I said also that the distribution of lands in California was taken out of the general land system, first of Spain, and then of Mexico: that it was

Secondly. The [...] bill limits the claims which go before the board to those which are *derived* fro[...] Spanish or Mexican Government. Now this limitation cut off all those, or raise a question about them, which derived from the Californian local authorities; and the[...] we have seen, constitute the great mass of the whole whole of the municipal, and nearly all the rural grants [...] eleven *sitios*. The bill submitted by the other Senator [...] California at the last session (Mr. FREMONT) provide[...] all claims derived from the Californian authorities, as w[...] those derived from the Mexican and Spanish; and the [...] now offer does the same.

Thirdly. The substitute bill limits the time of th[...] ration of these Mexican and Spanish grants to whic[...] board is to be confined, [...] *7th day of July, 1846. This is an unfortunate before[...] my opinion, both as to the idea of fixing a day, and th[...] of the day fixed. The 7th day of July was not the d[...]* the conquest of California: it was only the day of the t[...] possession of the town of Monterey. The country no[...] the Bay of San Francisco had been conquered by [...] Fremont, and the men of his party, and the American se[...] of the Sacramento valley, before that time; and the co[...] south, including Los Angeles, the seat of government, [...] conquered afterwards by Fremont and Stockton, to [...] August 13th, 1846. The day, therefore, named in th[...] has no relation to any political event affecting titles in [...]fornia, and divides the time when the conquest was goin[...] and a confusion of Mexican and American authority pr[...]ing. But it happens to be a fact that the Senate, in rati[...] the treaty of Gudalupe Victoria, refused to agree to an[...] for the limitation of the derivation of land titles, and s[...] out the one which had been inserted at the instance o[...] Mexican Government, without inserting any other. I[...] in the tenth article. In looking at the treaty in its p[...] ratified form, it will be seen that the 10th article is str[...] out. It was done by the American Senate, and becaus[...] article fixed a day within which to legitimate titles, [...] granted time for the fulfilment of unexecuted condi[...] Col. Fremont had shown to the Senate, in his testimo[...] relation to California affairs, before the select committ[...] which the Senator from Michigan (Mr. CASS) was chair[...] that there were great operations going on that year, [...] within that time, in lands in California, and which tha[...] might seriously affect. One branch of these operations [...] to transfer the public lands of California to British subj[...] while putting the country itself under British protection, [...] expelling the American settlers. Among these operatio[...] gave in a memorandum of the transfer of missions, and [...] of islands, of which he had taken note when Governor a[...] Angeles, and in possession of the archives, thus:

"1. The *Mission of San Gabriel*, granted on the 8[...] June, 1846, to Julian Workman and Hugo Reid, (En[...] subjects.)

"2. The *Mission of San Rafael*, to Julian Workman [...] Francisco Plinio Temple, on the 8th of June, 1846.

"3. The *Island of San Clemente*, granted about the [...]dle of May, 1846, to Julian Workman and Andres Pico.

"4. *Bird Island*, granted on the 3d of Jene, 1846, to Ju[...] Workman.

"6. *San Mateo*, (part of the Mission of Dolores,) gran[...] in the month of May to Cayetano Arenas.

"7. *Mission of San Luis Rey*, granted, I believe, in [...] month of June, 1846, to Senor Cot.

"I submit the following extract from a deed given by G[...]ernor Pico under date of June 8th, 1846, to Julian Workm[...] and Hugo Reid, of the Mission of San Gabriel. A copy [...] the deed is contained in a letter now in my possession fr[...] Mr. Reid to Commodore Stockton. The words of Govern[...] Pico are:

"*Authorized beforehand by the most excellent Assemb[...]* of the Department to dispose of the missions for the payme[...] of their debts, and avoiding that may serve for the general we[...] as to proportion resources invasion, which, according to rec[...] fence in case of a foreign invasion, which, according to rec[...] dates, is not far off,' &c.

"The facts above narrated, with many attending circu[...] stances, led me to believe that the authorities of Califor[...] designed to create as large as possible a British interest in t[...] country, or, in other words, to convert, wherever it could [...] done, public or Mexican property in California into Briti[...] property. These things were mostly done hurriedly, a[...] mostly at the same fixed period of time, and taken in conne[...]ion with my collision with the authorities in March, *1846*, an[...] the declaration of the same authorities that I had come int[...] the country to excite a revolt, and the disposition shown b[...] the American settlers in offering to aid me, and the consequen[...] proceedings against them, further led me to believe that th[...] action of the authorities was influenced by apprehension o[...] danger from the Americans. I believe that the action of the [...] authorities in the grant to Macnamara was precipitated by th[...] revolution in the north."

He also brought home all the papers of the great Macnamara grants, three thousand square leagues, covering the whole eastern half of the valley of the San Joaquin, where so much gold is now found, and it was the exhibition of these papers in the Senate which contributed more than any thing else to cause the tenth article of the treaty to be stricken out—no day to be fixed—and the rights of property in California to rest under the protection of the law of nations, and the general clause in favor of its "free enjoyment," contained in the ninth article. That great grant commenced at the city of Mexico in the month of August, 1845, was in progress of completion in May and June, 1846, and Macnamara present (brought up by a British ship of war) to receive possession the moment the last form was put to it. The operations of Fremont prevented that last step, and saved a real principality, a golden principality in the finest part of California, from passing into the hands of British subjects. And now the Senator from California proposes a day for legitimating titles, when the Senate refused, for weighty reasons, to admit of any day in the treaty.

Fourthly. The substitute bill provides that the district attorney is to appear before the board of commissioners to attend to the interests of the United States. This is convert-

… city, town, village, or pueblo, … square shall be … according to the
ation and decree of the captain general of the Internal
es of the West, dated at Chihuahua, and directed to
mandant at Monterey, of Upper California," and the
gues square confirmed to San Francisco shall be mea-
outh for its quantity.
6. *And be it further enacted*, That the grants made by
al Kearny at San Francisco shall be, and hereby are
ned, so far as the United States are concerned, and with-
ejudice to individuals; and all the reserves made for the
nment of the United States, except such as shall be
d for military purposes, or necessary public buildings,
be, and the same hereby are … city of
rancisco.
. 7. *And be it further enacted*, That all other grants
by any officers under the civil or military Government
e United States since the conquest of the country shall be,
he same hereby are reserved for the future decision of
ress; and it shall be the duty of the recorder of land titles
ke a special report thereon, directed to the Commission-
the General Land Office as soon as practicable, to be by
laid before the Secretary of the Interior, and communica-
o Congress.
c. 8. *And be it further enacted*, That, on the trial of any
facias to try the validity of a claim, the decision of the
t shall be conclusive in favor of the claimant in every case,
pt in cases in which John Charles Fremont may be a
nant; and in all cases in which he may be a claimant, an
eal may be taken in favor of the United States to the Su-
ne Court of the United States, and in all decisions against
claimant an appeal may in like manner be taken to the
reme Court.
ec. 9. *And be it further enacted*, That the recorder of
d titles on receiving notice of each claim shall lay down
same conjecturally, according to the claim, on district
ps to be constructed by him; and, as soon as confirmed,
ll order the same to be duly surveyed according to the con-
nation.
Sec. 10. *And be it further enacted*, That the recorder of
d titles shall keep his office at the seat of government of the
te, but shall repair to the principal cities, towns, and set-
ments, on due and public notice, to receive notices and evi-
nces of claims.
Sec 11. *And be it further enacted*, And the said recorder
land titles shall be allowed a salary of ——— thousand
lars per annum, and twenty cents per mile for all necessary
velling, and also shall be allowed a clerk, who shall receive
salary of ——— thousand dollars per annum, and the same
leage and ten cents per hundred words on all papers re-
rded or copies given out. And the district attorney shall be
owed one thousand dollars per annum, and twenty cents per
le for his necessary travelling under this act, in addition to
s other compensation.
The amendment being read—
Mr. BENTON said: I made a general exposition of the
an I propose on yesterday, and shall now explain some of
special provisions before I go further into its general merits,
lo k further into the effects of the substitute bill proposed
the Senator from California, (Mr. GWIN.) The bill
ich I propose consists of general and special provisions,
e latter growing out of peculiar circumstances in California,
d necessary to be separately attended to in order to avoid
ustice and confusion. I have put myself to the trouble
d labor of examining closely the condition of land titles in
lifornia, and hope to offer nothing to the Senate for which
ere is not a reason to be found.
The first of these special provisions is in section 5, and
ws out of the peculiar system of land *distribution* (for so
e Spanish laws called it) of the crown lands in California.
e settlement of the Californias was different from that in
er parts of Spanish America: it was by ecclesiastical mis-
ns: and on account of the remoteness of the country—its
ation, and exposure to dangers—a most liberal system of
d distributions was adopted, and great care was taken for
protection of the settlements. Every settlement was to
ormed round a *presidio*—military station—extending two
mon leagues every way from the centre of the presidio;
hat every point should be equally convenient for protec-
. Within that extent the captain of the station, and
wards the municipal authorities of the town, village, or
which grew up about it, was authorized to distribute
, not at discretion, but according to a rule laid down;
which was wise and equitable, and adapted to the wants
ery inhabitant. First, a *pueblo*, or village was to be
off, consisting of streets and squares; and within that
lo every settler was to have a house lot of so many *varas*
Spanish yard, three geometrical feet) square; then an
ot, for cultivation, of moderate and fixed size; then a
of common in the ungranted remainder. This system
ed to every settlement in the country, and these settle-
s commenced in Upper California, the one which we
own, about the time of the commencement of the Amer-
evolution—a few years before; and having originated
a peculiar policy, and as an exception to the general
of distributing lands in California, I deem it just
proper, now that we have become masters of the
y, and propose to overhaul all the titles, that we should
e the distinctions between the different kinds of grants—
ference between the *municipal*—thus granted in small
: in the pueblos; and the *rural*, consisting of large
in the country. The fifth section of my bill conforms
distinction, and in the very terms of the Spanish law,
in the case of *Yerba Buena*, or San Francisco, where
tion in the mode of measuring for quantity is admitted.
of measuring two leagues every way from the centre,
would put half the grant into the bay of San Francisco,
eds south, in this instance, for quantity—the only
n in which it can be found—but without prejudice to
claims. With this reservation, and with an exception
is not wanted by the United States for military pur-
or necessary buildings, all the titles in the four leagues
e towns, cities, villages, and pueblos are confirmed;

… to be observed by the com- … *establishments of San Diego and Mon-* … which these are extracts:

"Art. 10. As the mission settlements are hereafter to become cities, care should be taken in their foundation that the houses should be built in line, with wide streets and good market squares. By this means will not only be obtained symmetry, but the desire of the Indians will be excited not to withdraw; and even those not reduced may be reclaimed and drawn to establish themselves, and adopt a rational life.

"Art. 11. For the preservation of the new mission settlements, it is very essential that near them should be encouraged the raising of cattle, cultivation, and the planting of trees, and for this purpose to choose suitable lands, and on all to bestow strict attention.

"Art. 12. With the desire that population may be more speedily assured in the new establishments, I, for the present, grant the commandant power to designate common lands, and also even to make individual concessions to such Indians as may most dedicate themselves to agriculture and the raising of cattle; for, having property of their own, the love of it will cause them to plant themselves more firmly; but the commandant must bear it in mind that it is very advisable not to allow them to live dispersed, each on the land given him, but that they must have their house and habitation in the town or mission where they have been gathered or settled.

"Art. 13. I grant the same faculty to the commandant with respect to distributing lands to the other settlers, (*pobladores,*) according to their merit and ability to improve; they also living in the town, and not dispersed, declaring that in the exercise of what is prescribed in this article and the preceding, he must act in every respect in conformity with the provisions made in the collection of laws respecting new reductions and settlements, granting them legal titles for the owner's protection without exacting any remuneration therefor, or for the act of possession."

This decree was three years before the declaration of our independence, and presents three points to be observed: *first*, that the commandants of posts were authorized to make municipal or town grants by way of distribution in California. *Second*, that these distributions were to be made both to Indians and white settlers. *Third*, that they were to grant legal titles, and without price or fee.

The next of these decrees which I shall produce is that by the Captain General of the Western Internal Provinces, Don Felipe de Neve, dated June 1st, 1779, and approved by a royal cedula of October 14, 1781, entitled "*Regulation and instruction for the presidios of the Peninsula of Californias, the erection of new Missions, and encouragement of the population and extension of the establishments of Monterey.*" I give extracts: (*Pages* 51-2, *Jones's report.*)

"4th. The house lots to be granted to the new settlers shall be designated by the Governor in the places and of the extent correspondent to the tract where the new pueblos are to be established, in such manner that streets and a square shall be formed, according to the provisions of the laws of the kingdom, and agreeably to the same, competent common lands (*egidos*) shall be designated for the pueblos, and pasture grounds, with suitable sowing lands, for municipal purposes, (*propios.*)

5th. Each *suerte* of land, (out-lot,) whether capable of irrigation (*de riego*) or dependant on the seasons, (*de temporal,*) shall consist of two hundred varas in length by two hundred in breadth, this being the area generally occupied in the sowing of one fanega of Indian corn; the distribution of these house lots and pieces of land to the new settlers shall be made in the name of the King our master by the Government, with equity, and in proportion to the ground which admits of irrigation, so that after making the necessary demarcation, and reserving vacant the fourth part of the number which may result, counting with the number of settlers, should there be sufficient, each one shall have two suertes of irrigable land, and other two of dry ground, delivered to him; and of the royal lands (*realengos*) as much as may be considered necessary shall be separated for the *propios* of the pueblo; and of the remainder, as well as of the house lots, shall be granted in the name of H. M. by the Governor, to those who may hereafter come to colonize, and particularly to soldiers, who, having fulfilled the term of their engagement, or on account of advanced age, may retire from service, and likewise to the families of those who may die; but these persons must make their improvements at their own expense, out of the funds which each possesses, and will not be entitled to receive from the royal revenue either salary, rations, or cattle, this privilege being limited to those who leave their own country for the purpose of peopling this.

6th. The houses built on lots granted and designated to the new settlers, and the parcels of land comprehended in their respective concessions, shall be perpetually hereditary to their sons and descendants, or to their daughters, who marry useful colonists, who have received no grants of land for themselves; provided they all comply with the obligations expressed in these instructions; and, in order that the sons of the possessors of these concessions, observe the obedience and respect which they owe to their parents, the latter shall be freely authorized, in case of having two or more sons, to choose which of them, being a layman, shall succeed to the house and lots, and they may likewise dispose of them among their children, but not so as to divide a single lot, because each and all of these are to remain indivisible and inalienable forever."

The decree of the Captain General, Don Pedro de Nava, of March 22, 1791, was in accordance to these previous decrees, and to give them certainty in their extent by fixing the quantity allowed to each presidio for town grants to a square of four leagues—in conformity to all which the fifth section of my bill is drawn.

Thus far I quote the text of the law: I will now give the words of Mr. Jones, in his report to the Secretary of the Interior, in relation to these municipal grants, as I find them at page 32 of the report:

"The royal regulation of 1781 for the Californias directs suitable municipal allotments to be made, 'conformable to the law;' and this likewise must refer to the law specifying four leagues square.

"The letter of instructions of 1791, authorizing the captains of presidios to make grants in the neighborhood of their respective posts, specifies the same quantity, to wit, 'the extent of four common leagues, measured from the centre of the presidio square, two leagues in each direction, as sufficient for the new pueblos to be formed under the protection of the presidios.'

… that would grow out of disturbing the multiplied … interests that have arisen under the acts of the American authorities at San Francisco; to give the city what she would certainly have been entitled to by the terms of the old law, what she will need for the public improvements and adornments that her future population will require, and what is well due to the enterprise which has founded in so brief a space a great metropolis in that remote region, perhaps no better or juster measure could be suggested, than a confirmation of past acts, a release of Government claims to the extent of four leagues, measuring south from the presidio, and including all between sea and bay, with suitable provision for protecting private rights, whether under old grants or by recent improvements, and reserving such sites as the Government uses may require."

Thus much, Mr. President, I have felt it my duty to say in support of the fifth section of my bill, which applies to the municipal grants … *ex proprio vigore*, the quantity of four leagues square, which was the minimum quantity granted by a general law; and I have no doubt that larger quantities were granted by special decrees to different pueblos as they grew up, and expanded, and increased in population and wealth, and became towns and cities. They were gifts to domiciliated Indians, to discharged soldiers, and to emigrating settlers; and it is revolting to think that the descendants and the assignees of those recipients of the paternal bounty of the King of Spain, may be dragged before a board of commissioners to prove their titles, with the chance of being hauled up into the United States district courts in California, to prove them a second time there, and a further chance to be pulled across the continent from the Pacific to the Atlantic to prove them a third time before the Supreme Court of the United States. It is horrible to think of, and more cruel, and not less illegal, than direct confiscation.

The sixth section of my bill also contains a special provision, which needs explanation to justify it. It confirms the grants made by Gen. Kearny in San Francisco during the time that he was Governor in California; and this supposes the fact that he made such grants. This is true; and in answer to that branch of the inquiries of the Secretary of the Interior which relate to grants of land in California subsequent to the conquest, he produces, at page 30 of the report, this decree of Gen. Kearny, dated March 10th, 1847:

"I, Brigadier General S. W. Kearny, Governor of California, by virtue of authority in me vested by the President of the United States of America, do hereby *grant*, *convey*, and *release* unto the town of San Francisco, the people, or corporate authorities thereof, all the right, title, and interest of the *Government of the United States* and of the *Territory of California* in and to the beach and water lots on the east front of said town of San Francisco, included between the points known as the Rincon and Fort Montgomery, excepting such lots as may be selected for the use of the United States Government by the senior officers of the army and navy now there; provided the said ground hereby ceded shall be divided into lots and sold by public auction to the highest bidder, after three months' notice previously given; the proceeds of said sale to be for the benefit of the town of San Francisco."

The section which I propose confirms this decree, without any inquiry into its legality. I merely take it as a fact, and deal with it accordingly, and for the purpose of quieting possessions and saving a flourishing city from the calamity of contested titles. Under the bill of the Senator from California, (Mr. GWIN,) this decree, and the grants under it, would be excluded even from consideration. It is neither a Mexican nor a Spanish decree—(to which his bill is confined)—nor is it before the 7th day of July, 1846, to which it is limited. If something like the section I have proposed is not adopted, there may be much ruinous litigation, and even fatal violence in San Francisco, in relation to these grants; and Congress will certainly be petitioned, by special messengers sent from the country, to interpose the shield of legislative authority. If the decree had not said that its authority was derived from the President of the United States, I should have supposed that Gen. Kearny had acted under the belief that he possessed the power of previous California Governors. But, without inquiring into the question of power to make the decree—proceeding on the fact that it was made, and that property is possessed under it, and that Congress can confirm as well as originate dispositions of the public lands, I propose to confirm the possessors in their property, without inquiry or conditions. But the equity of doing so is shown by Mr. Jones, in his report. He says, (page 30, 31:)

"Pursuant to the terms of this paper, what are termed 'government reservations' were made, both within and outside the limits specified, and the remainder of the lots designated have been since in great part sold by the town of San Francisco. These lots extend into the shallow water along the beach of San Francisco, and are very suitable and requisite for the business purposes of that growing city. The number of four hundred and forty-four of them were sold in the summer ensuing the 'decree;' and in December last, I have learned since my return, the remainder, or a large portion of them, were disposed of by the corporation. But little public use has been made of what are denominated the 'government reservations.' Portions of them are reputed to be covered by old grants; portions have been settled on and occupied by way of pre-emption; and other portions, particularly 'Rincon Point,' have been rented out, as I am informed, to individuals, by the late military government.

"Under the above 'decree' of General Kearny, and the consequent acts of the authorities of San Francisco, such multiplied, diversified, and important private interests have arisen, that, at this late day, no good, but immense mischief, would result from disturbing them. The city has derived a large amount of revenue from the sale of the lots; the lots have been resold, and transferred in every variety of way, and passed through many hands, and on many of them costly and permanent improvements have been made; improvements required by the business and wants of the community, and which ought to give the makers of them an equitable interest in the land, even without the faith of the Government implied by leaving the act of its agent so long unquestioned. An act of Congress, relinquishing thus in the lawful mode the interest of the United States in those beach and water lots, would seem to be only an act of justice to the city and to the lot holders, and to be necessary to give that validity and confidence

… by the American forces, both those appointed by … and military commanders, and those subsequently … by the inhabitants."

One other special provision remains to be stated and explained; it is in section 8, and relates to the claims of John Charles Fremont, and allows an appeal to the Supreme Court in all cases in which there may be a decision in the district court in his favor, while making such decisions in favor of other claimants conclusive against the United States. A regard to his own character, and to prevent injury to others on his account, induces this exception. Mr. Fremont has a claim—purchased by an agent (Mr. Larkin) without his knowledge of its existence, and when he had directed another to be purchased. That claim will come up with others for adjudication; and he felt, when drawing his bill at the last session, … in favor of the claimant, that it might give occasion to those who were disposed to say it, to say that the design was to screen his own title from examination in the Supreme Court. He felt this, and felt it to be unjust; but also felt that it would look ostentatious and uncalled for, to volunteer an exception against himself. But now, and after what has happened, he no longer feels any hesitation on that account; and, in conformity to his feelings, I now make the exception which will take his case out of the general provisions of the bill, and subject it to run the gauntlet of all the courts, from the lowest to the highest, and from the shores of the Atlantic to the shores of the Pacific ocean, and against all the counsel which the substitute bill authorizes to be employed. He is willing to run the gauntlet of all this, according to his letter in relation to the Mariposa estate, which was read yesterday; but he is not willing that other claimants should be so subjected, or that his exertions in their behalf should be weakened by the supposition of an interested motive.

Having explained these special provisions in my bill, I now return to its general plan, and will adduce some reasons founded in Spanish law, and in the state of land titles in California, in favor of the leading ideas which it contains, and the leading views which I presented yesterday. I promised then to give "chapter and verse" for every thing I alleged, and now proceed to do it.

I speak, *first*, of the leading provision, that of creating a keeper of the land archives—a recorder—to collect the titles and evidences of claims to lands in California, and to record and preserve them. This is an office of such evident necessity—of such general utility both to the fair claimant and the public, that it is difficult to conceive of any system for ascertaining and settling land titles in a newly-acquired country in which it can be omitted. It is an office which was created in upper Louisiana preliminary to the appointment of a board of commissioners, and still exists there, although the board has been long since discontinued. The bill submitted at the last session by the other Senator from California, (Mr. FREMONT,) contained a provision for such an office. The substitute now offered by the Senator present from California, contains no such provision, but merely sets the commissioners to work adjudicating titles, with the double appeals to the district and supreme courts, without any provision either for a preliminary or subsequent collection, preservation, and record of titles.

One of the inquiries to which the attention of Mr. Jones was directed by the Secretary of the Interior related to this very point—the existence and condition of the land archives; and his anwer shows the necessity of immediately creating an officer to collect and preserve all these evidences of grants and titles. He shows, page 7, that these archives are in a very imperfect state now. They were formerly kept at *Los Angeles*, but removed after the conquest to Monterey, and, besides other imperfections, a book of grants for the year 1846, seen by Col. Fremont when he was Governor at Los Angeles, and delivered by him to the officers appointed by Gen. Kearny, was not to be found by Mr. Jones. It was the most material of all the land books, being the one that covered the year of the conquest, and the one from which Mr. Fremont made the *memoranda* for the information of his government which I shall presently notice, and in which the grants of that year, including the 3,000 square leagues to Macnamara, should be found. These books have been without any officer appointed by law to take care of them; and it stands to reason that such an officer should now be appointed. The bill which I propose, provides for such an officer; the bill proposed by Mr. Fremont at the last session provided for one; the substitute bill now offered by the Senator present from California (Mr. GWIN) does not.

I stated yesterday the extreme desire of the Spanish Government to populate California, and for that purpose, the inducements and rewards held out to prevail upon people to accept and occupy grants of land. I stated that assistance in money, cattle, implements, and seeds were given to the settler; that exemption from all contributions, even church tithes, was often granted for a certain number of years after the grant; and that contractors, called *empresarios*, were employed at a high reward—five square leagues to himself for every hundred families introduced—to bring in families; to each of whom a minimum of one league square for a *rural* grant was allowed. I said then I would give chapter and verse for that statement; and now do so.

Extracts from Mexican colonization laws, quoted by Mr. Jones, pp. 42, '3, and following:

"Art. 5. The measurement of land shall be the following: establishing the *vara* at three geometrical feet; a straight line of five thousand *varas* shall be a league; a square, each of whose sides shall be one league, shall be called a sitio; and this shall be the unit of counting one, two, or more sitios; five sitios shall compose one hacienda.

"Art. 6. In the distribution made by Government of lands to the colonists, for the formation of villages, towns, cities, and provinces, a distinction shall be made between the grazing lands destined for the raising of stock, and lands suitable for farming or planting, on account of the facility of irrigation.

"Art. 7. One *labor* shall be composed of one million square varas, that is to say, one thousand varas on each side, which measurement shall be the unit for counting one, two, or more

"There are understood, in the country, however, to be … large claims, reputed to be founded on grants direct from the Mexican Government—one held by Captain Sutter, another by General Vallejo. The archives (as far as I could discover) only show that Captain Sutter received, on the 18th of July, 1841, from Governor Alvarado, the usual grant of *eleven sitios*, on the river Sacramento, and this is all I ascertained. The archives likewise show that Gen. Vallejo received from Gov. Micheltorrena, on the 22d October, 1843, a grant of ten sitios, called 'Petaluma,' in the district of Sonoma; and I was informed by a respectable gentleman in California that Gen. V. had likewise a grant from the Mexican Government, given for a valuable consideration, of a large tract known by the name of 'Soscol,' and including the site of the present town of Benicia, founded by Messrs. Vallejo and Semple, in the Straits of Carquinez. It is also reputed that the same gentleman has extensive claims in the valley of Sonoma and on … caused to be published in the newspapers of California in 1847, that he was deputed, in the year 1835, by Gen. Figueroa, to found a settlement in the valley of Sonoma, 'with the object of arresting the progress of the Russian settlements of Bodega and Ross.' Gen. Vallejo was at that time (1835) military commander of the northern frontier. He afterwards, (in 1836,) by virtue of a revolution which occurred in that year in California, became military commandant of the department—the civil and military government being by the same act divided—to which office he was confirmed in 1838 by the Supreme Government.

"The following extract from Gov. Figueroa's instructions to him, will show the extent of Gen. Vallejo's powers, as agent for colonizing the north:

"'You are empowered to solicit families in all the territory and other States of the Mexican Republic, in order to colonize the northern frontiers, granting lands to all persons who may wish to establish themselves there, and those grants shall be confirmed to them by the Territorial Government, whenever the grantees shall apply therefor; the title which they obtain from you serving them in the mean time as a sufficient guaranty, as you are the only individual authorized by the superior authority to concede lands in the frontier under your charge. The Supreme Government of the territory is convinced that you are the only officer to whom so great an enterprise can be entrusted; and in order that it may be accomplished in a certain manner, it is willing to defray the necessary expenses to that end.'

"An official letter to Gen. Vallejo from the Department of War and Marine, dated at Mexico, 5th August, 1839, expresses approbation of what had hitherto been done in establishing the colony, and the desire that the settlements should continue to increase 'until they should be so strong as to be respected not only by the Indian tribes, but also by the establishments of the foreigners who should attempt to invade that valuable region.'

"There is but one grant that I could learn of which covers any portion of the gold mines. Previous to the occupation of the country by the Americans, the parts now known as *The Gold Region* were infested with the wild Indians, and no attempts made to settle there. The grant that I refer to was made by Governor Micheltorrena to Don Juan B. Alvarado, in February 1844, and is called the *Mariposas*, being situated on the Mariposas creek, and between the Sierra Nevada and the river Joaquin, and comprises ten *sitios*, or leagues square, conceded, as the grant expresses, 'in consideration of the public services' of the grantee. It was purchased from the grantee (Alvarado) in February, 1847, by Thomas O. Larkin, Esq. for Mr. J. C. Fremont, and is now owned by that gentleman."

Thus diminishes the "stupendous grants" to defraud the United States, of which so much has been heard. Almost every one of which a record can be found, dwindled down to a common eleven league grant, and made before a change of government was dreamed of, and in places where it was worth lives to undertake to settle them—places over which the wild and savage Indians held dominion. Of this kind was Gen. Vallejo's grant north of the Bay of San Francisco, from the Governor-General in 1843; and of the same kind was then the ten leagues grant to the ex-deputy Governor Alvarado, by the same Governor-General in 1844 in the valley of the San Joaquin, and of which Col. Fremont, through an agent, became the purchaser in 1847. But few people could be prevailed on to accept such grants, on account of the danger of settling them, and on that account some contained a dispensation from immediate settlement. Of this kind was the Mariposas grant; and so great was this danger in relation to that grant, that, even in 1849, when Mr. Fremont went to take possession, six men were killed upon it the first night he slept there—not of his party, but of another camp less vigilant and experienced. There is some gold upon it, though he knew nothing of it; and it might have been a bed of sand; for that valley has much sand. It was bought for a cattle farm, and was merely bought by the agent under a general direction to purchase a *rancho*, and because he had failed to obtain the one indicated in another place, and where there is no gold and no Indians. When Mr. Fremont returned to California, after being required by his honor to quit the army, it was to colonize this grant, in company with his old comrades of the mountains, and to live a retired life there. For that purpose he shipped from New York all the necessary agricultural implements, grist and saw mill irons inclusive, to go round by Cape Horn, while with the old comrades who adhered to him he undertook to complete his last line of exploration across the continent with a view to the location of the great national central highway from the Mississippi to the Pacific ocean. The mistake of a guide—not one of his old comrades—balked that expedition; but the agricultural implements went round, and on arriving the unexpected revelation of golden treasures caused them to be laid aside for mining tools. This is the Mariposa (Butterfly) farm, as it was bought to be—the Mariposas mine, as it turns out to be—held under the same authority under which Gen. Vallejo holds what is to be the capital of Calfornia; and in defence of which Mr. Fremont is ready to run the gauntlet of all the lawsuits provided for in the substitute bill, but is not willing to see others subjected to the same calamitous process.

I said yesterday, and I have made it appear to-day, that there was both a local Californian authority, and a Mexican or Spanish general authority, to grant distributions of land in California. This is now proved. I said also that the distribution of lands in California was taken out of the general land system, first of Spain, and then of Mexico: that it was

perty is … limits the claims which may

Secondly. The board … to those which are *derived* from the … go before the Spanish or Mexican Government. Now this limitation may cut off all those, or raise a question about them, which were derived from the Californian local authorities; and these, as we have seen, constitute the great mass of the whole—the whole of the municipal, and nearly all the rural grants under eleven *sitios*. The bill submitted by the other Senator from California at the last session (Mr. FREMONT) provided for all claims derived from the Californian authorities, as well as those derived from the Mexican and Spanish; and the bill I now offer does the same.

Thirdly. The substitute bill limits the time of the duration of those Mexican and Spanish grants to which the board is to be confined, … *before the 7th day of July, 1846.* This is an unfortunate limitation in my opinion, both as to the idea of fixing a day, and the fact of the day fixed. The 7th day of July was not the day of the conquest of California: it was only the day of the taking possession of the town of Monterey. The country north of the Bay of San Francisco had been conquered by Col. Fremont, and the men of his party, and the American settlers of the Sacramento valley, before that time; and the country south, including Los Angeles, the seat of government, was conquered afterwards by Fremont and Stockton, to wit, August 13th, 1846. The day, therefore, named in the bill has no relation to any political event affecting titles in California, and divides the time when the conquest was going on, and a confusion of Mexican and American authority prevailing. But it happens to be a fact that the Senate, in ratifying the treaty of Gudalupe Victoria, refused to agree to any day for the limitation of the derivation of land titles, and struck out the one which had been inserted at the instance of the Mexican Government, without inserting any other. It was in the tenth article. In looking at the treaty in its present ratified form, it will be seen that the 10th article is stricken out. It was done by the American Senate, and because that article fixed a day within which to legitimate titles, and granted time for the fulfilment of unexecuted conditions. Col. Fremont had shown to the Senate, in his testimony in relation to California affairs, before the select committee of which the Senator from Michigan (Mr. CASS) was chairman, that there were great operations going on that year, and within that time, in lands in California, and which that date might seriously affect. One branch of these operations were to transfer the public lands of California to British subjects, while putting the country itself under British protection, and expelling the American settlers. Among these operations he gave in a memorandum of the transfer of missions, and grant of islands, of which he had taken note when Governor at Los Angeles, and in possession of the archives, thus:

"1. The *Mission of San Gabriel*, granted on the 8th of June, 1846, to Julian Workman and Hugo Reid, (English subjects.)

"2. The *Mission of San Rafael*, to Julian Workman and Francisco Plinio Temple, on the 8th of June, 1846.

"3. The *Island of San Clemente*, granted about the middle of May, 1846, to Julian Workman and Andres Pico.

"4. *Bird Island*, granted on the 3d of Jene, 1846, to Julian Workman.

"6. *San Mateo*, (part of the Mission of Dolores,) granted in the month of May to Cayetano Arenas.

"7. *Mission of San Luis Rey*, granted, I believe, in the month of June, 1846, to Senor Cot.

"I submit the following extract from a deed given by Governor Pico under date of June 8th, 1846, to Julian Workman and Hugo Reid, of the Mission of San Gabriel. A copy of the deed is contained in a letter now in my possession from Mr. Reid to Commodore Stockton. The words of Governor Pico are:

"*Authorized beforehand by the most excellent Assembly* of the Department to dispose of the missions for the payment of their debts, and avoiding … as well as to proportion resources that may serve for the general defence in case of a foreign invasion, which, according to recent dates, is not far off,' &c.

"The facts above narrated, with many attending circumstances, led me to believe that the authorities of California designed to create as large as possible a British interest in the country, or, in other words, to convert, wherever it could be done, public or Mexican property in California into British property. These things were mostly done hurriedly, and mostly at the same fixed period of time, and taken in connexion with my collision with the authorities in March, 1846, and the declaration of the same authorities that I had come into the country to excite a revolt, and the disposition shown by the American settlers in offering to aid me, and the consequent proceedings against them, further led me to believe that the action of the authorities was influenced by apprehension of danger from the Americans. I believe that the action of the authorities in the grant to Macnamara was precipitated by the revolution in the north."

He also brought home all the papers of the great Macnamara grants, three thousand square leagues, covering the whole eastern half of the valley of the San Joaquin, where so much gold is now found, and it was the exhibition of these papers in the Senate which contributed more than any thing else to cause the tenth article of the treaty to be stricken out—no day to be fixed—and the rights of property in California to rest under the protection of the law of nations, and the general clause in favor of its "free enjoyment," contained in the ninth article. That great grant commenced at the city of Mexico in the month of August, 1845, was in progress of completion in May and June, 1846, and Macnamara present (brought up by a British ship of war) to receive possession the moment the last form was put to it. The operations of Fremont prevented that last step, and saved a real principality, a golden principality in the finest part of California, from passing into the hands of British subjects. And now the Senator from California proposes a day for legitimating titles, when the Senate refused, for weighty reasons, to admit of any day in the treaty.

Fourthly. The substitute bill provides that the district attorney is to appear before the board of commissioners to attend to the interests of the United States. This is convert-

ing the examination before the commissioners into a real law-suit, the United States for plaintiff, and their prosecuting attorney for lawyer. This is going beyond any thing ever before known in these boards before. No lawyer was ever admitted in them before to plead and manage against the claimants. Of course, this would bring up counsel on the other side; and every claim would be a trial at law, with ruinous appeals to the district court, and afterwards to the supreme court.

Fifthly. The substitute bill requires the principles of the act of May 26th, 1824, for the adjudication of Louisiana claims, to be taken into consideration by the boards and courts. This is a serious error, and brings law to bear upon the California titles on their trial which was expressly excluded from them in their inception. I know all about that act of 1824. I drew it. It was founded upon the great ordinance of 1786—the ordinance establishing intendants—and from which California was specially excepted. This would be trying the claims by an *ex post facto* law.

Sixthly. The substitute bill goes upon the idea that the land titles in California are inchoate and imperfect, and needed some further act from the Mexican or Spanish Governments to make them "legal," or perfect titles; and, therefore, the United States must supply that deficiency by giving "legal" or perfect titles itself. This is a grand mistake. All the law which has been read establishes the contrary. Every word of it proves that these titles were legal and complete when the simple forms under which they were granted were complied with—that a concession and possession was full title—no further act necessary—no survey even necessary—no such thing as one of our patents ever required to issue. Every word of law read proves this; and, therefore, the error is fundamental, and destructive of all law and of all right, which proposes to proceed upon them as if they were inchoate, or mere inceptive titles, requiring further acts [illegible] Mexico or the United States.

The report [illegible] which I have read so much well sums up at pages 38-9 the whole law of the case, and the whole justice of the case at this point, and clearly points out how little the United States have to do with [illegible] grants [illegible] easy to discover the few false or simulated [illegible] general discredit upon [illegible]—the alarm and ruin of bringing titles—surveys, to define titles—that a collection of [illegible] against those alone to which suspicion attaches—are the only things which the American Government ought to do. He says:

"The grants in California, I am bound to say, are mostly perfect titles; that is, the holders possess their property by titles, that, under the law which created them, were equivalent to patents from our Government; and those which are not perfect—that is, which lack some formality, or some *evidence* of completeness—have the same *equity* as those which are perfect, and were and would have been equally respected under the government which has passed away. Of course, I allude to grants made in good faith, and not to simulated grants, if there be any such, issued since the persons who made them ceased from their functions in that respect.

"I think the state of land titles in that country will allow the public lands to be ascertained, and the private lands set apart, by judicious measures, with little difficulty. Any measure calculated to discredit, or cause to be distrusted, the general character of the titles there, besides the alarm and anxiety which it would create among the ancient population, and among all present holders of property, would, I believe, also retard the substantial improvement of the country: a title discredited is not destroyed, but every one is afraid to touch it, or at all events to invest labor and money in improvements that rest on a suspected tenure. The holders are afraid to improve; others are afraid to purchase, or if they do purchase at its discredited value, willing only to make inconsiderable investments upon it. The titles not called in question, (as they certainly, for any reason which I could discover, do not deserve to be,) the pressure of population, and the force of circumstances, will soon operate to break up the existing large tracts into farms of such extent as the nature of the country will allow of, and the wants of the community require; and this under circumstances, and with such assurance of tenure, as will warrant those substantial improvements that the thrift and prosperity of the country in other respects invite.

"I think the rights of the Government will be fully secured, and the interests and permanent prosperity of all classes in that country best consulted, by no other general measure in relation to private property than an authorized survey, according to the grants, where the grants are modern, or since the accession of the Mexican Government, reserving the overplus; or, according to ancient possession, where it dates from the time of the Spanish Government, and the written evidence of the grant is lost, or does not afford data for the survey. But providing that in any case where, from the opinion of the proper law officer or agent of the Government in the State, or from information in any way received, there may be reason to suppose a grant invalid, the Government (or a proper officer of it) may direct a suit to be instituted for its annulment."

I concur in these general views. In fact, my bill is drawn in exact conformity to them. It provides for a *scire facias* to issue against a suspected claim, leaving all the unsuspected free from molestation. I eschew the whole idea of boards of commissioners, and appeals to district courts, and further appeals to the Supreme Court, with district attorney to appear against the claimants, and additional able counsel to assist them! I [illegible] it all, *and repeat what I said yesterday, that such a proceeding is a violation of the law of nations*, a violation of the treaty with Mexico, a violation of the proclamations of the military commanders in California, a violation of the capitulation of Couenga, and tantamount to a general confiscation of the landed property of the country. I take the bill as it is proposed to be passed, and have nothing to do with its authors or executors. The Senator who advocates it believes it will be mildly executed, so as to harass no body but those who have bad titles. I cannot legislate on such a belief. No one can tell in what manner, or in what spirit, a law of unbounded application will be executed. No man can answer in such a case. It is a wrong principle. Laws should depend upon their own equity, and not upon the temper, or passions, or calculations of commissioners, judges, and prosecuting attorneys. The law should be [illegible]

CONGRESS.

SATURDAY, JANUARY 4, 1851.

The SENATE did not sit to-day.

HOUSE OF REPRESENTATIVES.

The Journal of yesterday having been read—

Mr. BUEL, by unanimous consent, in pursuance of previous notice, introduced a bill to refund to the State of Michigan the amount of money advanced and the transportation furnished to volunteers by that State during the late war with Mexico; which was read twice and referred to the Committee on Military Affairs.

Mr. YOUNG, by unanimous consent, in pursuance of previous notice, introduced a bill granting a quantity of land to the State of Illinois to aid in the construction of a railroad from a point opposite Terre Haute, Indiana, to a point at or near Illinoistown, in Illinois; which was read twice and referred to the Committee on the Public Lands.

On motion of Mr. THOMPSON, of Pennsylvania, the Committee on the Judiciary was discharged from the further consideration of the petition of Tobias Myers and Chambers McKibben, of Pittsburgh, and it was referred to the Committee on Naval Affairs.

Mr. THOMAS moved that the House resolve itself into Committee of the Whole on the private calendar.

Mr. POTTER moved that the House resolve itself into Committee of the Whole on the state of the Union, for the purpose of taking up the special order of the day, the cheap postage bill.

And the question being first taken on the latter motion, it was decided in the affirmative: Yeas 110, nays 54.

CHEAP POSTAGE BILL.

And the House accordingly resolved itself into Committee of the Whole on the state of the Union, (Mr. BURT, of South Carolina, in the chair,) and resumed the consideration [illegible] and reduce the rates of postage in the United States.

Mr. FEATHERSTON, (who was entitled to the floor,) said that he obtained the floor merely for the purpose of giving notice of an amendment which *he* should offer at the proper time, and which, if it required explanation or defence, he would prefer making it at the time he should offer the amendment for adoption. His amendment made it the duty of the Postmaster General, upon application of postmasters upon routes, to increase the service thereon; it also made the transportation in the mails of pamphlets, periodicals, magazines, and newspapers, free within the State where published. Newspapers sent out of the State one-half cent, and on pamphlets, periodicals, and magazines, one-half cent, if not weighing over an ounce, and one-half cent additional for every additional half ounce or fraction.

Mr. GERRY regarded a uniform rate of five cents as an immaterial modification of the present law, so far as it related to nineteen-twentieths of the letters transmitted throughout the United States, and he had seen no petition which sought a modification of this kind, or that asked for the repeal of that portion of the law which required ten cents postage to be paid on all letters that are transmitted beyond a certain number of miles. It was the five cents postage, so far as he understood public sentiment, against which discontent was manifested. He believed that, by a proper reduction of postage, a great portion of the revenue which is now diverted from the mail service and paid to private individuals for carrying letters by private conveyances, would be thrown into the Treasury, and thereby the mail revenue would be increased. He could see no sort of justice in a uniform rate of postage, and for that reason was utterly and entirely opposed to it, certainly for the present, and he was opposed also to establishing it at five cents. He intended, at the proper time, to offer an amendment, in effect, that all letters transmitted through the mails which are carried five hundred miles shall be taxed two cents postage; all letters carried over five hundred miles and less than one thousand miles, shall pay five cents postage; all letters carried over one thousand miles, to any point in the United States, shall pay ten cents postage. He did not see why there should be a difference made between letters transported beyond the mountains and those transported to a remote place this side of the mountains. Gentlemen seemed to apprehend that by reducing the present law they would throw upon the Treasury Department the expenses of the Post Office Department. He saw no very great reason to apprehend such a result. It was possible, but it could never be determined except by actual experiment. If it did throw the Post Office Department upon the Treasury, why so much apprehension at such a result, especially when such a disposition was manifested by the committee to appropriate the money of the Treasury for mere local purposes; as, for instance, the granting of immense tracts of land, from which millions of revenue might have been derived, for private or mere corporate purposes, which were local in character, and which must be local in the benefits derived from them? They would also appropriate millions for the purpose of improving rivers, harbors, and lakes, that must necessarily be local in character, though such a proposition would never receive his vote—though it might receive the approbation of the House. And yet gentlemen were alarmed at a few dollars being taken from the Treasury for the benefit of the entire people, without distinction of section, party, or interest. From the effects of the law of 1845, they had reason to suppose that a still greater reduction would increase the revenue of the Department, as there would certainly be a very great increase of mail matter. He was not prepared to say whether the franking privilege should be abolished or not. It was to him a matter of entire indifference, though he thought that much of the matter sent was trash, for the purpose of tickling the constituency of members.

Mr. WA[illegible] proper time he

master General to discontinue any route that did not sustain itself.

Mr. SACKETT modified the amendment of which he gave notice some days since, so as to require upon each letter not weighing over one-half ounce, carried not more than five hundred miles, two cents; upon each such letter carried more than five hundred and not more than one thousand miles, three cents; upon each such letter carried over one thousand and not over two thousand miles, five cents; and upon each such letter carried over two thousand miles, ten cents; upon every letter of greater weight than one-half ounce, there shall be charged for every additional half ounce or fraction thereof the same amount as for the first half ounce. On newspapers transmitted by mail more than two hundred miles, out of the State, one cent; within the State, or within two hundred miles, if out of the State, one-half cent; within thirty miles, or in the county where printed, on a weekly paper, ten cents yearly; on a semi-weekly paper, fifteen cents yearly; on a tri-weekly, twenty cents yearly; daily, thirty cents yearly, payable six months in advance.

Mr. PHELPS then obtained the floor, but yielded to a motion that the committee rise; which being agreed to—

The committee rose and reported progress.

Mr. SIBLEY, by unanimous consent, in pursuance of previous notice, introduced a bill to authorize the Legislative Assemblies in the Territories of Oregon and Minnesota to take charge of the school lands in said Territories, and for other purposes; which was read twice and referred to the Committee on Public Lands.

Mr. COBB, of Alabama, by unanimous consent, in pursuance of previous notice, introduced a bill for the relief of Samuel K. Raybourn; which was read twice and referred to the Committee on Military Affairs.

Mr. POTTER offered the usual resolution to close debate on the postage bill in two hours after the House shall again go into committee; which was agreed to.

Mr. STEPHENS, of Georgia, asked to be excused from service on the Committee of Ways and Means, he being also a member of the Committee on Commerce.

The request was granted.

And the House adjourned.

PETITIONS [illegible] UNDER THE RULE.

By Mr. BURROWS: The petition of Isaac C. Lockwood praying for relief on account of the failure of title to land conveyed by the United States.

By Mr. PARKER: The petition of Samuel W Brady, a soldier in the Mexican war, asking for a pension for a wound or injury.

By Mr HAYMOND: The memorial of Richard McClure, late postmaster at the city of Wheeling, Va., asking for a fair adjustment of his accounts as postmaster.

By Mr. CROWELL: The petition of J. M. Brown and others, citizens of Bloomfield, Turnbull county, Ohio, praying Congress to repeal the fugitive slave law.

Also, the petition J. W. Edwards and others, citizens of Ellsworth, Mahoning county, Ohio, praying Congress to repeal the fugitive slave law.

By Mr. HOWE: The petition of Peter H. Hamett and twenty-three others, citizens of Mercer county, Pennsylvania, praying Congress to establish a post route from Mercer, via Hamburg, to West Greenville.

Also, the petition of J. J. Montgomery and thirty-two others, citizens of Mercer county, Pennsylvania, praying Congress immediately to repeal the fugitive slave law.

Also, the petition of John Ellis and thirty-three others, citizens of Pennsylvania, praying Congress to establish a post route from Cleveland, Ohio, via Euclid and other intermediate towns, to Meadville, Pennsylvania.

By Mr. GOTT: The petition of 500 citizens of Onondaga county, New York, for a reduction of postage to two cents each upon letters, and for the free circulation of newspapers thirty miles from the place of publication.

By Mr. CABLE, of Ohio: Two petitions from J. B. Harris, Daniel Walton, jr., and numerous other young men of Salem, Ohio, for the repeal of the fugitive slave law.

Also, one on the same subject from John Palmer, Esq. and ninety-six other citizens of Carroll county, Ohio.

By Mr. LITTLEFIELD: The petition of James B. Cahoon, mayor of the city of Portland, Maine, and 681 others, merchants, shipowners, shipmasters, and others, praying for an appropriation for a marine hospital at Portland, Maine.

By Mr. MANN, of Massachusetts: The petition of Mrs. Elizabeth Rodman and 1,728 others, ladies of New Bedford, in the State of Massachusetts, praying for the repeal of the fugitive slave law.

Also, the petition of the Rev. Samuel Osgood and 177 others, citizens of Springfield, in Massachusetts, praying for the same object.

Also, the petition of Fisher A. Kingsbury and fifty-two others, citizens of Weymouth, in Massachusetts, praying for the same object.

By Mr. ROBINSON: The petition of William Holman, jr., and twenty-one other citizens of Ripley county, Indiana, praying for grants of public lands to the Ohio and Mississippi railroad companies, (the St. Louis and Cincinnati road, via Vincennes.)

Also, the petition of forty citizens of Ripley county, Indiana, praying for grants of public lands to the Ohio and Mississippi railroad Companies, (the St. Louis and Cincinnati road, via Vincennes.)

By Mr. STEVENS, of Pennsylvania: A petition to establish a post road from Mankin, via sporting Hill, to Mount [illegible] Lancaster county, Pennsylvania.

Also, a petition signed by sixty citizens of Norristown, Pennsylvania, praying for the repeal of the fugitive slave law.

Also, six petitions signed by 390 citizens of Montgomery county, Pennsylvania, praying for the immediate repeal of the fugitive slave law.

By Mr. SCHENCK: The petition of Robert White, an invalid pensioner, of Preble county, Ohio, praying for an increase of his pension.

By Mr. HOWE: The petition of Joseph Jaggars and 44 others, citizens of Mercer county, Pennsylvania, praying Congress forthwith to repeal the fugitive slave law.

Also, two petitions from 116 citizens of Pennsylvania, praying Congress to prohibit the transportation of the United States mail on Sundays, and to prohibit postmasters from giving out mail matter on that day.

By Mr. BOOTH: The petition of William W. Bo[illegible] and others [illegible]

FOREIGN.

FROM OUR PARIS CORRESPONDENT.

PARIS, DECEMBER 5, 1850.

Prospects for Europe have much brightened since the date of my last. War between Prussia and Austria, which could have hardly failed to soon become general, is no longer seriously apprehended. Saturday's steamer will probably convey to the United States the details of the arrangement by which this great calamity, a general war, is yet adjourned. All well-wishers to humanity cannot but be gratified with this result. There is doubtless much to be done for the amendment of society and government in Europe. Political and civil reforms are desirable, are necessary; and the turbulent democrat and the impatient socialist are looking to war as the sure means of realizing speedily their wildest dreams. Their orators and writers in France, and all over Europe, are openly expressing these views, and aggravating the position to the utmost in their power, in order to render war inevitable. But intelligent, wise, and honest reformists; all classes of society, kings and citizens, who have any thing to lose, see that every thing would be at stake, and probably lost in a general war. The battle would not be confined to the tented field, as in former wars: a general *melee*, in which all classes, opinions, and interests, social, political, and national, would be in conflict. If the democratic revolutionary element prevailed, as it is to be feared it would—for the passion, the ignorance, the brute force is with it—a thorough overturning and uprooting would follow all over Europe, with the exception perhaps of Russia. Violence, anarchy, and terror would be the means by which pure democracy and socialism would attempt to establish their impracticable theories, till despotism should again come to the relief of agonizing civilization. "And the last state of that man is worse than the first."

The pacific news from Germany detracts much from the interest and importance of the debate in the Assembly which is taking place to-day. It is upon the bill appropriating the necessary sum for the equipment and support of the forty thousand young recruits by which the French garrisons on the northern and eastern frontiers are to be reinforced. The able report of M. DE REMUSAT concludes in favor of the appropriation, but gives much dissatisfaction to the Administration by the studied manner in which it asserts parliamentary supremacy at the expense of the executive dignity and authority of M. Bonaparte.

On Thursday last a debate took place in the National Assembly here which will perhaps be of some interest for American readers, from the fact that it had particular reference to the United States. M. SCHOELCHER, a representative from the French West Indies, undertook to interpellate Government respecting a circular issued by the Minister of the Marine to notify and warn French sea-captains of the severe penalties they might incur under the legislation of some of our Southern States against the introduction of persons of color into the southern ports. M. Schoelcher professed to see in this legislation a "flagrant violation of the law of nations," an outrage upon humanity, an insult to French dignity, and a denial of Frenchmen's rights under existing treaties. He saw, too, in this legislation a flagrant violation of the American Constitution. Mr. S. is a very inconsiderable member of an inconsiderable party, the extreme Left, in the Assembly, and it is a matter of very little moment what his personal opinions are. I shall not incumber your columns with the report of them at any length; but he declared such legislation to be monstrous, and that France had a right to protest against it. He particularly regretted that the Minister had not thought proper, when addressing his circular to the captains of French vessels, to protest against the legislation alluded to. The Minister, by simply and purely accepting the legislation with reserve of any kind, had sanctioned an exorbitant abuse. Now, he did not require that the French Government should make reprisals. "He did not ask that it should be made a question of war or even of rpture. It was best to employ pacific means, especially with so great a Power as the United States." But he thought the moment favorable for earnest remonstrance and negotiation. These efforts would be seconded by the Northern States of the Union, and Mr. BUTLER, of South Carolina, was quoted [illegible] symptoms of relenting [illegible]

colonies were in so necessitous condition, when there was so much to be done in their behalf and nothing doing, that the Minister of the Marine should undertake to protect the ridiculous prejudices of the United States of America."

The Order of the Day, pure and simple, that is to say, a resolution to drop the subject immediately, and proceed with the next business before the Assembly without any special vote, was proposed. By the rules of the Assembly it had priority over the order of the day *motive*, and was voted in preference to the resolution of Mr. Schoelcher. I might have mentioned that in the course of the debate Mr. S. made allusion to the late discussion in the British Parliament upon this subject, in which Lord Palmerston replied that he had made this American legislation matter of expostulation with the American Government, but, having been unable to arrive at satisfactory conclusions, he had not thought it necessary under the circumstences to press the matter. But must France accept the position made for her by these laws because England chose to do so? M. S. thought not. "France," he said, "had ever placed herself at the head of reforms useful to universal society: and it behooved her, yet once more, in a matter like this, to take the lead."

The literary world is occupying itself at the present moment with much interest, and not the literary world only, but the political also, and perhaps more vividly, with two works of M. GUIZOT, entitled "Monk: The fall and restoration of the Monarchy in England," in one volume, and "Washington: The foundation of the Republic of the United States," in two volumes. The last is a new edition of the work formerly published, and well known in the United States. It is accompanied, however, with a new preface by the distinguished author. The new preface is deemed here of sufficient interest to ensure its publication in the journals of all parties, which comment on it with severity or favor according as they agree with the sentiments which it so well expresses. It is, I know, its actual bearing upon the French politics of the day which draws upon this production of M. Guizot's pen such general attention here. But, over and above its importance as a political paper, I think that its theme, our own country and its institutions, and the deserved celebrity of the author as a writer and statesman, will make this short preface welcome to your columns as the conclusion of my letter:

WASHINGTON:

Foundation of the Republic.—Preface to the new edition.

It is under the monarchy, and almost in the very council chamber of the King, Louis Philippe, that I rendered this homage to WASHINGTON—to the foundation of a great republic by a great man. I experience, in publishing now a new edition of it, a profound sentiment of sadness.

The more I consider, the more do I remain convinced that the Republic—noble form of Government—is the most difficult and the most perilous of governments. It is the government which, more than all others, exacts from Providence favorable and rare circumstances; and from society itself harmony, wisdom, and virtue. It is that which, even upon these conditions, imposes upon society the most frequent ordeals and subjects it to the greatest risks.

The United States of America were a new society, which had undergone no stormy and varied transformations; which bore not the yoke of a long past; which had nothing to destroy when it had its government to found.

This young society had no rivals around it—we may almost say no neighbors. It had before it space—an immense free space, open to the wants and the passions of men.

For a long time, in all that concerned its internal affairs, it had possessed and practised the republic. It was acquainted with monarchy only at a distance, from over the ocean, as a respected name rather than as a necessary and real power.

When she entered upon a struggle with that Power it was to resist iniquitous pretensions, to defend its rights—its ancient and legal rights.

The citizens of this society, rich and poor, enlightened and ignorant, were almost unanimous in favor of the republican government.

They were Christians in heart as in name. At the very moment when they were breaking away from all connexion with their King, they were living humbly before God, the King of Kings.

Thus it was that the Republic of the United States was founded.

And in spite of so many advantages, if it had been placed in our hemisphere instead of its own, and closed in by the great States of Europe, instead of freely expanding like its rivers amid its forests and its plains, we may well doubt if it could have established itself and have survived, peaceable and glorious, as it has survived.

France is undergoing at the present moment, as an unlooked-for ordeal, and with a constitution which would bring trouble into the [illegible] regulated of society, that form of government which America received of its own free choice in the natural course of things, and favored by a situation quite without a precedent, which Heaven had made for it.

Will the Republic, originating as it originated with us in February, 1848, obtain the destinies of the Republic of Washington? That is the question which is now being debated.

The Republic has had fair play. In spite of its origin, men of intelligence and good intentions, without distinction of party, though they had no liking for the Republic, entrenched themselves upon it as behind a rampart, to provide for their defence, to protect universal society from its mortal [illegible] in the name and in behalf of order which the

I think the prediction was ventured in one of my late letters, when speaking of the reviews of Satory, that the officer who particularly distinguished himself by the enthusiasm of his cries of "*Vive l'Empereur*," would, in addition to the marked favor which was shown him immediately after at the Elysée, soon receive promotion. The promotion is already realized. All the journals are noticing, and the Republican and Legitimist journals commenting with much severity upon the nomination of Col. Alphonse to be brigadier general.

The Constantinople correspondent of one of the Paris papers writes that orders have been given for the speedy conveyance to Liverpool of about two hundred Hungarian refugees, who have been resident at Choumla. The Turkish Government, it seems, furnishes a vessel for their transportation; and, with its usual generosity, has provided for their comfortable support during the voyage, in addition to which, a small sum of money has been distributed to each. It is supposed that nearly the whole number of the refugees will from Liverpool embark for the United States. As for the refugees resident at Kutazeh, the intelligence respecting them is not so favorable. The Sultan has not, it is said, been so vigorously supported by France and England in his good intentions respecting Kossuth and his companions as he expected to be, and his hesitation under the circumstances to disoblige Austria and Russia is easily understood. It is not believed now that during the winter any change will take place in the condition of these Hungarians and Poles; for it is noticed that fifty stoves have just been forwarded to Kutazeh for their use.

We see it stated by letter writers from London that the Rev. John William Pennington, of New York, (a colored man,) is upon the eve of proceeding from the British capital to Heidelberg (Grand Duchy of Baden) in order to be invested with the insignia of the degree of Doctor of Divinity, conferred on him by that celebrated University.

The bill admitting the public to the use of the lines of the electric telegraph established in France along the several lines of railway radiating from the capital, has passed its third reading and become the law of the land. There are as yet so few of these lines of telegraph in operation, they are so limited in extent, and they connect with the capital such unimportant points, that the restrictions which the law imposes upon the general use of the telegraph for private purposes are really at present of very little moment. No seaport is yet placed in communication with Paris, and years will elapse before, as at present contemplated, Toulon, Marseilles, Bordeaux, and Nantes will be so. Appropriation is, however, actually made for extending to Havre the wires already stretching from Paris to Rouen. The line which it is finally proposed to continue to Marseilles does not even reach Lyons, the second city of France. It stops at the town of Tonnerre, a point of secondary interest, commercially and politically. The rule at present is to put them along the railroads after the roads themselves shall be completed and in operation. Wires intended ultimately to reach Strasbourg, the most important point on the interesting eastern frontier, stop at Chalons sur-Marne, to which the railroad is complete. When this state of things shall cease and the net-work be finished uniting the extremities of France to each other and to the centre, then, if it be really meant to make of the electric telegraph something more than a mere political instrument and administrative messenger, the tariff of prices will have to be lowered, and annoying conditions abrogated. I am not a very aged man, but I do not expect to live to see the day when the despotic tendencies of Government and its centralizing administrative policy will be abandoned to the extent necessary for the electric telegraph to be frankly delivered to the public, and become as with us a great commercial convenience, a real social necessity.

Speaking of the electric telegraph in France reminds me of a pretension just putting forth here for the honor of the invention. If the French are many years behind the United States in its application they claim to be about eighty years in advance of us and of all nations as to the invention. Steam, ether, electric telegraphs, and many other great discoveries which other nations are making in a far greater degree than France, the means and the proof of progress in civilization, are, if the tardy claims of French pretenders be admitted, all of French origin. We shall see her next the inventress of modern republicanism, and giving her name France—Franks—freemen—as proof conclusive of her title. If these claims be admitted the history of France is already not very unlike that of her own oysterwoman, who, opening oysters for her daily avocation for twenty years and seeing her customers fat and happy in their consumption, declared that she hardly knew the taste of them, having never eaten but half a dozen oysters, and that many years ago.

This appears to be the proof of the French claim of first discovery and invention of the electric telegraph:

A few days since took place the public sale of the library of M. Derault. In the collection was found a dusty old manuscript entitled *Dissertation sur l'électricité appliquée à la transmission des* [illegible] the signature of [illegible]

overplus; or, according to ancient Mexican grants ... Government, where it dates from the time of the Spanish Government, possession, and the written evidence of the grant is lost, or does not afford data for the survey. But providing that in any case where, from the opinion of the proper law officer or agent of the Government in the State, or from information in any way received, there may be reason to suppose a grant invalid, the Government (or a proper officer of it) may direct a suit to be instituted for its annulment."

I concur in these general views. In fact, my bill is drawn in exact conformity to them. It provides for a *scire facias* to issue against a suspected claim, leaving all the unsuspected free from molestation. I eschew the whole idea of boards of commissioners, and appeals to district courts, and further appeals to the Supreme Court, with district attorney to appear against the claimants, and additional able counsel to assist them. I e-ch... [illegible] terday, that such a [illegible] tions, a violation of the treaty with Mexico, a violation of the proclamations of the military commanders in California, a violation of the capitulation of Couenga, and tantamount to a general confiscation of the landed property of the country. I take the bill as it is proposed to be passed, and have nothing to do with its authors or executors. The Senator who advocates it believes it will be mildly executed, so as to harass no body but those who have bad titles. I cannot legislate on such a belief. No one can tell in what manner, or in what spirit, a law of unbounded application will be executed. No man can answer in such a case. It is a wrong principle. Laws should depend upon their own equity, and not upon the temper, or passions, or calculations of commissioners, judges, and prosecuting attorneys. The law should be made right in itself, and not left to them to make it right in the execution, though wrong in itself. Illegal, oppressive, and ruinous power ought not to be put into the hands of judges and attorneys under the supposition that they will use it with moderation and justice. Such a power must alarm a country. All California must be alarmed at such a terrible inquisition over property. Those who are actually pursued through the three courts will be ruined by expenses and delays: those who escape the appeal to the Supreme Court will still have their alarms and disquietudes until the danger has all passed by; and that may be a term of years. In the mean time, the bare passage of the act discredits all the titles of the country—reduces the selling value of all real estate—and paralyzes the industry of the people. It is a crime against one man to disturb him unjustly about his property: it is a public crime so to disturb a whole community. They are no longer able to fulfil their public duties to their country, or their private duties to their families, while sick at heart for the safety of their property. And how long is this agony to continue? Until the seven or more years would elapse which it would require to carry the suits through all the courts.

I said yesterday, and I repeat it to-day, that since the barbarous times of William, the Norman conqueror, there has been no general confiscation of the landed property of a country—that in this civilized age no conqueror impeaches or disturbs the landed titles of a conquered country—that no treaty permits it—and that no people should submit to such impeachment but those who are too weak to resist. Our treaty with Mexico secures to every inhabitant of the ceded countries "*the free enjoyment of his property.*" How is that enjoyment to be free, or even to be enjoyment at all, which is impeached by a Government, and pursued by a Government, through successive courts of its own creation, to invalidate and destroy them? The treaty guaranties to all the inhabitants who choose to leave the conquered countries the privilege *of selling their property.* What kind of sales can they make *of lands which are subject* to three lawsuits, conducted by a *Government,* and in its own courts? [illegible] Spanish are proverbially afraid of lawsuits. All such, except a few of great possessions, must think of giving up all at the first summons to appear before the formidable commissioners. But it is not the conquered alone, but the conquerors also that are to suffer. The Americans of the valley of the Sacramento were the true conquerors of California. They constituted the strength of Fremont's battalion, and have received no pay to this day for their services. And now we propose to put them to the defence of the homes which the Californian and Mexican Governments gave them! And, if we succeed in taking it from them, pass it all off at two strokes of the pen to the *assignees* of a new batch—a new issue of an hundred millions—of land warrants!

PATENT DEVILTRY.—A new thing has lately presented itself to public favor, which is as complete a specimen of patent deviltry as *human* ingenuity can devise—an infernal machine, compared with which, in its capacity for dealing destruction and death, the device of a Fieschi is but a plaything. It consists of a small capsule composed of gum and sugar, enclosing about a-fourth of a tea spoonful of brandy, just about enough, with the excited saliva, to make a small toddy in the mouth, adapted to the ambition and capacity of the rising generation. These things, it appears, are sold at the confectionaries in the large cities North and East, and five cents' worth of them contain about a table spoonful of brandy, enough to give a boy, as an initial operation at least, quite an experimental notion of "a drunken spree." Who claims the honor of this invention we do not know, but the article seems first to have attracted the attention of a Dr. Jewett, of Rhode Island, who has warned parents and the public at large against them.—*Baltimore Sun.*

HE WORE A FLASHY WAISTCOAT.—He wore a flashy waistcoat on the night when first we met, with a famous pair of whiskers and imperial of jet. His hair had all the haughtiness, his voice the manly tone, of a gentleman worth forty thousand dollars, all his own. I saw him but a moment, yet methinks I see him now, with a very flashy waistcoat and a beaver on his brow. And once again I saw that brow—no neat beaver was there, but a shocking bad 'un was his hat, and matted was his hair. He wore a brick within his hat, the change was all complete, and he was flanked by constables, who marched him up the street. I saw him but a moment, yet methinks I see him now, charged by these worthy officers with kicking up a row.—*Hampshire Independent.*

... ought to be a difference ... cents ... made between letters ... beyond the mountains and those transported to a remote place this side of the mountains. Gentlemen seemed to apprehend that by reducing the present law they would throw upon the Treasury Department the expenses of the Post Office Department. He saw no very great reason to apprehend such a result. It was possible, but it could never be determined except by actual experiment. If it did throw the Post Office Department upon the Treasury, why so much apprehension at such a result, especially when such a disposition was manifested by the committee to appropriate the money of the Treasury for mere local purposes; as, for instance, the granting of immense tracts of land, from which millions of revenue might have been derived, for private or mere corporate purposes, which were local in character, and which must be local in the benefits derived from them? They would also appropriate [illegible] harbors and [illegible] character, [illegible] a proposition would never receive his vote—though it might receive the approbation of the House. And yet gentlemen were alarmed at a few dollars being taken from the Treasury for the benefit of the entire people, without distinction of section, party, or interest. From the effects of the law of 1845, they had reason to suppose that a still greater reduction would increase the revenue of the Department, as there would certainly be a very great increase of mail matter. He was not prepared to say whether the franking privilege should be abolished or not. It was to him a matter of entire indifference, though he thought that much of the matter sent was trash, for the purpose of tickling the constituency of members.

Mr. WATKINS gave notice that at the proper time he would offer an amendment making the transmission of newspapers under fifty miles free, and repealing laws authorizing the Postmaster General to diminish mail service on routes where the receipts were unequal to the expense of carriage.

Mr. W. expressed himself as opposed to the bill under consideration, because, in his opinion, it would prevent an extension of mail facilities. The effect of the law of 1845 was to curtail the mail facilities, and the inevitable effect of the reduction now proposed would be to impair or discontinue such as they now have, thereby depriving the agricultural sections of the country of a portion of the advantages resulting from the present organization. He was against the abolition of the franking privilege, which he believed was one of the greatest safeguards that could be thrown around a Republican Government, as by this means the constituent was made acquainted with the actions of the Representative. He thought that the Post Office Department should be self-sustaining, and did not think that the agricultural portion of the community should be taxed for the benefit of the large commercial cities. He desired the improvement of rivers, harbors, lakes, the construction of railroads, and the extension of mail facilities, by which the resources of the country could be developed and the people brought into closer connexion.

Mr. SWEETSER had taken the trouble to examine the numerous petitions praying for low postage, and had found them all precise in form, and believed that they had emanated from a common source. He believed that the bill under consideration would reduce postage so low as to throw the Post Office Department upon the general treasury for support. He called upon Western men not to vote for such a proposition, as it would not benefit their section of the country, but merely the commercial parts of the United States. He expected to see men in favor of a high protective tariff not only willing to make the Post Office Department dependant on the Treasury, but to advocate all kinds of expenses. He was opposed to the abolition of the franking privilege, believing it to be beneficial in its results to the people of the country, and the principal means of forming the farmer's library. He was opposed to the proposition to tax the people of Oregon and California a triple and quadruple amount for postage, and was in favor of extending to those regions every facility it was possible to extend to them and make the Post Office Department sustain itself. The Government should encourage the settlement of those vast Territories, instead of throwing obstacles in the way.

Mr. ROOT was willing to concede that the Post Office Department should sustain itself. It was an institution for the benefit of all citizens of the Government, and all who use it should be made to pay their proportionate share of the expense. He was opposed to any free matter going in the mails, and was in favor of the pre-payment of postage on every thing. He believed this was necessary for a fair administration of the Government. He did not believe the committee were prepared to come up to this doctrine; but believed he could convince any man who would listen to him unprejudiced that this was the true mode of administering the Government. He was opposed to the franking privilege, and did not attach to it as much importance as some members did. No member would say that he could exercise this privilege impartially, though he doubted not they had tried to do so, but had failed. The printing abuse had grown out of this privilege, as members print because they can frank, and frank because they can print. They went hand in hand, and the people paid all. He contended that matter could not be distributed fairly under this privilege, and that Executive documents sent by the members should pay postage to the Department. It would be as fair and proper to bring in a bill to pay for such transportation as it would be to pay for the transportation of arms. Let it go to the people, that they might judge of the propriety of such an appropriation.

Mr. COBB, of Alabama, said that, having discussed this subject before his constituents two years ago, they were acquainted with the position he intended to assume. He therefore would not discuss the question, but would give notice of an amendment which he intended to offer, the object of which was to protect the sparsely settled sections of the country against the reduction of mail facilities, which he was satisfied would necessarily take place if postage was reduced to the extent proposed. He referred to the fact of these facilities having been already reduced in the district which he represented; and he called upon gentlemen, if the postage be reduced, to pass the amendment he intended to propose, which provided for the repeal of the law which authorized the Post-

... the petition of the Rev. ... citizens of Springfield, in Massachusetts, praying for the same object.

Also, the petition of Fisher A. Kingsbury and fifty-two others, citizens of Weymouth, in Massachusetts, praying for the same object.

By Mr. ROBINSON: The petition of William Holman, jr., and twenty-one other citizens of Ripley county, Indiana, praying for grants of public lands to the Ohio and Mississippi railroad companies, (the St. Louis and Cincinnati road, via Vincennes.)

Also, the petition of forty citizens of Ripley county, Indiana, praying for grants of public lands to the Ohio and Mississippi railroad Companies, (the St. Louis and Cincinnati road, via Vincennes.)

By Mr. STEVENS, of Pennsylvania: A petition to establish a post road from Mankin, via sporting Hill, to Mount Joy, in Lancaster county, Pennsylvania.

Also, a petition signed by sixty citizens of Northampton, Pennsylvania, praying for the repeal of the fugitive slave law.

Also, six petitions signed by 390 citizens of Montgomery county, Pennsylvania, praying for the immediate repeal of the fugitive slave law.

By Mr. SCHENCK: The petition of Robert White, an invalid pensioner, of Preble county, Ohio, praying for an increase of his pension.

By Mr. HOWE: The petition of Joseph Jaggars and 44 others, citizens of Mercer county, Pennsylvania, praying Congress forthwith to repeal the fugitive slave law.

Also, two petitions from 116 citizens of Pennsylvania, praying Congress to prohibit the transportation of the United States mail on Sundays, and to prohibit postmasters from giving out mail matter on that day.

By Mr. BOOTH: The petition of William W. Boardman and others, of New Haven, in the State of Connecticut, praying for protection against the infringement of patent rights by using their inventions in Canada, and bringing the products for sale in the markets of the United States.

By Mr. ROCKWELL: The petition of Rev. Bancroft Fowler, and 63 other citizens of Stockbridge, Massachusetts, in favor of arbitration or a Congress of Nations, for the peaceable settlement of difficulties between nations.

By Mr. TAYLOR: The petition of John Porter Brown, Dragoman of the United States Legation at Constantinople, praying compensation for performing the duties of chargé d'affaires of the United States near the Sublime Porte, under the direction of his Government, during the absence of the American ministers.

By Mr. CROWELL: The petition of John M. Porter and others, citizens of Lowell, Mahoning county, Ohio, praying the repeal of the fugitive slave law.

Also, the petition of Nehemiah Edson and others, citizens of Mahoning county, Ohio, praying the repeal of the fugitive slave law.

By Mr. WHITTLESEY: The petition of E. B. Perkins and others, of Washington county, Ohio, praying the adoption of measures for the peaceable adjustment of international controversies.

By Mr. STEVENS, of Pennsylvania: The petition of Isaac H. Conrad and others, citizens of Philadelphia, praying for the immediate repeal of the fugitive slave law.

By Mr. GOODENOW: The petitions of John Hubbard and seventy-seven others, and of Charles Owen and two hundred and four others, citizens of the State of Maine, praying that an appropriation be made for the purpose of erecting buoys on White's Ledge, on Thorn's Ledge, and on Pond Island Reef, at the mouth of the Kennebec river, in Maine.

By Mr. PHELPS: The petition of Waldo P. Johnson and others, citizens of Missouri, for a post road from Osceola, via Fremont, to Greenfield, in the State of Missouri.

By Mr. CHANDLER: The memorial of the Presidents of the several Marine Insurance Companies in Philadelphia, asking for an increase of the salary of the judge of the United States court at Key West.

By Mr. SCHENCK: Two memorials of 474 citizens of Ohio, praying for the completion of the national road from Springfield, in Ohio, to the boundary of the State of Indiana.

By Mr. JULIAN: The petition of eighty-eight citizens of Wayne county, Indiana, praying Congress to prevent all further traffic in the public lands, and that they be granted, in limited quantities, to actual settlers who have no land.

A CARD.—We respectfully call the attention of the public to our sale on G street, near 11th street, advertised for Thursday morning, January 9th. The assortment is very complete; the furniture nearly new, and in most excellent condition. The house is for rent; possession given immediately after the sale.

DYER & McGUIRE,
Auctioneers.

jan 6—d [Union]

DRAWN NUMBERS of Grand Consolidated Lottery of Maryland, Class No. 3:

34 61 69 35 32 23 19 49 43 7 31 51

jan 6— F. MORRIS & CO. Managers.

DRAWN NUMBERS OF THE VIRGINIA MONONGALIA LOTTERY, Class No. 2, drawn 4th January, 1851.

J. W. MAURY & CO., Managers.

44 30 69 7 35 52 48 14 21 46 71 50

On Tuesday, January 7,
VIRGINIA MONONGALIA LOTTERY,
Class No. 3.

SPLENDID SCHEME.

1 prize of..........$25,000	1 prize of..........$1,500
1 do of.......... 7,000	10 do.......... 1,000
1 do of.......... 3,000	10 do.......... 500
1 do of.......... 2,000	&c. &c.

Tickets $5—Halves $2 50—Quarters $1 25.

$50,000, $20,000.

On Saturday, January 11th, 1851,
VIRGINIA MONONGALIA LOTTERY,
Class No. 5 draws.
13 Drawn Numbers out of 66.
(Making nearly as many prizes as blanks.)

MAGNIFICENT SCHEME.

1 prize of..........$50,000	1 prize of $2,940
1 do.......... 20,000	1 do.......... 2,000
1 do.......... 10,000	10 do.......... 1,000
1 do.......... 5,000	&c. &c.

Tickets $15—Halves $7.50—Quarters $3.75—Eighths $1.87

For sale by J. & C. MAURY, Agents,
jan 6 Alexandria, Va.

... under existing ... tion a flagrant vio... tion. Mr. S. is a very inconsiderable [member], in the Assembly, of an inconsiderable party, the extreme Left, in the Assembly, and it is a matter of very little moment what his personal opinions are. I shall not incumber your columns with the report of them at any length; but he declared such legislation to be monstrous, and that France had a right to protest against it. He particularly regretted that the Minister had not thought proper, when addressing his circular to the captains of French vessels, to protest against the legislation alluded to. The Minister, by simply and purely accepting that legislation without reserve of any kind, had sanctioned an exorbitant abuse. Now, he did not require that the French Government should make reprisals. "He did not ask that it should be made a question of war or even of rpture. It was best to employ pacific means, especially with so great a Power as the United States." But he thought the moment favorable for earnest remonstrance and negotiation. These efforts would be seconded by the Northern States of the Union: and Mr. BUTLER, of South Carolina, was quoted to prove that there were symptoms of relenting even in the Southern States themselves. Mr. S. supposed that the Minister of Foreign Affairs should please to send to one of these Southern States a mulatto consul, and asked what would be the reception which this American legislation would prepare for the French functionary. The honor and dignity of the French Republic forbade Ministers to accept such a situation as these laws made for them. "Let France and England unite," said he, "and open in concert negotiations at Washington. Let them make common and serious representations, and without doubt they would obtain from the wisdom of the General Government and from the Congress an honorable reform." Mr. S. concluded by submitting for adoption by the Assembly the following resolution:

"The Assembly, calling the attention of the Government to the legislation of the United States touching French negroes and mulattoes, passes on to the order of the day."

I extract from the *Moniteur* the remarks of M. ROMAIN-DESFOSSES, Minister of the Marine, and of Gen. LAHITTE, Minister of Foreign Affairs, in reply to the interpellations of M. Schoelcher:

M. ROMAIN-DESFOSSES. "Quite frequent communications have taken place upon this subject between the Navy Department and the Minister of Foreign Affairs, and particularly of late in relation to the introduction of black domestics into New Orleans, accompanying refugee colonists from Martinique to the United States. Although the coasting trade between the French Antilles and the United States is almost nothing, it is incontestable that the American legislation may affect this navigation injuriously to a serious extent by its interdiction of access to the States of men whom our laws do not distinguish from other French citizens. However regretable this situation may be, the Minister of the Marine has not here to examine the question whether the Government of the Union has the right to forbid the access to its territories of men to whom justly or unjustly it supposes the intention to make an abolitionist propagandi m. And in the connexion I will remark, that by this same American law the blacks and mulattoes of the Northern States of the Union are forbidden to penetrate into the States of the South. But as to what the honorable M. Schoelcher has just said respecting the danger there might be in sending the vessels of the Republic to the United States, vessels on board of which there might be found blacks and mulattoes, I think I may affirm here that, whatever be the color of the skin of our officers, of our admirals, of our magistrates who may present themselves in the ports of the American Union, they will be received in that country, as they are every where, with respect and distinction."

M. DE LAHITTE, Minister of Foreign Affairs. "I have but a few words to add to the remarks just made by the honorable colleague Admiral Romain-Desfosses. I comprehend the sentiments which have inspired the honorable M. Schoelcher, interpellating the Government respecting measures which do violence to international law. I admit it; the position of the Republic now is changed. We have abolished slavery. I conceive perfectly well that we may speak to the United States with a better right than we had formerly. But in fact we have done all that we possibly could with regard to the Federal Congress, and even with regard to the States of the Union, in order to surmount, as M. Schoelcher has very well said, these laws which are almost barbarous, almost savage. But, after all, every body is master at home, as the honorable M. Schoelcher has said. Well, *hitherto, neither* France nor England has had the happiness *to persuade these* States of the Union that it was necessary *to enter upon the* course of civilization and of respect *to humanity* which we most earnestly desire. To this end we will continue to labor as we have labored. Perhaps we shall have better success when those countries shall comprehend that they are without the pale of the laws of all nations." (Tres bien! tres bien!)

M. BISSETTE, a colored man, light mulatto, a member from the West Indies, usually voting with the majority, wished to prolong the debate, of course upon the side of his colleague, M. Schoelcher. But the Assembly, having heard the remarks of the Ministers, was impatient to have done with the interpellations, and refused to hear him. Cries of *to the vote! to the vote!* drowned his voice, and M. B. descended from the tribune, protesting that "it was not when the

moment when they were breaking away from all connexion with their King, they were living humbly before God, the King of Kings.

Thus it was that the Republic of the United States was founded.

And in spite of so many advantages, if it had been placed in our hemisphere instead of its own, and closed in by the great States of Europe, instead of freely expanding like its rivers amid its forests and its plains, we may well doubt if it could have established itself and have survived, peaceable and glorious, as it has survived.

France is undergoing at the present moment, as an unlooked-for ordeal, and with a constitution which would bring *trouble into the best regulated* of society, that form of government which America [illegible] in the natural course of things, and favored by a situation quite without a precedent, which Heaven had made for it.

Will the Republic, originating as it originated with us in February, 1848, obtain the destinies of the Republic of Washington? That is the question which is now being debated.

The Republic has had fair play. In spite of its origin, men of intelligence and good intentions, without distinction of party, though they had no liking for the Republic, entrenched themselves upon it as behind a rampart, to provide for their common defence, to protect universal society from its mortal enemies. It is in the name and in behalf of order which the Republic destroyed that the Republic exists. It had no right to expect such good luck. Will it take advantage of it? Will it be able to perseveringly carry out a strong conservative policy of social reconstruction? It is that which France invokes. In order that a Government may be established, it is not sufficient that every day it prevents society from perishing. It must deliver society from the daily fear of perishing, and it must open to society perspectives of a tranquil and long life. I do not speak either of liberty or of glory; I hope, however, that France will not learn to dispense with them.

AU VAL-RICHER, OCTOBER, 1850. GUIZOT.

You will, I am sure, recognise with me in the above passage the wisdom of the sage and the sound comprehensive views of the true statesman.

PARIS, DECEMBER 12, 1850.

The political news from France and Europe this week is even of less interest than last.

The German questions, not settled, perhaps, are adjourned; and though the prospects are that they will not be allowed to disturb the peace of the world, so much of doubt and chance yet hangs over them, that even the moderate Republicans in the National Assembly, Gustave de Beaumont, Gen. Lamoriciere, and Bedeau, Lamartine, and others, voted the appropriation of 8,460,000 francs, which Government asked for to equip and support the forty thousand additional troops on the northern and eastern frontiers.

With the above exception, the only proceedings in the National Assembly which would have any interest for American readers, is the deposition of a very long and able report of M. de Montalembert, in favor of the bill submitted to the committee of which he was the organ, prescribing a strict observance of the holy Sabbath. It was received by the *Mountain* with shouts *of ironic applause and* ridicule, and by the better portion of the house with silent respect. But I entertain no doubt that it will be summarily disposed of by an unfavorable vote, if it be allowed ever to come up for discussion. It is entirely unfitted to the morals, the habits, and, I may add, the religious principles of the people of France, so far as they have any religious principles, and would hardly be tolerated in Scotland or New England.

French workmen, mechanics, artists, manufacturers of all sorts, are at last entering with much spirit into the competition established by the grand World's Exhibition in England next year. Frenchmen held back for a long time, unsatisfied with the security afforded by the regulations of the royal commission against the imitation of their articles of taste and fashion, and the consequent loss of a market for their productions. The provisions, also, touching the duties to be paid in the event of the sale in England of the articles exposed, were vague, and of a nature to give rise to annoying contestation. All these difficulties, it is announced, have been smoothed by the interposition of M. Dumas, the French Minister of Commerce.

The number of exposants from this country will exceed twenty-five hundred—about half the total number of exposants in the French Exposition of 1849. Seventy-seven of the eighty-six departments will be represented. The fabrics of the famous manufactories of Gobelin tapestry and Sevres porcelain will figure there beside the rival productions of the various German States. From the department of the Seine alone (Paris) there will be seventeen hundred and thirty exposants. Belgium will be represented by six hundred and eighty-six manufacturers—one hundred and thirty from the city of Brussels, of whom thirty will be makers of the world-famed lace. All the arts and manufactures of this eminently industrial country will send specimens to London. Austria will send upwards of a thousand exhibiters with specimens of its varied industry.

of a pretension ... just putting forth here for the ho... vention. If the French are many years behi... States in its application they claim to be abo... in advance of us and of all nations as to ... Steam, ether, electric telegraphs, and many o... coveries which other nations are making in a ... gree than France, the means and the proof of ... ilization, are, if the tardy claims of French pr... mitted, all of French origin. We shall see h... ventress of modern republicanism, and gi... France—Franks—freemen—as proof conclus... If these claims be admitted the history of Fr... not very unlike that of her own oysterwoman, ... as her daily avocation for twenty years, ... customers fat and happy in their consumption ... she hardly knew the taste of them, having never ... a dozen oysters, and that many years ago.

This appears to be the proof of the French discovery and invention of the electric telegra... A few days since took place the public sal... of M. Derault. In the collection was fou... manuscript entitled *Dissertation sur l'électric... la transmission des nouvelles.* It bears date... the signature of *Louis Lesage*: and is said... with valuable Charles Bonnet, the celebrated ... physician and natural philosopher. The m... knocked down to a professor of the Universi... The physician Lesage was the son of a Frenc... Switzerland. A Frenchman by birth, his me... tific studies were completed at Paris, which ... years his residence. In 1750 he returned t... and in 1774, as the account goes, he actuall... Geneva an *electric telegraph.* This telegrap... of twenty-four separate wires, answering to ... letters of the alphabet. His apparatus, all imp... is averred to have contained and illustrated ... that which is now in such general use.

If the MSS. proves to be genuine we sha... more, if it would greatly gratify French vanit... favor of a Frenchman priority of invention, ... proved to be.

The Academy of Sciences has just received ... cations of much interest upon the subject of c... of these is from M. Ed. Robin, and the othe... gendre, a French gentleman resident in ... Each professes to have discovered about the ... without any communication with one anot... markable property of this agent. It appears ... *septic* of marvellous virtue, preventing anima... after death, or promptly checking it if alrea... Muscular flesh and all the animal tissues, wh... its action, become fixed for a long period of ... cise form and condition in which they may ... the moment of application, and natural colo... most delicate shades, are preserved without the s... The memoirs have been both handed over to a... the academy for examination. Experiments ... in presence of the commission, and will be m... of a future report. If the promises of the sang... *are even ne... realized—if, in addition to its a...* ties, it p... the very first of the benefits confe... rank among ... upon humanity. Among the new uses to w... applied are the conservation of animal food, ... meat during the whole course of long sea voya... vation of military and naval stores, and the ... seums of anatomical specimens which, as hither... hol, soon lose the original size, form, and colo... most useless for the student's purposes. It m... ly used for disinfecting the pestiferous atmosp... ing-rooms, rendering the dissection of the hum... erto so loathsome and so dangerous, a compar... ble and harmless office. Chloroform will affo... venient and cheap means of preserving from c... in a perfectly natural state, the bodies of frien... removal or for other purposes, it may be desira... interred an unusual length of time. These a... of the long list of benefits which chloroform in... cation is destined to confer.

The amusements of the season in Paris h... with unusual animation. Parties succeed eac... and, in spite of the retreat from the beau mon... of several of the leading fashionable famili... from respect to the mourning in which the l... is involved, the parties are more frequent an... last year.

THIS IS TO GIVE NOTICE that ... hath obtained from the Orphans' Court ... county, in the District of Columbia, letters o... on the personal estate of James Mount, lat... county, deceased. All persons having cla... said deceased are hereby warned to exhibit ... the vouchers thereof, to the subscriber, on o... day of December next; they may otherwise, b... ed from all benefit of said estate.

Given under my hand this 28th day of De...

SARAH ANN ...

jan 6—w3w

... possession, where it dates ... does not afford data for the survey, or from law officer or agent of the Government in the ... or from information in any way received, there may be reason to suppose a grant invalid, the Government (or a proper officer of it) may direct a suit to be instituted for its annulment." [illegible]

I concur in these general views. In fact, my bill is drawn in exact conformity to them. It provides for a *scire facias* to issue against a suspected claim, leaving all the unsuspected free from molestation. I eschew the whole idea of boards of commissioners, and appeals to district courts, and further appeals to the Supreme Court, with district attorney to appear against the claimants, and additional able counsel to assist them! I eschew [illegible] I said yesterday, that such a proceeding is a violation of the law of nations, a violation of the treaty with Mexico, a violation of the proclamations of the military commanders in California, a violation of the capitulation of Couenga, and tantamount to a general confiscation of the landed property of the country. I take the bill as it is proposed to be passed, and have nothing to do with its authors or executors. The Senator who advocates it believes it will be mildly executed, so as to harass no body but those who have bad titles. I cannot legislate on such a belief. No one can tell in what manner, or in what spirit, a law of unbounded application will be executed. No man can answer in such a case. It is a wrong principle. Laws should depend upon their own equity, and not upon the temper, or passions, or calculations of commissioners, judges, and prosecuting attorneys. The law should be made right in itself, and not left to them to make it right in the execution, though wrong in itself. Illegal, oppressive, and ruinous power ought not to be put into the hands of judges and attorneys under the supposition that they will use it with moderation and justice. Such a power must alarm a country. All California must be alarmed at such a terrible inquisition over property. Those who are actually pursued through the three courts will be ruined by expenses and delays: those who escape the appeal to the Supreme Court will still have their alarms and disquietudes until the danger has all passed by; and that may be a term of years. In the mean time, the bare passage of the act discredits all the titles of the country—reduces the selling value of all real estate—and paralyzes the industry of the people. It is a crime against one man to disturb him unjustly about his property: it is a public crime so to disturb a whole community. They are no longer able to fulfil their public duties to their country, or their private duties to their families, while sick at heart for the safety of their property. And how long is this agony to continue? Until the seven or more years would elapse which it would require to carry the suits through all the courts.

I said yesterday, and I repeat it to-day, that since the barbarous times of William, the Norman conqueror, there has been no general confiscation of the landed property of a country—that in this civilized age no conqueror impeaches or disturbs the landed titles of a conquered country—that no treaty permits it—and that no people should submit to such impeachment but those who are too weak to resist. Our treaty with Mexico secures to every inhabitant of the ceded countries "*the free enjoyment of his property*." How is that enjoyment to be free, or even to be enjoyment at all, which is impeached by a Government, and pursued by a Government, through successive courts of its own creation, to invalidate and destroy them? The treaty guaranties to all the inhabitants who choose to leave the conquered countries the privilege *of selling their property*. What kind of sales can they make *of lands which are subject* to three lawsuits, conducted by a *Government, and in its own courts*? The French and the Spanish are proverbially afraid of lawsuits. All such, except a few of great possessions, must think of giving up all at the first summons to appear before the formidable commissioners. But it is not *the* conquered alone, but the conquerors also that are to suffer. The Americans of the valley of the Sacramento were the true conquerors of California. They constituted the strength of Fremont's battalion, and have received no pay to this day for their services. And now we propose to put them to the defence of the homes which the Californian and Mexican Governments gave them! And, if we succeed in taking it from them, pass it all off at two strokes of the pen to the *assignees* of a new batch—a new issue of an hundred millions—of land warrants!

PATENT DEVILTRY.—A new thing has lately presented itself to public favor, which is as complete a specimen of patent deviltry as *human* ingenuity can devise—an infernal machine, compared with which, in its capacity for dealing destruction and death, the device of a Fieschi is but a plaything. It consists of a small capsule composed of gum and sugar, enclosing about a-fourth of a tea spoonful of brandy, just about enough, with the excited saliva, to make a small toddy in the mouth, adapted to the ambition and capacity of the rising generation. These things, it appears, are sold at the confectionaries in the large cities North and East, and five cents' worth of them contain about a table spoonful of brandy, enough to give a boy, as an initial operation at least, quite an experimental notion of "a drunken spree." Who claims the honor of this invention we do not know, but the article seems first to have attracted the attention of a Dr. Jewett, of Rhode Island, who has warned parents and the public at large against them.—*Baltimore Sun.*

HE WORE A FLASHY WAISTCOAT.—He wore a flashy waistcoat on the night when first we met, with a famous pair of whiskers and imperial of jet. His hair had all the haughtiness, his voice the manly tone, of a gentleman worth forty thousand dollars, all his own. I saw him but a moment, yet methinks I see him now, with a very flashy waistcoat and a beaver on his brow. And once again I saw that brow—no neat beaver was there, but a shocking bad 'un was his hat, and matted was his hair. He wore a brick within his hat, the charge was all complete, and he was flanked by constables, who marched him up the street. I saw him but a moment, yet methinks I see him now, charged by these worthy officers with kicking up a row.—*Hampshire Independent.*

... there should be a difference made between letters transported to a remote place beyond the mountains and those transported this side of the mountains. Gentlemen seemed to apprehend that by reducing the present law they would throw upon the Treasury Department the expenses of the Post Office Department. He saw no very great reason to apprehend such a result. It was possible, but it could never be determined except by actual experiment. If it did throw the Post Office Department upon the Treasury, why so much apprehension at such a result, especially when such a disposition was manifested by the committee to appropriate the money of the Treasury for mere local purposes; as, for instance, the granting of immense tracts of land, from which millions of revenue might have been derived, for private or mere corporate purposes, which were local in character, and which must be local in the benefits derived from them? They would also appropriate millions [illegible] rivers, harbors, and lakes, that must necessarily be local in character, though such a proposition would never receive his vote—though it might receive the approbation of the House. And yet gentlemen were alarmed at a few dollars being taken from the Treasury for the benefit of the entire people, without distinction of section, party, or interest. From the effects of the law of 1845, they had reason to suppose that a still greater reduction would increase the revenue of the Department, as there would certainly be a very great increase of mail matter. He was not prepared to say whether the franking privilege should be abolished or not. It was to him a matter of entire indifference, though he thought that much of the matter sent was trash, for the purpose of tickling the constituency of members.

Mr. WATKINS gave notice that at the proper time he would offer an amendment making the transmission of newspapers under fifty miles free, and repealing laws authorizing the Postmaster General to diminish mail service on routes where the receipts were unequal to the expense of carriage.

Mr. W. expressed himself as opposed to the bill under consideration, because, in his opinion, it would prevent an extension of mail facilities. The effect of the law of 1845 was to curtail the mail facilities, and the inevitable effect of the reduction now proposed would be to impair or discontinue such as they now have, thereby depriving the agricultural sections of the country of a portion of the advantages resulting from the present organization. He was against the abolition of the franking privilege, which he believed was one of the greatest safeguards that could be thrown around a Republican Government, as by this means the constituent was made acquainted with the actions of the Representative. He thought that the Post Office Department should be self-sustaining, and did not think that the agricultural portion of the community should be taxed for the benefit of the large commercial cities. He desired the improvement of rivers, harbors, lakes, the construction of railroads, and the extension of mail facilities, by which the resources of the country could be developed and the people brought into closer connexion.

Mr. SWEETSER had taken the trouble to examine the numerous petitions praying for low postage, and had found them all precise in form, and believed that they had emanated from a common source. He believed that the bill under consideration would reduce postage so low as to throw the Post Office Department upon the general treasury for support. He called upon Western men not to vote for such a proposition, as it would not benefit their section of the country, but merely the commercial parts of the United States. He expected to see men in favor of a high protective tariff not only willing to make the Post Office Department dependant on the Treasury, but to advocate all kinds of expenses. He was opposed to the abolition of the franking privilege, believing it to be beneficial in its results to the people of the country, and the principal means of forming the farmer's library. He was opposed to the proposition to tax the people of Oregon and California a triple and quadruple amount for postage, and was in favor of extending to those regions every facility it was possible to extend to them and make the Post Office Department sustain itself. The Government should encourage the settlement of those vast Territories, instead of throwing obstacles in the way.

Mr. ROOT was willing to concede that the Post Office Department should sustain itself. It was an institution for the benefit of all citizens of the Government, and all who use it should be made to pay their proportionate share of the expense. He was opposed to any free matter going in the mails, and was in favor of the pre-payment of postage on every thing. He believed this was necessary for a fair administration of the Government. He did not believe the committee were prepared to come up to this doctrine; but believed he could convince any man who would listen to him unprejudiced that this was the true mode of administering the Government. He was opposed to the franking privilege, and did not attach to it as much importance as some members did. No member would say that he could exercise this privilege impartially, though he doubted not they had tried to do so, but had failed. The printing abuse had grown out of this privilege, as members print because they can frank, and frank because they can print. They went hand in hand, and the people paid all. He contended that matter could not be distributed fairly under this privilege, and that Executive documents sent by the members should pay postage to the Department. It would be as fair and proper to bring in a bill to pay for such transportation as it would be to pay for the transportation of arms. Let it go to the people, that they might judge of the propriety of such an appropriation.

Mr. COBB, of Alabama, said that, having discussed this subject before his constituents two years ago, they were acquainted with the position he intended to assume. He therefore would not discuss the question, but would give notice of an amendment which he intended to offer, the object of which was to protect the sparsely settled sections of the country against the reduction of mail facilities, which he was satisfied would necessarily take place if postage was reduced to the extent proposed. He referred to the fact of these facilities having been already reduced in the district which he represented; and he called upon gentlemen, if the postage be reduced, to pass the amendment he intended to propose, which provided for the repeal of the law which authorized the Post-

fugitive slave law.

Also, the petition of the Rev. Samuel Osgood and 177 others, citizens of Springfield, in Massachusetts, praying for the same object.

Also, the petition of Fisher A. Kingsbury and fifty-two others, citizens of Weymouth, in Massachusetts, praying for the same object.

By Mr. ROBINSON: The petition of William Holman, jr., and twenty-one other citizens of Ripley county, Indiana, praying for grants of public lands to the Ohio and Mississippi railroad companies, (the St. Louis and Cincinnati road, via Vincennes.)

Also, the petition of forty citizens of Ripley county, Indiana, praying for grants of public lands to the Ohio and Mississippi railroad Companies, (the St. Louis and Cincinnati road, via Vincennes.)

By Mr. STEVENS, of Pennsylvania: A petition to establish a post road from Mankin, via sporting Hill, to Mount Joy, in Lancaster county, Pennsylvania.

Also, a petition of [illegible] Norristown, Pennsylvania, praying for the repeal of the fugitive slave law.

Also, six petitions signed by 390 citizens of Montgomery county, Pennsylvania, praying for the immediate repeal of the fugitive slave law.

By Mr. SCHENCK: The petition of Robert White, an invalid pensioner, of Preble county, Ohio, praying for an increase of his pension.

By Mr. HOWE: The petition of Joseph Jaggars and 44 others, citizens of Mercer county, Pennsylvania, praying Congress forthwith to repeal the fugitive slave law.

Also, two petitions from 116 citizens of Pennsylvania, praying Congress to prohibit the transportation of the United States mail on Sundays, and to prohibit postmasters from giving out mail matter on that day.

By Mr. BOOTH: The petition of William W. Boardman and others, of New Haven, in the State of Connecticut, praying for protection against the infringement of patent rights by using their inventions in Canada, and bringing the products for sale in the markets of the United States.

By Mr. ROCKWELL: The petition of Rev. Bancroft Fowler, and 63 other citizens of Stockbridge, Massachusetts, in favor of arbitration or a Congress of Nations, for the peaceable settlement of difficulties between nations.

By Mr. TAYLOR: The petition of John Porter Brown, Dragoman of the United States Legation at Constantinople, praying compensation for performing the duties of chargé d'affaires of the United States near the Sublime Porte, under the direction of his Government, during the absence of the American ministers.

By Mr. CROWELL: The petition of John M. Porter and others, citizens of Lowell, Mahoning county, Ohio, praying the repeal of the fugitive slave law.

Also, the petition of Nehemiah Edson and others, citizens of Mahoning county, Ohio, praying the repeal of the fugitive slave law.

By Mr. WHITTLESEY: The petition of E. B. Perkins and others, of Washington county, Ohio, praying the adoption of measures for the peaceable adjustment of international controversies.

By Mr. STEVENS, of Pennsylvania: The petition of Isaac H. Conrad and others, citizens of Philadelphia, praying for the immediate repeal of the fugitive slave law.

By Mr. GOODENOW: The petitions of John Hubbard and seventy-seven others, and of Charles Owen and two hundred and four others, citizens of the State of Maine, praying that an appropriation be made for the purpose of erecting buoys on White's Ledge, on Thorn's Ledge, and on Pond Island Reef, at the mouth of the Kennebec river, in Maine.

By Mr. PHELPS: The petition of Waldo P. Johnson and others, citizens of Missouri, for a post road from Osceola, via Fremont, to Greenfield, in the State of Missouri.

By Mr. CHANDLER: The memorial of the Presidents of the several Marine Insurance Companies in Philadelphia, asking for an increase of the salary of the judge of the United States court at Key West.

By Mr. SCHENCK: Two memorials of 474 citizens of Ohio, praying for the completion of the national road from Springfield, in Ohio, to the boundary of the State of Indiana.

By Mr. JULIAN: The petition of eighty-eight citizens of Wayne county, Indiana, praying Congress to prevent all further traffic in the public lands, and that they be granted, in limited quantities, to actual settlers who have no land.

A CARD.—We respectfully call the attention of the public to our sale on G street, near 11th street, advertised for Thursday morning, January 9th. The assortment is very complete; the furniture nearly new, and in most excellent condition. The house is for rent; possession given immediately after the sale. DYER & McGUIRE,
jan 6—d [Union] Auctioneers.

DRAWN NUMBERS of Grand Consolidated Lottery of Maryland, Class No. 3:
34 61 69 35 32 23 19 49 43 7 31 51
jan 6— F. MORRIS & CO. Managers.

DRAWN NUMBERS OF THE VIRGINIA MONONGALIA LOTTERY, Class No. 2, drawn 4th January, 1851.
J. W. MAURY & CO., Managers.
44 30 69 7 35 52 48 14 21 46 71 50

On Tuesday, January 7,
VIRGINIA MONONGALIA LOTTERY,
Class No. 3.
SPLENDID SCHEME.

1 prize of	$25,000	1 prize of	$1,900
1 do of	7,000	10 do	1,000
1 do of	3,000	10 do	500
1 do of	2,000	&c.	&c.

Tickets $5—Halves $2 50—Quarters $1 25.

$50,000, $20,000.
On Saturday, January 11th, 1851,
VIRGINIA MONONGALIA LOTTERY,
Class No. 5 draws.
13 Drawn Numbers out of 66.
(Making nearly as many prizes as blanks.)
MAGNIFICENT SCHEME.

1 prize of	$50,000	1 prize of	$2,940
1 do	20,000	1 do	2,000
1 do	10,000	10 do	1,000
1 do	5,000	&c.	&c.

Tickets $15—Halves $7.50—Quarters $3.75—Eighths $1.87
For sale by J. & C. MAURY, Agents,
jan 6 Alexandria, Va.

French dig[illegible] under existing treaties [illegible] in this legislation a flagrant violation of the American Constitution. Mr. S. is a very inconsiderable member of an inconsiderable party, the extreme Left, in the Assembly, and it is a matter of very little moment what his personal opinions are. I shall not incumber your columns with the report of them at any length; but he declared such legislation to be monstrous, and that France had a right to protest against it. He particularly regretted that the Minister had not thought proper, when addressing his circular to the captains of French vessels, to protest against the legislation alluded to. The Minister, by simply and purely accepting that legislation without reserve of any kind, had sanctioned an exorbitant abuse. Now, he did not require that the French Government should make reprisals. "He did not ask that it should be made a question of war or even of rpture. It was best to employ pacific means, especially with so great a Power as the United States." But he thought the moment favorable for earnest remonstrance and negotiation. These efforts would be seconded by the Northern States of the Union: and Mr. BUTLER, of South Carolina, was quoted to prove that there were symptoms of relenting even in the Southern States themselves. Mr. S. supposed that the Minister of Foreign Affairs should please to send to one of these Southern States a mulatto consul, and asked what would be the reception which this American legislation would prepare for the French functionary. The honor and dignity of the French Republic forbade Ministers to accept such a situation as these laws made for them. "Let France and England unite," said he, "and open in concert negotiations at Washington. Let them make common and serious representations, and without doubt they would obtain from the wisdom of the General Government and from the Congress an honorable reform." Mr. S. concluded by submitting for adoption by the Assembly the following resolution:

"The Assembly, calling the attention of the Government to the legislation of the United States touching French negroes and mulattoes, passes on to the order of the day."

I extract from the *Moniteur* the remarks of M. ROMAIN-DESFOSSES, Minister of the Marine, and of Gen. LAHITTE, Minister of Foreign Affairs, in reply to the interpellations of M. Schoelcher:

M. ROMAIN-DESFOSSES. "Quite frequent communications have taken place upon this subject between the Navy Department and the Minister of Foreign Affairs, and particularly of late in relation to the introduction of black domestics into New Orleans, accompanying refugee colonists from Martinique to the United States. Although the coasting trade between the French Antilles and the United States is almost nothing, it is incontestable that the American legislation may affect this navigation injuriously to a serious extent by its interdiction of access to the States of men whom our laws do not distinguish from other French citizens. However regretable this situation may be, the Minister of the Marine has not here to examine the question whether the Government of the Union has the right to forbid the access to its territories of men to whom justly or unjustly it supposes the intention to make an abolitionist propagandism. And in the connexion I will remark, that by this same American law the blacks and mulattoes of the Northern States of the Union are forbidden to penetrate into the States of the South. But as to what the honorable M. Schoelcher has just said respecting the danger there might be in sending the vessels of the Republic to the United States, vessels on board of which there might be found blacks and mulattoes, I think I may affirm here that, whatever be the color of the skin of our officers, of our admirals, of our magistrates who may present themselves in the ports of the American Union, they will be received in that country, as they are every where, with respect and distinction."

M. DE LAHITTE, Minister of Foreign Affairs. "I have but a few words to add to the remarks just made by the honorable colleague Admiral Romain-Desfosses. I comprehend the sentiments which have inspired the honorable M. Schoelcher, interpellating the Government respecting measures which do violence to international law. I admit it; the position of the Republic now is changed. We have abolished slavery. I conceive perfectly well that we may speak to the United States with a better right than we had formerly. But in fact we have done all that we possibly could with regard to the Federal Congress, and even with regard to the States of the Union, in order to surmount, as M. Schoelcher has very well said, these laws which are almost barbarous, almost savage. But, after all, every body is master at home, as the honorable M. Schoelcher has said. Well, hitherto, neither France nor England has had the happiness to persuade these States of the Union that it was necessary to enter upon the course of civilization and of respect to humanity which we most earnestly desire. To this end we will continue to labor as we have labored. Perhaps we shall have better success when those countries shall comprehend that they are without the pale of the laws of all nations." (Tres bien! tres bien!)

M. BISSETTE, a colored man, light mulatto, a member from the West Indies, usually voting with the majority, wished to prolong the debate, of course upon the side of his colleague, M. Schoelcher. But the Assembly, having heard the remarks of the Ministers, was impatient to have done with the interpellations, and refused to hear him. Cries of *to the vote! to the vote!* drowned his voice, and M. B. descended from the tribune, protesting that "it was not when the

... in favor of the republican government.

They were Christians in heart as in name. At the very moment when they were breaking away from all connexion with their King, they were living humbly before God, the King of Kings.

Thus it was that the Republic of the United States was founded.

And in spite of so many advantages, if it had been placed in our hemisphere instead of its own, and closed in by the great States of Europe, instead of freely expanding like its rivers amid its forests and its plains, we may well doubt if it could have established itself and have survived, peaceable and glorious, as it has survived.

France is undergoing at the present moment, as an unlooked-for ordeal, and with a constitution which would bring trouble into the best regulated of society, that form of government which America [illegible] in the natural course of things, and favored by a situation quite without a precedent, which Heaven had made for it.

Will the Republic, originating as it originated with us in February, 1848, obtain the destinies of the Republic of Washington? That is the question which is now being debated.

The Republic has had fair play. In spite of its origin, men of intelligence and good intentions, without distinction of party, though they had no liking for the Republic, entrenched themselves upon it as behind a rampart, to provide for their common defence, to protect universal society from its mortal enemies. It is in the name and in behalf of order which the Republic destroyed that the Republic exists. It had no right to expect such good luck. Will it take advantage of it? Will it be able to perseveringly carry out a strong conservative policy of social reconstruction? It is that which France invokes. In order that a Government may be established, it is not sufficient that every day it prevents society from perishing. It must deliver society from the daily fear of perishing, and it must open to society perspectives of a tranquil and long life. I do not speak either of liberty or of glory; I hope, however, that France will not learn to dispense with them.

AU VAL-RICHER, OCTOBER, 1850. GUIZOT.

You will, I am sure, recognise with me in the above passage the wisdom of the sage and the sound comprehensive views of the true statesman.

PARIS, DECEMBER 12, 1850.

The political news from France and Europe this week is even of less interest than last.

The German questions, not settled, perhaps, are adjourned; and though the prospects are that they will not be allowed to disturb the peace of the world, so much of doubt and chance yet hangs over them, that even the moderate Republicans in the National Assembly, Gustave de Beaumont, Gen. Lamoriciere, and Bedeau, Lamartine, and others, voted the appropriation of 8,460,000 francs, which Government asked for to equip and support the forty thousand additional troops on the northern and eastern frontiers.

With the above exception, the only proceedings in the National Assembly which would have any interest for American readers, is the deposition of a very long and able report of M. de Montalembert, in favor of the bill submitted to the committee of which he was the organ, prescribing a strict observance of the holy Sabbath. It was received by the *Mountain* with shouts of ironic applause and ridicule, and by the better portion of the house with silent respect. But I entertain no doubt that it will be summarily disposed of by an unfavorable vote, if it be allowed ever to come up for discussion. It is entirely unfitted to the morals, the habits, and, I may add, the religious principles of the people of France, so far as they have any religious principles, and would hardly be tolerated in Scotland or New England.

French workmen, mechanics, artists, manufacturers of all sorts, are at last entering with much spirit into the competition established by the grand World's Exhibition in England next year. Frenchmen held back for a long time, unsatisfied with the security afforded by the regulations of the royal commission against the imitation of their articles of taste and fashion, and the consequent loss of a market for their productions. The provisions, also, touching the duties to be paid in the event of the sale in England of the articles exposed, were vague, and of a nature to give rise to annoying contestation. All these difficulties, it is announced, have been smoothed by the interposition of M. Dumas, the French Minister of Commerce.

The number of exposants from this country will exceed twenty-five hundred—about half the total number of exposants in the French Exposition of 1849. Seventy-seven of the eighty-six departments will be represented. The fabrics of the famous manufactories of Gobelin tapestry and Sevres porcelain will figure there beside the rival productions of the various German States. From the department of the Seine alone (Paris) there will be seventeen hundred and thirty exposants. Belgium will be represented by six hundred and eighty-six manufacturers—one hundred and thirty from the city of Brussels, of whom thirty will be makers of the world-famed lace. All the arts and manufactures of this eminently industrial country will send specimens to London. Austria will send upwards of a thousand exhibiters with specimens of its varied industry.

Speaking of the electric telegraph in France reminds me of a pretension just putting forth here for the honor of the invention. If the French are many years behind the United States in its application they claim to be about eighty years in advance of us and of all nations as to the invention. Steam, ether, electric telegraphs, and many other great discoveries which other nations are making in a far greater degree than France, the means and the proof of progress in civilization, are, if the tardy claims of French pretenders be admitted, all of French origin. We shall see her next the inventress of modern republicanism, and giving her name France—Franks—freemen—as proof conclusive of her title. If these claims be admitted the history of France is already not very unlike that of her own oysterwoman, who, opening oysters as her daily avocation for twenty years, and seeing her customers fat and happy in their consumption, declared that she hardly knew the taste of them, having never eaten but half a dozen oysters, and that many years ago.

This appears to be the proof of the French claim of first discovery and invention of the electric telegraph:

A few days since took place the public sale of the library of M. Derault. In the collection was found a dusty old manuscript entitled *Dissertation sur l'électricité appliquée à la transmission des nouvelles*. It bears date 1765: is over the signature of *Louis Lesage*: and is said to be enriched with valuable Charles Bonnet, the celebrated Genevese metaphysician and natural philosopher. The manuscript was knocked down to a professor of the University of Glasgow. The physician Lesage was the son of a Frenchman settled in Switzerland. A Frenchman by birth, his medical and scientific studies were completed at Paris, which was for several years his residence. In 1750 he returned to Switzerland: and in 1774, as the account goes, he actually established in Geneva an *electric telegraph*. This telegraph was composed of twenty-four separate wires, answering to the twenty-four letters of the alphabet. His apparatus, all imperfect as it was, is averred to have contained and illustrated the principle of that which is now in such general use.

If the MSS. proves to be genuine we shall doubtless hear more, if it would greatly gratify French vanity to establish in favor of a Frenchman priority of invention, barren though it proved to be.

The Academy of Sciences has just received two communications of much interest upon the subject of chloroform. One of these is from M. Ed. Robin, and the other from M. Augendre, a French gentleman resident in Constantinople. Each professes to have discovered about the same time, and without any communication with one another, another remarkable property of this agent. It appears to be an *antiseptic* of marvellous virtue, preventing animal decomposition after death, or promptly checking it if already commenced. Muscular flesh and all the animal tissues, when subjected to its action, become fixed for a long period of time in the precise form and condition in which they may happen to be at the moment of application, and natural colors, even to the most delicate shades, are preserved without the slightest change. The memoirs have been both handed over to a commission of the academy for examination. Experiments will be repeated in presence of the commission, and will be made the subject of a future report. If the promises of the sanguine discoverers are even nearly realized—*if, in addition to its anesthetic qualities, it possesses the new virtues ascribed to it*, chloroform will rank among the very first of the benefits conferred by science upon humanity. Among the new uses to which it may be applied are the conservation of animal food, ensuring fresh meat during the whole course of long sea voyages, the preservation of military and naval stores, and the keeping in museums of anatomical specimens which, as hitherto kept in alcohol, soon lose the original size, form, and color, becoming almost useless for the student's purposes. It may be efficiently used for disinfecting the pestiferous atmosphere of dissecting-rooms, rendering the dissection of the human body, hitherto so loathsome and so dangerous, a comparatively agreeable and harmless office. Chloroform will afford too the convenient and cheap means of preserving from corruption, and in a perfectly natural state, the bodies of friends, which, for removal or for other purposes, it may be desirable to keep uninterred an unusual length of time. These are only a few of the long list of benefits which chloroform in its new application is destined to confer.

The amusements of the season in Paris have commenced with unusual animation. Parties succeed each other rapidly, and, in spite of the retreat from the beau monde for a season of several of the leading fashionable families, who abstain from respect to the mourning in which the late royal family is involved, the parties are more frequent and brilliant than last year.

THIS IS TO GIVE NOTICE that the subscriber hath obtained from the Orphans' Court of Washington county, in the District of Columbia, letters of administration on the personal estate of James Mount, late of Washington county, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, on or before the 28th day of December next; they may otherwise, by law, be excluded from all benefit of said estate.
Given under my hand this 28th day of December.
SARAH ANN MOUNT,
jan 6—w3w Administratrix.

EDITED BY
THOMAS RITCHIE.

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Hon W H Seward

CONGRESSIONAL.

SPEECH OF MR. WALKER,

OF WISCONSIN,

On the bill to cede the Public Lands to the States in which they lie, on condition that such States shall severally convey the same to actual occupants only, in limited quantities, for cost of survey, transfer, and title muniments, merely; made in the Senate of the United States, on the 14th and 15th of January, 1851.

Mr. WALKER said: Mr. President, it will not be denied by any one that the senator from Michigan [Mr. FELCH] has entertained us with an able argument on his side of the subject under consideration. But his side—as I expected it would be—is the financial or money side *only*; and he has shown us but *one* side of that, but has done this with much ability. My side of the question is that which lies deep in the principles of political economy and the rights of the citizen; not, however, disregarding financial or pecuniary considerations, but holding these but secondary to the other. In presenting these, I shall present the view neglected by the senator. He shall also hear an answer to everything he has said, in the remarks I propose to submit; but as to any special answer or reply, it will be but incidental in passing. My main object at this time is to advocate the rights of labor as connected with the measure under discussion. I must, therefore, crave the senator's pardon and forbearance when I take leave of his speech, able as it is of its kind, with the observation that it was such conservatism as his which so long perpetuated the practice of imprisonment for debt, and still perpetuates in *too many localities the* right of the creditor to tear the bed *from the feeble mother, and the cradle from the still more feeble and defenceless infant. It is the rust upon the shield of a by-gone age; it must give place to the motto upon the shield of the present—"*ONWARD! ON WARD!"

The doctrine and theory of all civilized governments have been, that the *absolute* or *positive rights* of the people should be deemed of *first and paramount importance*, and the first to be *defended and protected*. The difficulty has always been, however, that this principle was known in doctrine and theory *only*, but never carried out in *practice*. Nor, sir, will it ever be so carried out until rulers and statesmen discover and acknowledge another truth: that from these absolute or positive rights—by which I mean life and personal freedom—there result also *certain absolute or positive wants and necessities*—alike in all men, whether affluent or destitute, and which cannot be resisted—such as of *food, clothing, and shelter*. *These* wants and necessities should receive the *first* care and attention of government; while such desires merely as are of a *relative* or *incidental* kind—by which I mean such as concern and pertain to trade, commerce, wealth, and luxury—should receive but a secondary consideration. The first *cannot* be neglected and man enjoy his *positive rights*; but the second *may*, and his *pleasures* only suffer. But every political historian and economist knows that the case has been directly reversed in practice—that man's absolute wants and necessities have been comparatively neglected, while the relative, incidental wants and desires of great classes have been met and provided for by the best energies of government. Hence we find under the British crown—particularly in Great Britain and Ireland—that while thousands upon thousands have starved, or gone without necessary food, clothes, shelter, and education—wealth and luxury, trade, commerce, and manufacture, have been promoted, protected, and fostered by all the machinery of summary eviction and clearance; distress for rent; primogeniture and strict-entail; game laws, church rates and tithes; uncontrollable banks, with more uncontrollable national debts; the most expensive navy of the world, with burdensome taxation and onerous duties—and these, too, upon the very bread of life until recently.

The same crushed condition of the people, so far as regards their positive necessities, will be found under all the governments of Europe; and, contemn the idea as you will, the fact exists—that the great cause of this is, *the disregard shown to these necessities of the people, in class-legislation, and the encouragement given by government to* LAND MONOPOLY AND AGGREGATION. But why this implied censure upon England and Europe, when, turning our eyes to our own country, we find so little less to complain of? Here, as in Britain, are thousands, and will be millions, in want and destitute misery. Here, as there, the mere incidental wants and desires of wealth, luxury, class, commerce, and manufacture are fast engrossing the fostering care and protection of government, to the entire exclusion and disregard of the resistless wants of human nature. In pursuit of this policy you have already created a naval establishment, the expense [illegible] Your customs establishment has cost a hundred millions more; and the administration of your customs costs, in addition, *two millions annually!* Your army list and war establishment *cost ten and a half millions more*, and increasing as time and years roll on! How much you have expended and will expend for the protection of commerce on the Atlantic and Pacific coasts, for harbors, fortifications, sea walls, breakwaters, buoys, beacons, light-houses, dry-docks, and coast surveys, God only knows! But when you come to western lakes and rivers—to the region of agriculture and labor—where the *producer* is interested in facilities for shipping his products, and in receiving with facility, safety, and cheapness, imported articles and home manufactures for consumption, *there* you would have it *unconstitutional* to ex[illegible] dollar for the protection of commerce. You have [illegible]

assures him *this* can never be done, and refers him to the last PATENT REPORT, where it is actually recommended that the fees, deposites, and forfeitures be increased—some of them *one hundred per cent.*

After having every impediment thrown in his way, and receiving neither look nor deed of encouragement, the man turns away with unavailing sorrow and disappointment—the anticipations and hopes of years, perhaps of life, blasted by the blow. He casts a furtive glance at the Capitol—*it is, indeed, but furtive!* He sees no hope of favor there; he is neither an official professor, nor a naval or army officer. He mentally muses with himself, and wonders what crime he or *his class* can have committed, that there should be such a distinction made. He thinks of the plow, the steam-engine, the cotton-gin, power-loom, and locomotive; he looks round upon your public edifices, and dwellings of ease and comfort, upon your ships of war and commerce, upon the very stones of the pavement at his feet, and remembers *that all were produced, constructed, or placed by minds and hands like his.* He therefore feels more keenly the injustice of your partiality—tastes more bitterly his own subject-inferiority.

Sir, I refer to these instances and cases only to illustrate your unjust and impolitic discriminations in favor of wealth, class, or station. I could proceed for the day to enumerate instances and classes of cases to prove that the wants of the necessitous working classes are either totally neglected or insultingly slurred, at the same time that the merest incidental desires of wealth and station are cared for and gratified with the most scrupulous politeness and promptness.

Sir, would you learn and practise the remedy? Would you produce content and happiness, and render firm and secure the institutions of your country? You must reverse your policy and practice—turn your attention *first* to the wants and necessities of the people as MAN, irrespective of his relations to wealth or station. Meet and provide for *these* wants, "and all things else will be added." I do not mean by this that you should provide by direct contribution; far from it. The intelligent workingmen of the country desire no such thing; they would scorn the proposition. Besides, they know full well, and by experience, that most of what you have to contribute—as in the case of the patent fund—was first drawn from their labor and pockets. But what they do desire—what they *demand* is, that you cease your class and job legislation; that you pass laws to operate equally upon all, and execute them with impartiality; that *they* may not be starved, but may have a fair chance in the race of enterprise. But above all, and as a means to this end, they demand that you shall no longer usurp the useful domain of the soil, and exclude them from a *rightful* occupancy of earth—leaving them but charity or sufferance tenants to those upon whom you now lavish your unneeded bounty; but that you surrender it to their free occupancy, as a means to them of life and independence—securing, at least, the indispensables of food, raiment, and shelter, through the exercise of their own energies and industry. They demand your negative action only—that you shall not *affirmatively* or *positively* oppress them. To this they are entitled—this they *will* have. In their name I now tell you that you must and *shall* reform the government to this extent; the reasons shall appear more manifest before I close. Grant *this* reform, and they will never ask *you* for contributions.

But you may say the scheme as proposed—embracing free land, homestead exemption, and land limitation—is impracticable. Sir, this is but the tyrant's answer to the call for reform in every age. Impracticable? Why, sir, it is not new; it was practised centuries ago. Its reverse—land monopoly—was only introduced with kings and monarchs; and its abandonment was the main cause of the fall of more than one ancient republic. The wonder of the wisest men has been that it should *not* have been practised through all ages since! I will present the views of one of those—than whose, the mind of no man ever ranged more widely through Nature—I mean the great and good ST. PIERRIE. I read from his "STUDIES OF NATURE," No. 7. In speaking of the evils and wretchedness occasioned by large landed accumulations in France, he says:

"I have been astonished that there is no law in France to prevent the unbounded accumulation of landed property. The Romans had censors, who limited the extent of a man's possessions to seven acres, as being sufficient for the subsistence of one family." "As ROME increased in luxury, it was extended to 500; but even this law was soon intriguèd, *and the infraction hurried forward the ruin of the republic!*"

He might have said the same of ATHENS and SPARTA.

"Conquerors have always met with feeble resistance in countries where property is unequally divided. Overgrown estates destroy the spirit of patriotism in those alike who have everything and those who have nothing [illegible] who raise them with courage to *defend* them. The sight of them in the field is as a prize exhibited in the middle of the stage to crown the conqueror.'"

"Such is the danger to which excessive accumulation of property exposes a State outwardly; but the internal mischief it produces among the citizens, and on the state of lands, is not less to be deplored. It is not upon the face of vast dominions, but in the bosom of industry, that the FATHER of mankind pours out the precious fruits of the earth."

"Enormous property causes poverty all over the kingdom. * * * In many places there is no employment for the peasantry during a *great* part of the year; but I shall insist only on their *wretchedness, which seems to increase with the riches of the district they inhabit.*"

"The district of Caux is the most fertile country in the world. Agriculture on the *great* scale is there carried to the height of perfection; but * * * you find *unbounded* [illegible]

the class you would send there, to purchase and consume the fabrics of the North and the peculiar fabrics of the South. If the population and production of the West should be doubled, the mutual interests of the North and South, in all these particulars, would be doubled also; and so on, in like progressive and corresponding proportions.

But, if the argument be still deemed fallacious, let me test it by another general argument. What, sir, is it but a knowledge and acknowledgment of my positions that have caused the Atlantic States to vie with each other in extending their public works toward the western country? Can it be possible they would have done so had there been no West? No; they have been and are so acting with a view to making their works the channels and their cities the marts of western trade. Would New York and Massachusetts now, if they could have rolled back upon them all their immigrant people, with the wealth they took away, consent, in view of their pecuniary interests, to see the West depopulated, and its production stopped? No, sir—not if you would give them to boot the entire cost of their western public works in money. If there were no West, they would have to lay up one-third of their boats and shipping, and diminish full one-third their manufactures. Comparative silence would reign where now the tireless locomotive, never resting, rolls, and commerce floats. When the West has advanced fifty years, they would not, for the sake of their commercial and manufacturing interests, set her back ten if they could; and it would promote their true interest to advance her in population and production fifty years in five, if in their power. Away, then, with your petty jealousies of the growing greatness of the West! While we remain of the same family politic—and God grant we may ever so remain!—our greatness is your greatness; the prosperity of each is mutual—our destiny the same.

[The Senate here adjourned, and on the next day Mr. WALKER resumed as follows:]

Mr. President, I have so far used general arguments only to prove the interest which the old States have in the measure before us. But let us try figures. The net proceeds of the public land sales for 1849 were $983,343. If this were distributed directly to the States according to population, New York would receive about $143,000 only, supposing the population of that State to be 3,250,000, and of the Union 22,500,000. Now, assuming the freight on the Erie canal for the same year to have been no greater than for the year 1846, the down-freight from Lake Erie was 506,830 tons, and the up-freight 49,000 tons, making an aggregate of 555,830 tons *for the new States alone*. On this the State toll was 24 cents per hundred pounds, yielding to the *State* $2,667,984 in tolls only. The freight on this tonnage, over and above the toll, was 15 cents per hundred pounds, making $1,667,490 more, paid to the *citizens* of New York for freight. The whole amount of tolls on the Erie canal for 1847 was $3,333,347, and on the other canals of the State $302,033—total, $3,635,380. To show that I have not over-estimated the relative proportion of western commerce to the aggregate, I will state that 1,431,252 tons were forwarded in the same year from Lake Erie alone, and reached tidewater; while only 313,031 tons reached tidewater in New York from all other quarters. No one can fail to perceive the immense importance of this trade to the State of New York, notwithstanding the West is yet in her infancy. What further New York and her people received from the thronging travel to and from the West; what more from the manufacture of western products; and what still more from the barter trade connected with them, here and in foreign markets, cannot be known; but the amount must have been immense indeed. Immense as it may have been, however, it would be doubled in future by doubling the production and population of the West.

The same may be said, to a great extent, in regard to most of the Atlantic States—classing Pennsylvania among them—if they will but strive for western trade as have New York and Massachusetts. Can they, then, desire to retard the growth of the West? Can such a degree of fatuity have seized upon them as to have rendered them blind to the deep and perpetual interest they have in settling the West with laborers and producers, and putting her lands under cultivation? Sir, if they owned those lands exclusively, it would redound to their interest to grant them free to actual settlement, and I have no doubt they would do it. France did so in Louisiana; Spain did the same in Florida and Mexico; and Mexico the same in her intendencies.

There is, then, no argument against the measure under consideration to be drawn from any supposed injustice in it. It contains not only compensating equivalents, but remunerating inducements to the old States to yield their acquiescence in its adoption.

But you may say, you possess and can retain all these advantages without ceding the public lands. We are arguing a question of *justice*; *this* argument sounds like one of right, based upon the score of our *necessities*. However, let it pass. That you possess these advantages I concede; that you can per force retain them, I deny. But suppose you could: is there no importance to you in having them doubled in ten instead of fifty years? Is the annual double of $2,667,984, nothing to New York as a State, compared with $143,000—her distributive share of the land-sale proceeds—and this received not directly, but incidentally only? But you cannot retain these advantages by your present policy. You will force us to become a manufacturing as well as an agricultural people; when woe-betide the commerce and manufactures of New York and New England, at least so far as the West and South shall be concerned. We have equal facilities with you in water [illegible]

like an ample remuneration for liberal treatment and a just policy.

Now, sir, keep your lands, and what will they net you for the whole ten years? Let us see: As before stated, the net money-proceeds for 1849 were $983,343. This is greater than they will ever be again, particularly if you make the last issue of bounty land warrants negotiable. But take this amount, and multiply it through the whole term, and you have but $9,833,433 for the *entire period*, compared to $8,336,152, the increase and saving of *one year alone* under the measure proposed, and the additional saving for the time, of $7,525,368—making an aggregate of $15,861,520.

Such would be the comparative results under your present revenue system; but if resort be had to direct taxation, the revenue advantages of this measure to the government over the policy of keeping the lands unproductive and untaxable would still be great. The extent cannot be calculated with certainty, but may be approximated. Then assuming that the amount of land which would become individual property and subject to taxation would be only three times the amount that would become so under your present policy, and the amount in ten years would be about 150,000,000 of acres. Supposing this to be worth, settled, $10 per acre, an *ad valorem* tax of only one mill to the dollar or ten cents to the hundred dollars would yield a revenue of $1,500,000, increasing annually in amount, but diminishing in rate; and which, added to the expense saved, $836,152, makes an aggregate of $2,336,152, to be compared again with $983,343 only, and that continually decreasing in amount to the government. Add to all this the vast national wealth which would be created by the encouragement and impetus given to agricultural production, and the pecuniary and revenue advantages of the measure we are discussing will appear incalculable. Let one item suffice as an example: Suppose but one-fourth of the land I have mentioned to be cultivated in wheat in 1861, and to produce but ten bushels per acre, (it will produce from twenty to forty)—the value of this, at 80 cents per bushel, would be THREE HUNDRED AND TWENTY MILLIONS OF DOLLARS! And yet we have said nothing of horses, cattle, sheep, beef, pork, wool, cotton, sugar, rice, tobacco, hemp, flax, and the various other products of labor and agriculture, all of which constitute a vast source of revenue as well as of individual comfort.

Perhaps the senator from Michigan begins to perceive by this time that there are two sides to this view of the question. If not, I must notice one other objection urged by him. It was this: "that the measure would depreciate property now held by States and individuals." Why, sir, the very opposite would be its effect. In the country, as in the city, it is not the *price* demanded or asked for one lot of land that increases the value of that adjoining; but the *improvements made and the business done upon it.* Take the land owner in a sparse settlement of the West; and could you do him a greater favor than to give the lands about him to those who would settle and improve them?—create a necessity for, and the means to support, schools, roads, mills, workshops, and villages? Or, take the New York and Boston Land Company, whose lands stretch across the State of Illinois; how could you benefit them more than by settling the lands about them, and hemming in theirs with improved farms? The same may be said of the school and other lands of the States. Why, really, sir, if I had not known better, I should have supposed, when the senator was urging *this* objection, that he yet lived in *Maine*, instead of Michigan. As it is, I must think he has lived a very superficial observer. The property of the non-landholding State would be increased in value, through the increased importance of the commerce and trade of those States, as before stated. To you of the old States I repeat: You have every inducement to yield the measure under consideration. Why *do* you—why *will* you withhold it? It can be but from two other considerations: *that of political power, and that of herding and crowding your laboring population*, UNTIL YOU CAN FORCE DOWN THE WAGES OF LABOR TO THE EUROPEAN STANDARD.

In regard to the first of these, I again think you reason from false premises to erroneous conclusions. You may lose relative political power through this measure, by promoting the growth of the West; but this is inevitable, whatever policy you may pursue; for if the West do not receive your surplus poor and suffering population, it will receive, though not so soon, a full equivalent in numbers of your abler population. If you fear to suffer a *positive* loss of political power by a diminution of your present numbers, remember this would equally be the case whichever class the West might receive. But is this possible, or at least probable? When, for the same period of time, have you ever given off so many of your numbers to people the West, as since 1840? And when, for a like [illegible] you ever increased so rapidly in population? [illegible] developed within that time, gives reputation [illegible] invites immigration to the *whole* country; which immigration, together with your natural increase, more than makes up your loss and *usual* increase.

If to accumulate and crowd a surplus laboring population until you have driven it to European want and misery, until you have forced down wages to a European standard, be your motive for withholding the public domain from free settlement, you might as well—you had better abandon it, if you love your country. I tell you what you know: this can never be done under *this* government—it can never be done, *and this republic stand.* You must first [illegible] it into a tyranny or despotism first. [illegible] God, you have no power here, as in England, to [illegible] men to Van Dieman's Land for seeking to obtain a pittance for their labor sufficient [illegible]

glory of his country, while he rejoices that wealth exists to advance as well its splendor.

Who would not rejoice at so pleasing and peaceful a harmony in the political and social system? And yet it is but the consummation of true democracy—but the fulfilment of the designs of our fathers when they declared "that governments were established among men to secure the *absolute*, the inalienable right to life, liberty, and the pursuit of happiness, with which men were endowed by their CREATOR." Cement thus the affections of the people to your government and institutions, and the eternal pyramid stands not more firmly on its base, than will this republic and the UNION stand upon their foundation.

But as things now progress and tend, we can console ourselves with no so pleasing contemplation. We are hurrying on to a day of destitution and dependence to the laboring multitude, and of danger to the country, much faster than many would suppose who suppose without reflection or investigation. We are approaching it much more rapidly than the flight of time, the increase of population, and the aggregation of land would seem alone to indicate. Improved machinery—a great and providential blessing in itself, under a properly regulated political and social system—is now performing labor which the most numerous laboring population could not perform. True, there is a slight compensation in the fact that this does not consume the necessaries of life, and affords cheaper fuel and some other necessaries to the laboring poor in large cities; but if you exclude the poor and landless from the soil, and monopolize their labor elsewhere by machinery, how are they to obtain of these necessaries even the superflux of luxury?

In a report on manufactures, made in 1832, Mr. ADAMS estimates the mechanical machinery of Great Britain [illegible] *to have been equal to the labor of two hundred millions of persons!* It will now at least double the amount of that number, as will also that of this country. From data furnished by McCulloch, it appears that, with the present machinery, each hand in a cotton mill performs more work than two hundred could without it eighty years ago. We have the testimony of FAREY and Dr. TAYLOR to the same purport. Reduce these performances to those of individuals, and you will find that the manual energies of ten-fold our present population would be unequal to them. From this we can appreciate our rapid increase in labor-numbers. Now, bear in mind that this machinery works in competition *with* the laborer, but rarely *for* him, and you will perceive the extreme justice and necessity of allowing him to turn for subsistence to the soil, when you have supplanted him in his labor by a machine. But much more plainly will you perceive this when you reflect that, in addition to the other embarrassments of the laborer from competing machinery, you compel him to *sustain and foster that competition, by forcing him to pay a tribute or tariff of ten to forty per cent. upon its products!* Could there be a more glaring instance to show that not only are the mere incidental wants of *wealth* held superior to the absolute wants or necessities of *man*, but that his very life's blood itself, or, if not his blood, his bread, must be taken to minister to and gratify them. In justice, cease to demand this tribute of the laborer, or make its payment optional, by allowing him the alternative of digging subsistence from the earth. Tariff protection, *with* free land, *might* be consistent, but *without* it—NEVER!

But it may be said that the laborer receives an equivalent for the competition of machine labor in the reduced price at which he is enabled to purchase the products of that labor for his own use and consumption. This would be *somewhat* true if it were not also a fact, *that a reduction of the price of machine products, produces a corresponding or greater reduction in the price of manual labor.* Machinery over-produces, and consequently its products fall. The machine owner *will not* produce without a *profit*; he *cannot* lie idle without a *loss*. He therefore takes from the wages of his manual labor, not only what will meet the fall in machine products, but what will leave him a profit besides; and so goes on *producing* and *reducing*. A little struggle follows—a "strike" perhaps—but hunger, and the tearful appeals of hungry children or of aged parents, soon bring back the toiler to her scantier crust.

Now, sir, if land be dear, what alternative has the landless laborer in such an extremity but to surrender his life or his freedom?—but to *starve*, or to become an abject dependant? And land is sure to become dear. Machinery having driven so many from the bench, the anvil, and the workshop, to take refuge in the soil, like everything else the soil becomes scarcer and scarcer in proportion to the demand, till at last it can no longer be had at living rates; for, unlike everything else in which wealth is permitted to speculate, its quantity cannot be increased as the demand is enlarged. Starvation or passive dependence is the result to landless industry, while, in the language of LORD JOHN RUSSELL, "the [illegible] world looks on, agape, and wonders why it is so. The true reformer—whose voice is rarely heard, and still more rarely heeded—may see and tell the cause, and point out the remedy; but no one hears—no one pities! Over the dying and the dead the wheel, remorseless, rolls along! Great men sit supinely by and cry "All's well!" or console themselves and their country with the reflection, that the *future* wretchedness and enslavement of their *own* race are to prove the more wretched emancipation of *another*, *now* enslaved. Others will sneer at truths and facts so manifest—and which they cannot refute or answer—while they urge on labor to the brink and gulf I have mentioned, and claim at the same time that they are the only liberty-loving patriots of the land.

To illustrate the effects of land monopoly and machine labor, let us advert to the history of [illegible]

sections, or 640-acre tracts. The sale in half and quarter sections was not authorized till 1804; and in half-quarter sections, or 80 acre tracts, not until 1820—down to which time the price was continued at $2. It was not until the 5th of April, 1832, that the man with $50 only could obtain an acre of the vast public domain; for it was then only that the sale in quarter-quarter sections, or 40-acre tracts, was allowed. Even then, or the next year, you required the humble purchaser to take an oath appalling in its terms! This is the oath:

"I do solemnly swear that the land is intended to be entered for my *personal* benefit, and not in trust *for another*, and that the same is intended *for the purpose of cultivation*; and that I have not entered under the act of 5th April, 1832, or under the act of 2d March, 1833, at this or any other land office of the United States, any land in quarter-quarter sections in my own name, or in the name of any other person—so help me God!"

Surely one would have thought the country might have spared the humble seeker of a home for himself or child this last embarrassment and humiliation. From him who had the means and desire to purchase ten thousand acres with which to speculate upon the necessities of his FELLOW-CITIZENS, no oath was required; but he who possessed but $50, and who, from seeking to expend it for land, gave the best evidence of an intention to make it a home, and from it obtain an independent living, must *swear*, notwithstanding, that such was his design.

It has been your practice for a quarter of a century to appropriate land by millions of acres, in alternate sections, to construct channels and avenues of commerce, and to make the laboring and producing settler pay for the alternates not appropriated.

But, sir, *as if all this were not enough to foster speculation and embarrass productive industry, you have for the last four years been running wanton riot in your legislation* to promote the ends of land monopoly. You have issued millions upon millions in amount of assignable Mexican bounty-land warrants, operating, not for the benefit of the soldier, but of capital, as a paper medium with which to monopolize on speculation the fairest portion of the people's heritage. As if this were still not enough, last session you authorized the issue in warrants of unknown millions more; and because you did not make *these* negotiable, mad fury rages among the horde of night-besetting, hound-tongued agents and speculators throughout the land; and members, as if casting no look to the future, are striving at this session to cut loose this last and only security to the soldier's boon, that it, too, may be coaxed or torn from the hand of war-worn need. But above and beyond all, as the very crowning thought of wrong and folly—as if determined to plunge the country into Russian-labor bondage—some are now entertaining, with serious complacency, the hideous project of giving, for a few cents per acre, OVER ONE HUNDRED MILLIONS OF ACRES TO ONE MAN, to "*enable*" him to make a railroad!—a territory equal in extent to the States of New York, Pennsylvania, Virginia, and Delaware!

Sir, if I read aright the signs of the times, the working masses of the people have resolved that you shall change your policy and practice—that you shall partly turn your cares from the exclusive thrall of luxurious incident. They are discontented and unhappy. Aside from present care and want, and that sense of dependence and subjection with which your class-discriminations have depressed them, they feel and know—they cannot close their eyes to the fact—that the policy you are now pursuing portends a gloomier day in the future for them or their children. Already, where most crowded, the more favored are but able to obtain through the week what at its close will procure the meanest comforts for their families. If sickness overtake them, or misfortune come, or if for a few days work cannot be had, real destitution and suffering or insolvable debts are the result. If they would go West, to the public lands—the asylum and refuge of distress—and have the present means to make the journey, *they* have no more; or, if they have a little more, knowing the expense and time of putting in even a small farm, they know *that* little will be exhausted; they despair of ability to buy the land when it shall come into market. They know that when their first stack is gone it will require all their earnings to support increasing family; that for some years they can lay up nothing to save their labor and improvements from the blood-lured grasp of the speculator. They consequently remain where they are, toiling on to an uncertain destiny, with no consolation from the past, few comforts or enjoyments for the present, and less but more gloomy hopes for the future. They see that machinery is fast pushing them from the stage of human labor—that already their bread, to some extent, depends upon the price of machine products, and that [illegible] are forced to pay to keep it up. As a substitute, they are offered no resource in the FIFTEEN HUNDRED MILLIONS of the public land; but are compelled to meet the certain, dread alternative of starvation, or comfortless dependence! Sir, disguise it as you may, there is none other left, unless you soon concede their right to freely dig subsistence, independence, and comfort from the earth. Do this, and their well-founded fears will be removed. Cease your favoritism in the blessings and bounties of government, and they will lose the sense of subject-inferiority with which your unjust discriminations have bowed them down.

But, sir, you will never do these things *willingly*; yet you *will do them*. The working number—thanks to God and the *form* of our government—hold the means to compel you. They hold the *ballots* [illegible]

[illegible] promoted, protected, and fostered by all the machinery of summary eviction and clearance; distress for rent; primogeniture and strict-entail; game laws, church rates and tithes; uncontrollable banks, with more uncontrollable national debts; the most expensive navy of the world, with burdensome taxation and onerous duties—and these, too, upon the very bread of life until recently.

The same crushed condition of the people, so far as regards their positive necessities, will be found under all the governments of Europe; and, contemn the idea as you will, the fact exists—that the great cause of this is, *the disregard shown to these necessities of the people, in class-legislation, and the encouragement given by government to* LAND MONOPOLY AND AGGREGATION. But why this implied censure upon England and Europe, when, turning our eyes to our own country, we find so little less to complain of? Here, as in Britain, are thousands, and will be millions, in want and destitute misery. Here, as there, the mere incidental wants and desires of wealth, luxury, class, commerce, and manufacture are fast engrossing the fostering care and protection of government, to the entire exclusion and disregard of the resistless wants of human nature. In pursuit of this policy you [illegible] the expense of which for this year is estimated at NINE AND A HALF MILLIONS OF DOLLARS! Your customs establishment has cost *a hundred millions more*; and the administration of your customs costs, in addition, *two millions annually!* Your army list and war establishment *cost ten and a half millions more*, and increasing as time and years roll on! How much you have expended and will expend for the protection of commerce on the Atlantic and Pacific coasts, for harbors, fortifications, sea-walls, breakwaters, buoys, beacons, light-houses, dry-docks, and coast surveys, God only knows! But when you come to western lakes and rivers—to the region of agriculture and labor—where the *producer* is interested in facilities for shipping his products, and in receiving with facility, safety, and cheapness, imported articles and home manufactures for consumption, *there* you would have it *unconstitutional* to expend a dollar for the protection of commerce. You have established institutions for the education of your military and naval officers *at government expense*; while you have but grudgingly doled out the "*sixteenth section*" for the education of laboring multitudes. Millions upon millions of the public domain have been expended—chiefly for the benefit of capital and corporations—in the construction of railroads and canals; but not *one* acre has ever been appropriated to promote the direct interests of agriculture or the mechanic arts.

Your class legislation and favoritism are of the same tendency and character here as in England and Europe, but far less excusable; for here you *profess* the doctrine of *equality*. You appropriate $20,000 to *one* army or naval officer for his invention of an apparatus with which to elevate and point your cannon, and hundreds of thousands more to enable *another* to "experiment" with his invention of a submerged wheel for your war-steamers. But, on the other hand, two poor, but ingenious mechanics—Wright & Blanchard—have been literally robbed and plundered of the two most useful and beautiful inventions of the day. You appropriate $20,000 to *one professor* to "enable" him to "experiment" with and *perfect* his invention of the *electro-magnetic telegraph*, and $20,000 more to *another*—and a government officer, also—for *experiment* with his *electro-magnetic engine*. But when the destitute mechanic and inventor makes his appearance—having expended his last farthing, and the toil of years, to perfect *his* invention—*he* is referred to the Patent Office for the only favors and privileges to be obtained. There, after having *paid* the fee of thirty dollars, which, perhaps, he has borrowed, and one-third of which he must now forfeit, he is informed that his specification and claim are informal; that his drawings and model are insufficient; that he must employ a "patent-agent" to perfect his papers and drawings, and a model-maker to construct a new model. He has no more money for these purposes, but he has good sense. He inquires what has been done with *the immense fund which must have accumulated from the sums paid into the office by inventors. Is no part of it appropriated to employ persons to draught papers and drawing for those who cannot do it themselves?* He is answered *no*; and is informed that up to 1st January, 1849, a surplus fund had accumulated to the amount of $216,468, a small part of which would have answered the purposes mentioned, but that Congress had *higher* uses for the fund, and appropriated $8,000 of it to pay "for collecting agricultural *statistics*"—*not to advance the interests of agriculture*, but simply to collect statistics of what agriculture had reached by its own *unaided and unencouraged energies*: one thousand dollars more for "a chemical analysis of the various substances used as food by man and beast"—not to furnish them food or facilities for obtaining it—oh, no—but simply to analyze what they *did* eat—to furnish employment and support for another professor, while he ascertained for the common herd of men and beasts the quantity of gelatin, albumen, and fibrin in a beef's shank or a pig's foot; of glutin and starch in a watery potato; and of prussic acid in a red cabbage. He is further informed that the whole remainder of the fund, to the amount of $207,468, was appropriated, with $32,532 in addition, to build marble wings to the Patent Office; not, however, for the *use* of the Patent Office, or of the mechanic and inventor—for the present building were ample for that purpose, if it were devoted to it—but for the use of the "Interior Department," and of a "National Institute" or museum, in which to deposite the bugs and lizzards, snakes, alligators, and ourang-outangs, brought home by your various EXPLORING EXPEDITIONS!

The patent claimant suggests, perhaps, that this is all wrong; that if no part of the fund can be applied to lighten some of the burdens of *his* class, at least the fees and deposites required should be reduced, and no further surplus be allowed to accumulate, but remain in the pockets of the inventor. The Commissioner, however, it is not new; it was practised centuries ago. Its reverse—land monopoly—was only introduced with kings and monarchs; and its abandonment was the main cause of the fall of more than one ancient republic. The wonder of the wisest men has been that it should *not* have been practised through all ages since! I will present the views of one of those—than whose, the mind of no man ever ranged more widely through Nature—I mean the great and good ST. PIERRIE. I read from his "STUDIES OF NATURE," No. 7. In speaking of the evils and wretchedness occasioned by large landed accumulations in France, he says:

"I have been astonished that there is no law in France to prevent the unbounded accumulation of landed property. The Romans had censors, who limited the extent of a man's possessions to seven acres, as being sufficient for the subsistence of one family." "As ROME increased in luxury, it was extended to 500; but even this law was soon infringed, *and the infraction hurried forward the ruin of the republic!*"

He might have said the same of ATHENS and SPARTA.

"Conquerors have always met with feeble resistance in countries where property is unequally divided. Overgrown [illegible] to those alike who have everything and those who have nothing. 'The shocks of corn,' said Xenophon, 'inspire those who *raise* them with courage to *defend* them. The sight of them in the field is as a prize exhibited in the middle of the stage to crown the conqueror.'"

"Such is the danger to which excessive accumulation of property exposes a State outwardly; but the internal mischief it produces among the citizens, and on the state of lands, is not less to be deplored. It is not upon the face of vast dominions, but in the bosom of industry, that the FATHER of mankind pours out the precious fruits of the earth."

"Enormous property causes poverty all over the kingdom. * * * In many places there is no employment for the peasantry during a great part of the year; but I shall insist only on their *wretchedness, which seems to increase with the riches of the district they inhabit.*"

"The district of Caux is the most fertile country in the world. Agriculture on the *great* scale is there carried to the height of perfection; but * * * you find *unbounded affluence* on the one hand and *extreme indigence* on the other."

I shall not now go further into the general principles of this measure, but shall content myself with discussing, more in detail than formerly, its practical bearings and the necessity of its adoption for the safety of the country and the people. It will be found far more practicable to adopt and enforce it than to perpetuate the republic a century longer without it.

Its practical bearings are most important in their effects upon the old States which contain no public land, and should be considered first, in view of the objection *that the measure proposes to take what belongs to the whole and give it to a part*. This objection involves a consideration of two questions: first, that of constitutional power; second, that of justice and expediency.

The first question is easily disposed of; for, by the constitution itself, Congress has the express power "to dispose of, and make all needful rules and regulations respecting the territory and other property belonging to the United States." It is, after all, but a question of discretion in Congress, to be determined by the answer to the second question—that of justice and expediency. This, again, must turn upon a just conception of the compensating equivalents of the measure, considered in its broadest view. Now, if it can be shown that there are equivalents in the measure, fully or more than compensating the old States for the loss they would sustain by it, then the question is settled in the affirmative—that the measure is both just and expedient, so far as those States are concerned. I shall now endeavor to show this; and, to do so, shall show it to be their true interest to promote the production of the West.

The old northern States are, properly speaking, not agricultural-producing, but commercial and manufacturing States. Most of them, it is true, engage more or less in agriculture; but they are not, and never can be, the chief producing States. These, for one class of products, must ever be the inland States—mostly those of the *Mississippi valley. The old States of the North are commercial, by reason of their proximity to the Atlantic seaboard; they are manufacturing, because of their* great supply of water-power, coal, and minerals; they are *both* commercial and manufacturing, because both pursuits combined constitute for them a better interest than agriculture, if their lands were even adapted to the latter pursuit.

As to the old southern States, the North and West produce what they *do not*—they produce what the North and West *cannot*. Each is interested, therefore, in the largest production by the other.

Now, every commercial and manufacturing community is interested in having country tributary to it which produces, largely, the raw material of its fabrics and the staples of its commerce. I do not use the term *tributary* in its national-law sense; but in that sense only which implies a necessity, from natural causes, of dependence in the tributary country for *facilities* in its main pursuit. In this sense, we of the West—particularly of the Northwest—are, and ever shall remain, tributary to the Atlantic States, if we adhere to agriculture. We must always use and pass their channels and avenues of commercial transport in reaching market with our surplus. In a country producing a large agricultural surplus, neither the greatest profit nor loss is made or sustained in the mere production, but in the manufacture of the products, and in the carrying and barter trades connected with them. With our tributary position, these profits must always be monopolized by the old States; and the greater our production, the greater the profit thus realized by them. Hence it is plain that the more western land you can put under cultivation, and the more producers you can establish there, the more you enhance the interests of the commercial and manufacturing States in the items mentioned. But, further, you vastly increase the ability of [illegible] nected with them, here [illegible] cannot be known; but the amount must have been immense indeed. Immense as it may have been, however, it would be doubled in future by doubling the production and population of the West.

The same may be said, to a great extent, in regard to most of the Atlantic States—classing Pennsylvania among them—if they will but strive for western trade as have New York and Massachusetts. Can they, then, desire to retard the growth of the West? Can such a degree of fatuity have seized upon them as to have rendered them blind to the deep and perpetual interest they have in settling the West with laborers and producers, and putting her lands under cultivation? Sir, if they owned those lands exclusively, it would redound to their interest to grant them free to actual settlement, and I have no doubt they would do it. France did so in Louisiana; Spain did the same in Florida and Mexico; and Mexico the same in her intendencies.

There is, then, no argument against the measure under consideration to be drawn from any supposed injustice in it. It contains not only compensating equivalents, but remunerating inducements to the old States to yield their acquiescence in its adoption.

But you may say you possess and can retain all these advantages without ceding the public lands. We are arguing a question of *justice*; *this* argument sounds like one of right, based upon the score of our *necessities*. However, let it pass. That you possess these advantages I concede; that you can per force retain them, I deny. But suppose you could: is there no importance to you in having them doubled in ten instead of fifty years? Is the annual double of $2,667,984, nothing to New York as a State, compared with $143,000—her distributive share of the land-sale proceeds—and this received not directly, but incidentally only? But you cannot retain these advantages by your present policy. You will force us to become a manufacturing as well as an agricultural people; when woe-betide the commerce and manufactures of New York and New England, at least so far as the West and South shall be concerned! We have equal facilities with you in water-power, and greater in steam, for we have cheaper combustible. Our resources in coal, iron, lead, copper, timber, lumber, clay, and limestone are inexhaustible. We can beat the world in wool growing, and are nearer than you to the cotton region—with the broad Mississippi to float our interchanging products; its contributing branches—the Arkansas, Red river, Ohio, Wabash, Illinois, Missouri, and Wisconsin, and their tributaries—winding past our every domicil and hamlet; with railroads and canals in progress, to unite the whole. All we lack is capital, which we are fast acquiring, and shall soon have—the sooner by the defeat of this bill: for if we do not by its provisions receive as population such as desire and will be contented with *small* posessions, we will receive those who, lured by the increasing value of western lands and resources, will bring capital with them, and employ it where there is less competion, with a view to obtaining *large* possessions. When we shall have capital you will find no mean competitor in the mighty West in manufacturing; nor will Boston, New York, Philadelphia, and Baltimore find trifling competitors in Charleston, Mobile, and New Orleans, as commercial marts. The latter is our *natural* mart anyhow, by reason of the down-stream navigation, without toll or storms, to her very wharves; and the two former will be *more* naturally so than the eastern cities named, when the great central rail-road from Chicago to Mobile, with its branch roads, shall have been completed. As manufacturers, too, we will be in the centre of population and a home market, while we are far removed from competing imports, with which you will have to contend after the embarrassing withdrawal of your now western and southern market.

It will be perceived that we may be kept *voluntary*, but can never be made *compulsory* tributaries of the old eastern States. Settle the public lands with an agricultural people, and we remain the former; *drive* us to manufacturing, and we will neither be that nor the latter.

The practical bearing of the measure upon the revenues of the government is of next importance. I will repeat *a truism and opinion, expressed by me on a former occasion, for the purpose of briefly enlarging upon it, premising, however, that it is a little wonderful that it* should not have struck the senator from Michigan while presenting *his* side of the same subject. It is this:

"Until direct taxation shall be resorted to, the great and important source of revenue to the government must be duties on foreign imports. Now, every one knows that the amount thus to be received is enhanced as the number of consumers of foreign imports is increased. Hence I contend that the revenue would be increased by the policy proposed; for, by increasing the number of agricultural producers, you increase the number of import consumers, and their ability to consume—or, in other words, their ability to *purchase* for consumption. The government, I have no doubt, would be the gainer in her revenue after *sacrificing* her receipts from the public lands"

No one except the senator will deny, I presume, that the measure would establish as producers, within the next ten years, at least five hundred thousand persons. Now, supposing that by the tenth year the ability of these persons to purchase and consume dutiable articles would be increased but $50 each, here would be an increased consumption in value of $25,000,000. The increase of revenue from this source alone, at the present tariff of 30 per cent., would be $7,500,000 for the year 1861. Add to this $836,152—the annual expense of the present land system, which would be saved to the government—and you have an aggregate increase of revenue for that year alone, without estimating the intermediate increase and saving, of $8,336,152. The *saving* alone for the whole period would be $8,361,520. This is an increase of revenue, as BURKE would say, "through the political secretions of the country;" but the senator from Michigan says it is but *one part of the community paying for what is enjoyed by the other*. It looks to me a good deal [illegible] superficial observer. The property of the non-landholding State would be increased in value, through the increased importance of the commerce and trade of those States, as before stated. To you of the old States I repeat: you have every inducement to yield the measure under consideration. Why *do* you—why *will* you withhold it? It can be but from two other considerations: *that of political power, and that of herding and crowding your laboring population*, UNTIL YOU CAN FORCE DOWN THE WAGES OF LABOR TO THE EUROPEAN STANDARD.

In regard to the first of these, I again think you reason from false premises to erroneous conclusions. You may lose *relative* political power through this measure, by promoting the growth of the West; but this is inevitable, whatever policy you may pursue; for if the West do not receive your surplus poor and suffering population, it will receive, though not so soon, a full equivalent in numbers from your abler population. If you fear to suffer a *positive* loss of political power by a diminution of your present numbers, remember this would equally be the case whichever class the West might receive. But is this possible, or at least probable? When, for the same period of time, have you ever given off so many of your numbers to people the West, as since 1840? And have [illegible] increased so rapidly in population? Never. The reason is, the natural richness of the *West*, developed within that time, gives reputation and invites immigration to the *whole* country; which immigration, together with your natural increase, more than makes up your loss and *usual* increase.

If to accumulate and crowd a surplus laboring population, until you have driven it to European want and misery, until you have forced down wages to a European standard, be your motive for withholding the public domain from free settlement, you might as well—you had better—abandon it, if you love your country. I tell you but what you know: this can never be done under *this* government—it can never be done, *and this republic stand*. You must fuse it into a tyranny or despotism first. Thank God, you have no power here, as in England, to transport men to Van Dieman's Land for seeking to obtain by combination a pittance for their labor sufficient to allay the cravings of nature. Nor dare you *do* what Louis Philippe *did* in '45—send the soldiery to work in place of the carpenters who had abandoned their employment because they could not obtain for their labor a like pittance. You know too well the results of this to him.

But it can hardly be that this is with any one an actuating motive in his opposition to this measure. It would barely seem possible that an American could desire to see his countrymen rendered so wretched as to be driven to labor in the mines or at the forge for fourteen cents a day, as in Sweden the laborer is compelled to do; or as in Russia, where, by the testimony of Erman, the laborer is compelled to toil at the forges or the mines of the Ural mountains, thirteen and a half hours per day, for eight and a quarter kopeks, (*less than a penny*,) if single, but with the addition of eighty pounds of rye-meal per month *if he be a man of family*; where the yearly wages of labor are but *four Prussian dollars!* Though this is bitter, cheerless toil to the laborer, its fruits are sweet to the Russian tyrant, as they doubtless would be to the American who might desire a similar state of things at home. Those fruits are, that the Russian iron-master is enabled to manufacture iron, to transport it from the Urals in boats, three thousand miles to St. Petersburg—descending on the route nine hundred feet, and ascending again six hundred more to the point of shipment—and to ship it thence four thousand miles to our shores, and here, after paying a duty of thirty per cent., to undersell the American iron-master, and return with wealth to revel in Russian luxury. These are the wages and these the fruits of that system of toil which such an American—*if such there be!*—would impose upon gaunt and useless poverty. May Providence put far hence the sad day! When it shall come—and come it must as things now tend—the prophetic words of the senator from Kentucky, [MR. CLAY,] in his late speech at Lexington, will have been fulfilled. In speaking of the future, he says:

"The density of the population of the United States will then be so great, there will be such reduction in the price of labor, as to render it much *cheaper* to employ free than *slave labor*; and slaves becoming a burden to their owners, will be voluntarily disposed of, and allowed to go free."

And are we, then, approaching so mournful a condition in the affairs of the working classes? Yes, it is too true! and as surely *will* we reach it as that other countries *have*, unless we use the preventive before it be too late. But before we reach it—though it may be soon—the triumph of oppression, accumulated wealth, and heartless luxury over the struggles of the destitute for food and freedom, will have thrown this republic, with its liberty and glory, into the dark receptacle of things that are no more—the past! Before this final triumph poverty and toil will have made many fitful efforts for relief, and to be free; but power will gather power, and wealth increase in wealth, till crowded want, at last worn out and starved, must sink down in hopeless need and servitude. This has ever been the result in every land; it *will* be the result in this, unless you now, or soon, to some extent, withdraw your cares from the mere incidents of life, and class and luxury, and turn them to the absolute and never-ceasing wants and demands of *man* and *nature*. To do this to any effect, you must secure to man *as man* a *rightful* place on earth. Leave the great *mass* dependant upon the *few* for a mere *charitable* tenure in the soil, and you leave them with but a charitable tenure in their lives or their liberties. But allow them a *certain tenure and right to its possession*, and they can use it for the purpose, at least, for which the Creator gave it—that of *independent self-subsistence*. From the earth each individual can obtain, if no more, his *food* and *raiment*, and on it have a *home*. With these he can hurl a yeoman's defiance at petty tyranny, defend the State, and advance the true [illegible] somewhat true if it were not also a fact, *that a reduction of the price of machine products, produces a corresponding or greater reduction in the price of manual labor*. Machinery over-produces, and consequently its products fall. The machine owner *will not* produce without a *profit*; he *cannot* lie idle without a *loss*. He therefore takes from the wages of his manual labor, not only what will meet the fall in machine products, but what will leave him a profit besides; and so goes on *producing* and *reducing*. A little struggle follows—a "strike" perhaps—but hunger, and the tearful appeals of hungry children or of aged parents, soon bring back the toiler to her scantier crust.

Now, sir, if land be dear, what alternative has the landless laborer in such an extremity but to surrender his life or his freedom?—but to *starve*, or to become an abject dependant? And land is sure to become dear. Machinery having driven so many from the bench, the anvil, and the workshop, to take refuge in the soil, like everything else the soil becomes scarcer and scarcer in proportion to the demand, till at last it can no longer be had at living rates; for, unlike everything else in which wealth is permitted to speculate, its quantity cannot be increased as the demand is enlarged. Starvation or pau[illegible] In the language of LORD JOHN RUSSELL, "the higher classes advance in luxury beyond measure." The world looks on, agape, and wonders why it is so. The true reformer—whose voice is rarely heard, and still more rarely heeded—may see and tell the cause, and point out the remedy; but no one hears—no one pities! Over the dying and the dead the wheel, remorseless, rolls along! Great men sit supinely by and cry "All's well!" or console themselves and their country with the reflection, that the *future* wretchedness and enslavement of their *own* race are to prove the more wretched emancipation of *another*, *now* enslaved. Others will sneer at truths and facts so manifest—and which they cannot refute or answer—while they urge on labor to the brink and gulf I have mentioned, and claim at the same time that they are the only liberty-loving patriots of the land.

To illustrate the effects of land monopoly and machine labor, let us advert to the history of labor in England.

By a statute of EDWARD III, passed in 1350, the daily wages of farm-laborers were fixed at 3½d. At that period wheat was worth 5d. per bushel. Reapers wages were fixed by HENRY IV at 5d. per day; wheat being worth 6d. to 7d. per bushel; oxen, 12s. to 16s.; and butter three farthings per pound. In harvest-time a laborer could pay for a pair of shoes with a day's labor, and with the wages of a week could buy cloth for a suit of clothes, or with the same could buy four bushels of wheat. At a little later period, we find the British statutes mentioning "beef, pork, veal, and mutton" as "being the food of the poorer sort." Now the value of a bushel of wheat is, and has long been, $1 95; while a week's wages are but about $1 93. Beef is worth thirteen cents per pound; mutton, fourteen cents; a fat sheep, $10 to $12; butter, twenty cents per pound; and cheese, fourteen cents. Of course the laborer can have no comforts. "The farm-laborer is compelled to feed his family on potatoes and salt—a very little bread and lard, with some scalded milk." He must toil incessantly to preserve mere animal existence; for the mind or the future he can make no provision. And this is labor's life in Britain! The British Queen might well exclaim, with old King Lear—

"Poor, naked wretches, wheresoe'er you are,
That bide the pelting of this pitiless storm,
How shall your houseless heads and unfed sides,
Your loop'd and window'd raggedness, defend you
From seasons such as these? Oh! I have ta'en
Too little care of this."

Cross the channel from England, and in Ireland the case is still worse. We have the authority of a speech made in Parliament by Mr. HENRY GRATTAN for saying that there perished of starvation *over one hundred and sixteen thousand persons* during the late famine. Nearly as many perished in the famine of 1822. These are some of the frighful results of the causes I have mentioned, under the very throne of England, and within seven days' sail of America!—*in a country, too, with a population not exceeding thirty millions; while her best authorities admit her land to be capable of sustaining in high comfort a population of one hundred and eighty millions*, if the people were *allowed* to cultivate it—in a country, furthermore, where "the higher classes have advanced in *luxury* BEYOND MEASURE!"

If since Henry VIII England has advanced beyond precedent in luxury, useful knowledge, and the arts and sciences, it has been at this fearful expense to life and human comfort, through an almost total neglect of the wants and necessities of her people. While machinery has usurped the province of human labor, and cut off that source of human subsistence, legislation and land monopoly have cut off the only other—a resort to the bosom of the earth. We are treading fast upon her footsteps, and, under our present course of policy, cannot long boast a happier condition for our working poor. Still, there has existed no necessary cause in England why her laboring population should be so wretched; and much less does such a reason exist here why ours should ever be so. There are yet time and opportunity to prevent it, by removing the unnecessary cause which, unremoved, must *inevitably lead to it*.

But hitherto your policy and practice have been all wrong. Besides the partial and class legislation of which I have spoken, your public-land policy has been, from the beginning, to encourage large landed proprietorships and speculation, and to discourage settlement in small subdivisions for purposes of self-subsistence. By the ordinance of 1787, with which you began, you required the governor of the Northwestern Territory to be an owner of 1,000 acres of land; the secretary 500; three judges each 500; each member of the legislative counsel 500; and each representative 200. You first ordered the lands to be sold at $2 per acre—one-half in quarter townships, or 5,760-acre tracts—the other half in [illegible] cannot close their eyes to the fact—that the policy you are now pursuing portends a gloomier day in the future for them or their children. Already, where most crowded, the more favored are but able to obtain through the week what at its close will procure the meanest comforts for their families. If sickness overtake them, or misfortune come, or if for a few days work cannot be had, real destitution and suffering or insolvable debts are the result. If they would go West, to the public lands—the asylum and refuge of distress—and have the present means to make the journey, they have no more; or, if they have a little more, knowing the expense and time of putting in even a small farm, they know *that* little will be exhausted; they despair of ability to buy the land when it shall come into market. They know that when their first stack is gone it will require all their earnings to support increasing family; that for some years they can lay up nothing to save their labor and improvements from the blood-lured grasp of the speculator. They consequently remain where they are, toiling on to an uncertain destiny, with no consolation from the past, few comforts or enjoyments for the present, and less but more gloomy hopes for the future. They see that machinery is fast pushing them from the stage of human labor—that al[illegible] of machine products, and that price upon the amount of tribute or tariff they themselves are *forced* to pay to keep it up. As a substitute, they are offered no resource in the FIFTEEN HUNDRED MILLIONS of the public land; but are compelled to meet the certain, dread alternative of starvation, or comfortless dependence! Sir, disguise it as you may, there is none other left, unless you soon concede their right to freely dig subsistence, independence, and comfort from the earth. Do this, and their well-founded fears will be removed. Cease your favoritism in the blessings and bounties of government, and they will lose the sense of subject-inferiority with which your unjust discriminations have bowed them down.

But, sir, you will never do these things *willingly*; yet you *will do them*. The working number—thanks to God and the *form* of our government—hold the means to compel you. They hold the *ballots* through which you now hold *power*. The means which exalted you can humble you; and these means they have determined to employ. They have *already* begun; and the results are known, if the means of their accomplishment are not. If you would know what I mean, I refer you to the elections of last fall, held in New York, New Jersey, and Delaware. If you did not know it before, you are now told THAT NATIONAL REFORM DEMOCRACY ELECTED THE MAJORITIES ELECTED IN THOSE STATES! I will tell you another truth, little as it is known—*that* HORATIO N. SEYMOUR *might now be governor of the Empire State if he had not remained a mere negation upon the subject of human rights and necessities*. The working multitude have been long enough depressed by false and oppressive practices, following sweet and honeyed professions—they can be deceived no longer. They form no party of their own, but in combination practise what they preach. They have resolved to save their race from slavery, and their country from *worse* than monarchy. To these ends they have turned their attention in earnest to the absolute *rights* and positive *wants* of mankind. They have determined that *you* shall do the same, or surrender to those who will. It is for you to choose your alternative; for, as certain as the Lord liveth, you cannot much longer persecute, as you have done, the mass of America's workmen for the "unreal wants" of luxury.

Sir, do not contemn this labor-movement of the people—it is not to be contemned. It is the same in spirit—made manifest by works—which so lately hurled Louis Philippe from the throne of France, and drove him, exiled, to another land to die; which more recently braved in Hungary the terrors of Russian and Austrian arms and power, and but for treachery would have triumphed; and which as recently caused the German Principalities to quake, and their princes to tremble on their castled heights, and which will yet dash them down, to feel the terrors of the fall! All this was and will be done to gain, as a means, but what Americans now hold—the elective franchise. *Having obtained this, do you suppose the Frenchman, the Magyar, or the German would starve, or live in pittance-servitude, simply because elective rulers said he must? No. Nor, having it, will Americans do either*, [illegible] easily, and without blood or struggle, force you from the stage of power.

To afford you a manifestation of this, they carried, in two short months from the last adjournment, one-tenth of this Union by storm. But it was a calm storm—no swords, no bayonets, no cannon or musketry. The soldiery were those who live by labor, and who desire but labor and wages that they may live. Armed with the dreadful ballot—but dreadful to oppression only—they marched to what gold-plated conservatism thought its impregnable rampart; fired but one round—and that scarcely heard at the time; but some of the enemy who fell behind that rampart were not ignorant of what hurt them. I said, in my speech of last session, there should be a petition here at this which "would be heeded." You have it in the political results I have mentioned. Neglect the admonition if you *will*—but you *cannot* but at your *peril*. It is a death-toll warning in your ear, that *you*, too,

"*Have ta'en too little care of this!*"

REMARKS OF MR. BENTON,

OF MISSOURI,

On the same subject; delivered in the Senate on the 15th instant.

Mr. BENTON said: I am very glad that the senator from Wisconsin who sits before me [Mr. WALKER] has brought forward this bill. I concur with him in some of his objects. The general object of this bill is to extinguish the federal titles to the lands within the new States, and pass them easily into the hands of cultivators. I concur in that object, but I wish to accomplish it by means somewhat different from his. I also wish to com-

THE UNION.

bine with that object another—that of deriving some revenue, and deriving it promptly, from the public lands.

For that purpose I wish to offer an amendment, before I sit down, to the bill of the senator from Wisconsin. And I will now take occasion to say, that I think the time has come when the circumstances in which the public lands are placed will force the legislature of the country—will force Congress—to apply its mind seriously to their condition, and to bestow upon the subject careful examination. The Secretary of the Treasury, Mr. President, has shown us in his annual report that, according to the best computation, there are ninety-five millions of acres of land to be passed over to those who have served in the late wars; and these ninety-five millions, at our market prices, are worth one hundred and twenty millions of dollars. And he has shown that, at the rate at which the lands are taken by the purchasers, it will require sixteen years to dispose of these warrants; and, in the mean time, as these lands granted to soldiers are sold cheaper than the lands of the United States, they will monopolize the market, so that the United States cannot expect to make sales until these ninety-five millions are first disposed of.

I believe that the Secretary is entirely right in all these calculations, and that we are to look foward for the period of sixteen years, as things now stand, during which time we are to derive no revenue from the public lands, and are to keep up the whole machinery of the public land system for the benefit of those whom we have enabled to expel us from the market. I believe we have had lately one of the strongest illustrations of the truth of the Secretary's supposition in what has occurred in one of the land districts in the State of Iowa—that young State, holding much public land, and in which the sales upon the part of the United States, at a late public sale of fresh and rich land, have been stopped, and in a manner which I wish the senator from Iowa, who sits near me, [Mr. Dodge,] would state to the Senate.

Mr. DODGE, of Iowa. I will state, Mr. President, that I have seen an account in a newspaper of the sale to which the senator from Missouri alludes. It is this: that in consequence of the great number of land warrants at the recent land sale in the heart of that State, and among the richest lands in the world, although the lands of the government were exposed at public sale or outcry, as the law directs, not a single acre was sold; and for the reason that, as soon as the sales were over, the lands would be subject to private entry for these Mexican land warrants.

Mr. BENTON. Yes, sir; I wished the senator from Iowa to make his statement, and he has made it. And here is a paragraph which I have seen in the newspapers, which relates to the same thing, and confirm what he says:

"Land warrants *vs.* land sales.—We learn from the Burlington (Iowa) papers that during the whole term set apart for the land sales at Fairfield, in that State, in November last, not a single bidder appeared, all the entries at the land offices being made with warrants. The speculators there, notwithstanding they have a large number of warrants on hand, find no difficulty in getting rid of them. They do it in this way: They enter a quarter section for a farmer, with one of their warrants, and then give him a bond for a deed, the deed to be executed in one year from date, on the payment of two hundred dollars in cash. The farmer feels satisfied, because he gets a year's credit, and pays no more for his land at the end of that time than the government asks for it. The speculator is satisfied, because he makes sixty to seventy per cent. by the speculation."

"We learn from the Burlington (Iowa) papers that during the whole term set apart for the land sales at Fairfield, in that State, in November last, not a single bidder appeared!" Not a bid for an acre during the term for which the lands were cried! The term used to be a period of three weeks. Is that the time now?

Mr. DODGE, of Iowa. It is now two weeks.

Mr. BENTON. During two weeks the finest lands in America were exposed for sale, the register and receiver attending, and receiving their per diem, $6 a day. The lands were cried, and not a bid—not a single person appeared to take them at the minimum price of a dollar and a quarter an acre!

The article then says:

"All the entries at the land office being made with warrants, the speculators there"——

Yes, the speculators are there, sir; but no old soldiers are there—not one.

"The speculators there, notwithstanding they have a large number of warrants on hand, find no difficulty in getting rid of them. They do it in this way: They enter a quarter section for a farmer with one of their warrants, and then give him a bond for a deed, the deed to be executed in one year from the date, on the payment of two hundred dollars in cash."

That is the way they did it at Fairfield, in Iowa; and this is only one way.

There are a thousand ways in which they do the same thing—sometimes underselling for ready money—sometimes giving credit—and always getting between the United States and the purchaser and monopolizing the market. The paper says:

"The farmer feels satisfied, because he gets a year's credit, and pays no more for his land at the end of that time than the government asks for it." It says "the speculator is satisfied, because he makes sixty to seventy per cent. by the speculation."

And I say the United States seems to be satisfied with [illegible] are taking no steps to counteract it. And we are vehemently urged to consummate it by giving greater facilities for the assignment of the warrants, so that the speculators may have less trouble than they have in selling these 95,000,000 acres of land—as much as would make the entire superfices of the State of Ohio four times over, lacking only five millions of acres. That is all. But instead of the ninety-five millions, which the Secretary counts, I count one hundred millions, setting down five millions for the good counterfeits that will be passed upon us.

Here we are, then, with the United States actually thrown out of her own market for sixteen years, and that so completely that not only the lands which have been picked and culled cannot be sold by the United States, but the new lands, and the finest in the world, [illegible]

nual interest and part of the principal of this debt every year, we have amputated a whole branch of our revenue—actually cut off and thrown away the second branch of our revenue, and pay $18,400,000 to administer it for the benefit of speculators, thereby throwing upon the customs alone the whole current expenses of the government, now about $50,000,000 a year—the whole of this war debt, principal and interest—and the whole expenses of administering the system of public lands for sixteen years to come! All this is to be thrown upon the customs; and up goes the tariff higher than ever.

Sir, we are in a deplorable condition. We want rousing up. And I am glad that the senator from Wisconsin has brought forward a bill which brings the subject before the Senate and the people, and gives me an opportunity of bringing up, sooner than I could have in its own regular course, a proposition which I offered to the Senate in the shape of a bill two weeks ago, and which is intended to combine rapid acquisition of revenue with the great subject of extinguishing the federal title to the lands, and pass them rapidly into the hands of cultivators. I now offer as an amendment to this bill the one which I lately brought in upon leave, entitled "A bill to accelerate the sales of the public lands, and pay the public debt—to extinguish the federal title to lands within the new States—to grant donations and pre-emption rights to actual settlers—and to cede the unsold and unsaleable lands to the States in which they lie."

The amendment was read, and ordered to be printed.

PRINTING OF CONGRESS.

IN COMPLIANCE with the "*Joint resolution directing the manner of procuring the printing for the two houses of Congress,*" *approved August* 8, 1846, sealed proposals will be received by the Secretary of the Senate and the Clerk of the House of Representatives for supplying the Senate and House of Representatives, respectively, with the necessary printing for each for the thirty-second Congress. The proposals will be received at the office of the Secretary of the Senate, in the Capitol, at Washington, until 10 o'clock in the forenoon of Saturday, the 8th day of February, 1851, and no longer. Blank tabular forms of proposals, with suitable samples of the paper on which the printing is to be executed, and of the printing, will be kept at the said office until that time, and furnished, on application, to all persons desiring to make proposals, *and no proposal will be received which is not according to those forms.* Each class of printing, including the printing for the Senate and the printing for the House of Representatives, will form a separate job, and is to be provided for by a separate contract.

The first class will consist of bills and joint resolutions, to be printed with English type, and with an English white line between each printed line; the page to be of folio size, 52 ems long and 28 ems wide, and printed on cap writing paper, of fine quality, each sheet to measure not less than 13 by 16 inches, and the single ream to weigh not less than fourteen pounds. The proposals must state the price per page, containing 1,456 ems, for composition, and the price per page for press-work, paper, folding, and stitching, for 580 copies, and at the same rate for any greater number not exceeding 1,000 copies.

The second class will consist of reports of committees, with such documents and papers as may accompany them, with an index to the whole; to be printed on double-royal paper of fine quality, each sheet to measure not less than 24 by 38 inches, and each ream to weigh not less than fifty pounds, with a neat small pica type, and not leaded, in octavo pages of the same size as required by the joint resolution of the 3d of March, 1819, and to be 55 ems long and 31 ems wide. Where the matter suitable for a page cannot be brought into the octavo form with small pica type, neat brevier type will be used, the page to be 70 ems long by 41 ems wide. The proposals must state the price per page of 1,705 ems for composition for small pica plain and for small pica rule, the price per page of 2,870 ems of brevier plain and of brevier rule, and the price per page for press-work, paper, folding, and stitching of the octavo form for 1,250 copies, and at the same rate for any greater number not exceeding 1,500 copies. Where the construction of tables belonging to this class requires them to be printed in a form larger than octavo, but to be folded in octavo, the proposals will state the price per 1,000 ems for composition in brevier rule work, and the price for the press-work, paper, folding, and stitching of each table for 1,250 copies, and at the same rate for any greater number not exceeding 1,500 copies. As a number of copies of each document are to be reserved for binding, and delivered to the binder in sheets, each proposal will state the price or rate to be deducted per page, per 100 copies, for the folding and stitching of the octavo printing, and the price or rate per 100 copies to be deducted for the folding and stitching of each printed table larger than octavo. The proposals will also state the additional price for 100 copies, when delivered stitched, for the folding and stitching of each map, chart, diagram, or plate, of any size or shape, that may accompany any printed report or document of this class. For the copies which are to be bound this charge is not to be made.

The third class will consist of the journals of each house, with the appendix, tables, and index thereto; to be printed in the same manner, form, and type, and upon the same paper, as the octavo printing of the second class; and the proposals will state the same particulars as are required for the second class, except that the price for press-work, paper, folding, and stitching of the journals will be stated for 1,250 copies, and at the same rate for any greater number not exceeding 1,500 copies.

The fourth class will consist of the executive documents of each house, embracing messages from the President, reports from the several executive departments, offices, and bureaus, and the documents and statements communicated therewith, with an index to the whole, to be printed in the same manner, form, type, and size, and upon the same paper, as the second class; and the proposals must state the same particulars as are required for the second class.

The fifth class will consist of every other description of printing not included in the preceding classes, and will be divided as follows:

Part A.—Resolutions and other documents from State legislatures, memorials, petitions, and all other papers or documents not included in parts B and C of this class. This part of the fifth class to be printed in the same manner, form, type, and size, and upon the same paper, as the second class; and the proposals must state the same particulars as are required for the second class.

Part B.—Treaties, messages, reports, and other papers and documents ordered to be printed in confidence for the use of the Senate, to be printed in the same manner, form, type, and size, and upon the same paper, as the second class; and the proposals must state the same particulars as are required for the second class, except that the price for press-work, paper, folding, and stitching of this part will be stated for 65 copies, and at the same rate for any greater number, not exceeding less than 100 copies. This part B is for the Senate alone.

Part C.—Tabular statements of the orders of the day, lists of yeas and nays, circular letters, and all other printing of a miscellaneous character, not included in either of the other classes, or in parts A [illegible] ems for composition, in whatever type, and, [illegible] quired, for plain work, and the price for rule-and-figure work, and also the price per page for press-work, paper, folding, and stitching, per hundred copies of each of the following sizes, viz: for royal octavo, or any size smaller; for quarto post; for folio cap; for any size larger than folio cap.

The proposals will state the per-centage deduction on the prices for press-work, paper, folding, and stitching, [as stated under the second class,] for furnishing additional copies of matter included in either of the aforesaid classes—this is to say: the per-centage deduction for any number exceeding 1,500, and not exceeding 5,000; for any number exceeding 5,000, and not exceeding 10,000; for any number exceeding 10,000, and not exceeding 20,000; and for any number exceeding 20,000 copies. The deduction in every case to have reference to, and to be calculated upon, the whole number of any document ordered.

All the type specified above must be of the regular size of its kind, and must not be placed upon any but a regular body, belonging to such size and kind of type. The ink used to be of a fine quality book ink, and the printing to be executed in the best manner.

When additional copies are ordered, they are to be printed on the [illegible]

IN CONGRESS OF THE U. STATES.

Thirty-First Congress—Second Session.

THURSDAY, JANUARY 16, 1851.

SENATE.

Mr. HUNTER presented the credentials of Hon. James M. Mason, chosen a senator by the legislature of the State of Virginia, for six years from the 4th day of March, 1851; which were read.

PETITIONS, ETC.

Mr. MILLER. Mr. President, I am requested to present a petition from silk manufacturers, dyers, and others interested in the silk trade of the United States. The petitioners reside in the town of Patterson, in the State of New Jersey. They represent, sir, that, by the unequal and unjust operation of the tariff of 1846 upon their branch of industry, a large number of their operatives are thrown out of employment, and their outlay in machinery is rendered almost of no value. A duty of 15 per cent. is imposed by the tariff of 1846 upon raw silk, while the various articles embraced in the term "manufactures of silk" are only charged with a duty of 25 per cent., leaving only a margin of 10 per cent. Owing, also, to the want of discrimination between raw silk and various articles of singles, tram, thrown, or organzine silks, which are admitted at the same rate of duty, a great portion of the silk is imported in a thrown or manufactured state, as the tariff gives encouragement for having all this labor done in Europe; so that the silk manufacturers of this country cannot successfully compete with the foreign manufacturers. They also state that the law of 1846 is more oppressive and unjust, inasmuch as no other government now imposes any duty upon raw silk, and therefore the foreign imported goods that come into immediate competition with ours, not having paid any duty upon the raw material, can be sold here at nearly the same prices the American manufacturer is compelled to pay for his raw stock before he commences the manufacture. They also state that the difficulties of competing successfully with the foreign manufacturer are further increased by the heavy duties they are obliged to pay under the present tariff upon all drugs and dye-stuffs used in the process of cleansing and coloring the silk, and from which the foreign manufacturer is entirely exempt by the laws of his country. They state that England not only abolished her duties on raw silks and dye-stuffs, but also protects her manufacturers by imposing a duty on "silk or satin, striped or figured or brocaded, or plain ribands, of more than one color, of ten shillings sterling per pound weight; and, in addition to this, a duty of five per cent. *ad valorem*—making the entire duty on these goods amount to nearly forty per cent. The petitioners also state, further, many important facts showing the unjust and unequal operation of the tariff of 1846 upon the industrial pursuits of this country, and complain that, owing to this want of discrimination, their particular branch of manufacture is entirely broken up. They do not ask Congress to raise the duties upon manufactured silks, but to make proper discrimination between the raw material and the manufactured article. I beg to call the attention of the proper committee to the facts stated and suggestions made in this petition; and therefore, without further troubling the Senate, I move to refer it to the Committee on Finance.

It was accordingly so referred.

Mr. SEWARD presented a petition of inventors in New York, and others interested in patents, praying that action may be had on the bill to amend the patent laws during the present session; which was ordered to lie on the table. Mr. S. moved that the petition be printed; which motion goes to the Committee on Printing.

Mr. S. also presented two petitions from citizens of Washington county, in the State of New York; a petition from 510 citizens of Niagara county, New York; a petition from citizens of Norristown, in the State of Pennsylvania; a petition of citizens of Richfield, Oswego county, in the State of New York; a petition of citizens of Ellington, Chatauque county, in the State of New York; a petition of 52 citizens of Philadelphia, Pennsylvania; and a petition of citizens of North Boston, in the State of New York;—praying the immediate repeal of the act of 18th September, 1850, for the recapture of fugitive slaves; which were severally ordered to lie on the table.

Mr. S. also presented the petition of citizens of Richland, in the State of New York, praying the prohibition of slavery in the Territories of Utah and New Mexico, and moved its reference to the Committee on Territories.

Mr. CLAY. I move it be laid upon the table.

The petition was accordingly ordered to lie upon the table.

Mr. SEWARD also presented a petition of citizens of Richland, in the State of New York, praying that slavery may be abolished in the District of Columbia, and in all other Territories of the United States wherein it may exist, and moved its reference to the Committee on the District of Columbia.

Mr. CLAY. I hope not. I hope it will be laid upon the table.

This petition was then ordered to lie on the table.

Mr. HALE. Mr. President, I hold in my hand, and have been requested to present, a petition of Thomas Butler, of the State of New York, who asks compensation in consequence of having suffered by a contract he entered into with the government to build a light house at Execution Rock, in New York, and also for extra services rendered. I know, sir, that he has suffered greatly because the government did not select a site at the time indicated in the contract, when he was ready to proceed with the construction of the work. He has also done extra work, for which he is entitled to compensation. I move to refer it to the Committee of Claims.

The petition was so referred.

Mr. MORTON presented the petition of Jane Jones, formerly wife of Hezekiah Douglass, deceased, praying compensation for the transportation of troops by her late husband during the Florida war; which was referred to the Committee of Claims.

In presenting the above memorial, Mr. M. said: It appears that in the year 1836, while the husband of the memorialist was connected with the Tennessee volunteers, stationed at St. Joseph, in the State of Florida, [illegible] to remove the troops [illegible]

EXPLORING EXPEDITION.

Mr. PEARCE, from the Committee on the Library, reported the following joint resolution:

Be it resolved, &c., That the Librarian of Congress be and is hereby directed to procure and deliver to the Secretary of State one copy of the Narrative of the United States Exploring Expedition, under Captain Wilkes; and the Secretary of State is hereby directed to deliver the same to the government of Mexico, in lieu of the copy heretofore delivered, which was destroyed by fire, with the building where it was lodged in the city of New York, before it could be shipped for its destination.

And be it further resolved, That one copy of the works of the Exploring Expedition now published, and to be published hereafter, be given to the library of the United States Military Academy, one copy to the library of the Naval School at Annapolis, and one copy to the Smithsonian Institution.

Mr. P. said: I beg leave to state, for the information of the Senate, that application has been made in behalf of the Mexican government to the Secretary of State to supply these books, destroyed by fire in the city of New York, as the resolution explains. I take it for granted that Congress will not object to the distribution of the other copies, from the thirty copies which are now boxed up in the rooms of the Capitol; one copy to the Smithsonian Institution, one copy to the Military Academy at West Point, and one copy to the Naval Academy at Annapolis. We have distributed them largely to foreign nations, but have given none to our own country, excepting the libraries of the different States. I hope, therefore, that there will be no objection to the resolution.

The resolution was read the first and second times by unanimous consent, and considered as in committee of the whole; and, no amendment being made, it was reported to the Senate, and ordered to be engrossed for a third reading.

RESOLUTIONS SUBMITTED.

Mr. DOWNS submitted the following resolution; which lies over one day, under the rules:

Resolved, That, until otherwise ordered, Friday of each week, after one o'clock, be devoted to the consideration of private bills.

Mr. BENTON submitted the following resolution; which lies over one day, under the rules:

Resolved, That the President be requested to communicate to the Senate, so far as it may be compatible with the public interest, all the correspondence between this government and its ministers, and with the government of Spain and its ministers, relating to the prisoners captured by the Spanish authorities at or near the island of Contoy; and also all the correspondence between the said governments and the ministers thereof respectively relative to any projected expedition to the island of Cuba, not heretofore communicated to Congress.

NICARAGUA.

Mr. SHIELDS submitted the following resolution:

Resolved, That the President of the United States be requested to lay before the Senate, if not incompatible with the public interests, all the information in his possession touching the difficulties between the British authorities and San Salvador, the blockade of the coast of that republic by the British fleet, the invasion of Guatemala by the forces of San Salvador and Honduras, and such other matters connected therewith as materially affect the interests of the United States or threaten the independence of Central America.

Mr. S. said: I take the liberty to offer this resolution, and hope, as it is merely a resolution of inquiry, that it will be permitted to pass by unanimous consent. The information upon which I base it I gather from the republic papers, and I seek by the resolution to obtain more reliable information. That country, as it is well known to senators, has been for a long time in the most distracted condition. Dissensions of a most bitter and hostile character have prevailed throughout the States of Central America. These dissensions have had their usual consequence.

The PRESIDENT. The senator must obtain the unanimous consent of the Senate before he can be in order to proceed.

Mr. SHIELDS. I wish to preface my remarks, with the consent of the Chair, in presenting the resolution, by stating that these occurrences place the country in a most unexpected state of difficulty. I have no information but that contained in the public papers. I have had no conversation and no communication with the departments, or with any member of a department. I seek reliable information upon this subject.

I hold, sir, in my hand a paper which I esteem very highly; and if the accounts in that paper be correct, or even substantially correct, it is time that some action should be had upon the question. It seems from this paper that on the 16th day of last October Mr. Chatfield, who is the British agent in Central America, notified San Salvador that in ten days, unless they complied with his demands, that whole coast should be placed under blockade by the British steamers. "Ten days"—something very prompt and decided in this. Mr. Chatfield must be a faithful disciple of his master. He only gave ten days to make his requisitions, his reclamations, his demands, or he would blockade the coast by the British steamers. I find also in this paper that the President of that little republic remonstrated against this outrageous conduct, as it is, and appealed to the mediation of the French consul. This mediation, so far as I can learn, was wholly disregarded by the British agents, servants, and authorities in Central America. The next act is to blockade the coast of San Salvador—the whole coast—Acajutla, the principal port. The commander of the British frigate Gordon on this occasion notified the commandant of Acajutla of this blockade in terms exceedingly characteristic. He tells that commandant that the whole coast is blockaded; that the squadron consists of eleven vessels; that that force is to recapture Nicaragua, and if there is any resistance, and if provisions and water are not supplied, the town will be bombarded, and the city and the inhabitants entirely destroyed. Now, sir, this is a feeble country, and the ally of Great Britain. This is the manner in which this has been conducted. I will not enter into further details. The country has resented this aggression. The forces of San Salvador [illegible]

have a fleet there to watch the American interests—whether there is anything there but a British fleet—whether this country is now at war with Great Britain, for we know what must be the result of that war—whether this government is to become actually dependant upon Great Britain. Sir, in case of war they will become actually dependant. Perhaps at this moment Great Britain is in actual possession of a large portion of that country. Now, I ask honorable senators if they are ready, of if this country is ready, to give any portion of Central America as the possession of any great European power. It is the bridge between the possessions of this country on the Atlantic and the Pacific. How does it stand now? Costa Rica, Nicaragua, Tigre Island, Honduras, San Salvador, and Guatemala, all falling under British domination. As I remarked before, I have the utmost confidence in our administration and in the representative of the British power here. But I hold that at this time the British official—this dictator in Central America—has so entangled the matter that I doubt very much whether diplomacy can ever disentangle it. That is my fear; and these are the reasons for the inquiry in the resolution, to obtain more reliable information upon the whole subject.

Mr. DAVIS, of Massachusetts. I wish merely to say that, if I have a right recollection of the treaty ratified at the last session of Congress, Great Britain expressly agrees that she will not colonize any portion of Central America. She enters into a distinct agreement with this country that she will not colonize any portion of that country. I therefore suppose, if there is any controversy between her and Guatemala, or any of those middle States, that the motive cannot be to maintain anything like a permanent control of the politics of that portion of the country. She disclaims, I believe, even the right of being the protector of any portion of this country at all. I should be very glad to obtain the information which the senator suggests. I make these remarks simply because I think there has been a discussion going in the public newspapers which rather tends to mislead the public mind on this subject, under the idea that Great Britain is actually going on there and working out, by a process of measures, the final colonization of that country. I apprehend, although I know very little about the matter, that it will turn out to be otherwise.

Mr. CLAY. I wish merely to say that I concur entirely in the call by the resolution for information from the executive department. At the same time, sir, I would remark that there is a great disposition in the public prints, and in a portion of the public mind of the country, towards irritation upon the subject. I think, sir, upon this, as upon every other question of foreign affairs, we ought to proceed with consideration. Let us get the information. That would seem to me the first and the proper basis, to get the information. I therefore agree entirely with the call for information. Let us see what it is before we venture to pronounce judgment, either by animadverting upon the conduct of a foreign power, or by saying anything calculated to disturb the present amicable relations existing between the two powers. I concur entirely with the honorable senator from Illinois in saying that I am sure that every confidence is due the present administration. I concur with him, too, in regard to the present enlightened representative of Great Britain, and believe that that government would not but execute and carry out to the fullest extent all her treaty stipulations. I have only said this by way of expressing a hope that we will forbear to discuss and animadvert upon these public matters until we get the truth, the whole truth, and nothing but the truth.

Mr. CASS. I rise merely to present my thanks to the senator from Illinois for bringing this matter before the Senate, and for the remarks he has made concerning it. Certain it is that there are facts going on in that portion of the world deeply interesting to the government and to the people of this country—facts that should be investigated. As to treaty arrangements, we all know how they bear upon human ambition, and how easily they are swept away when they stand in the path. I am very desirous myself that we should get the information, and that the matter may be investigated. I hope the resolution will pass.

Mr. DAVIS, of Massachusetts, asked for the reading of the first article of the late treaty; which was read, as follows:

"The governments of the United States and Great Britain hereby declare that neither the one nor the other will ever obtain or maintain for itself any exclusive control over the said ship-canal; agreeing that neither will ever erect or maintain any fortifications commanding the same, or in the vicinity thereof, or occupy, or fortify, or colonize, or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America; nor will either make use of any protection which either affords or may afford, or any alliance which either has or may have to or with any State or people, for the purpose of erecting or maintaining any such fortifications, or of occupying, fortifying, or colonizing Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America, or of assuming or exercising dominion over the same; nor will the United States or Great Britain take advantage of any intimacy, or use any alliance, connexion, or influence that either may possess with any State or government through whose territory the said canal may pass, for the purpose of acquiring or holding, directly or indirectly, for the citizens or subjects of the one, any rights or advantages in regard to commerce or navigation through the said canal which shall not be offered on the same terms to the citizens or subjects of the other."

Mr. D. said: I will not make any comments upon it. I merely wish that article of the treaty to go out with the other debate upon this matter.

Mr. SHIELDS. I may perhaps be permitted to say, in self-justification, that I have before me, from the papers of the country, the proclamation of the President, the notifications of the British authorities, the reclamations of this very active and very obnoxious agent of that country, Mr. Chatfield; and although I take up newspaper information, yet I have information which comes directly from the country. I have made no remarks, I hope, which are calculated to create improper excitement upon the subject.

Mr. DOUGLAS. I have but a remark to make upon this subject. I am glad this resolution has been brought forward, and that that section of the treaty has been read. I voted against the treaty, for the reason that I was un-

Mr. BORLAND. I will relieve the Senate from any debate by withdrawing the proposition.

FRENCH SPOLIATIONS.

The Senate resumed, as in committee of the whole, the consideration of Senate bill 101—being a bill to provide for the ascertainment and satisfaction of claims of American citizens for spoliations committed by the French prior to the 31st of July, 1801.

Mr. SMITH addressed the Senate at some length upon the subject, and had not concluded his remarks when he gave way to a motion for adjournment; whereupon,

The Senate adjourned.

HOUSE OF REPRESENTATIVES

After the reading of the journal—

THE CONQUEST OF CALIFORNIA.

Mr. GILBERT asked the unanimous consent of the House for permission to introduce a bill, of which previous notice had been given, to establish a board of commissioners for the examination and liquidation of claims growing out of the conquest of California.

But Mr. CARTTER objecting, leave was not granted.

Sundry gentlemen obtained leave to withdraw private papers from the files of the House.

WILLIAM GUINARD.

Mr. CHANDLER asked the unanimous consent of the House for leave to move to discharge the Committee of the Whole on the private calendar from the further consideration of the bill for the relief of William Guinard.

Mr. C. addressed a few remarks to the House, urging that it was a case of peculiar hardship, the beneficiary in question being a poor sailor, who had lost both his arms in his country's service.

But Mr. JOHNSON, of Tennessee, remarked that there being many such bills on the calendar to cover equally deserving cases, it would be invidious to take up that bill out of its turn.

Mr ROBINSON asked a question concerning the condition of the report of the select committee on the Pension Office, and the bill to secure the carrying into effect promptly the military bounty land bill of September 28, 1850; and, after conversation between the SPEAKER, and Messrs. JONES and BURT, on this subject—

CHEAP POSTAGE.

Mr. POTTER moved the suspension of the rules to go into a Committee of the Whole *on the state of the Union* on the bill for the reduction of the postage rates—the special order: agreed to.

Mr. Burt having been called to the chair, the committee proceeded to the further consideration of the bill to reduce the rates of postage; *and the question being on* the substitute of Mr. Potter for the second section of the original bill,

Mr. CONGER proposed to add a clause thereto, limiting the free transportation of newspapers, for a distance of thirty miles from the offices of publication, to newspapers sent to subscribers only—not extending the privilege to "transient" newspapers.

After a few remarks from Mr. C. in favor of his amendment, it was agreed to.

Mr. CHANDLER proposed further to amend the said second section of the substitute by exempting magazines from more than half the regular rates of postage on them when prepaid: agreed to.

Mr. TAYLOR moved to further amend the said substitute (in a verbal particular) by substituting "printed" for "published," so as to exempt newspapers from postage for thirty miles from the office where *printed*, rather than where "published:" agreed to.

Mr. CONGER proposed to further amend his last amendment, so as to make the same discrimination therein: agreed to.

Mr. DUNCAN proposed to further amend the said substitute by adding a provision allowing newspapers prepaid to go in the mails at half the regular rates of postage.

After a few remarks from Mr. DUNCAN for, and Mr. OTIS against this proposition, it was not agreed to; and then the question being put on the said amended substitute of Mr. Potter, (for the second section of the original bill,) it was agreed to.

Mr. POTTER then proposed a substitute for the third section of the original bill. But before it was acted upon,

Mr. LITTLEFIELD proposed to amend the said third section by charging disunion newspapers double rates, and ordering that they shall be prepaid.

Mr. POTTER raised a point of order. This was not relevant to the bill.

The CHAIR sustaining the point of order, the substitute of Mr. Potter was again read, providing for the coining of a United States three-cent piece for postage payments, three-fourths of silver and one-fourth of copper, to have on it the words "United States of America" and other devices, which shall serve to make it easily distinguishable from other American coins, and also making the said proposed coin a legal tender for all sums under thirty cents.

Mr. DUER moved to strike that out, and to insert in lieu thereof another providing for the coining of a two-and-a-half-cent coin, and that from and after the 1st of June next the rates of postage shall be reduced to two and a half cents.

Mr. PHŒNIX, in a few remarks, explained that the Committee on Commerce now had this subject under consideration; [illegible]

The substitute of Mr. Potter was next agreed to.

The 4th section of the original bill being next under consideration,

Mr. POTTER proposed to strike out therefrom all thereof giving to postmasters ten per cent. on the amount of the proposed three-cent stamps sold to them in sums of $50 and upwards.

After argument between Messrs. POTTER for, and VINTON against this motion, it was agreed to.

Mr. DICKEY proposed to strike out the whole 4th section, and insert a substitute therefor authorizing the Postmaster General to furnish for sale stamped envelopes, made of paper, into which the stamps shall be woven in its fabrication.

After a few remarks from Mr. DICKEY for this amendment as [illegible]

rants, the speculators there"——

Yes, the speculators are there, sir; but no old soldiers are there—not one.

"The speculators there, notwithstanding they have a large number of warrants on hand, find no difficulty in getting rid of them. They do it in this way: They enter a quarter section for a farmer with one of their warrants, and then give him a bond for a deed, the deed to be executed in one year from the date, on the payment of two hundred dollars in cash."

That is the way they did it at Fairfield, in Iowa; and this is only one way.

There are a thousand ways in which they do the same thing—sometimes underselling for ready money—sometimes giving credit—and always getting between the United States and the purchaser and monopolizing the market. The paper says:

"The farmer feels satisfied, because he gets a year's credit, and pays no more for his land at the end of that time than the government asks for it." It says "the speculator is satisfied, because he makes sixty to seventy per cent. by the speculation."

And I say the United States seems to be satisfied with this state of things; for we have made it ourselves, and are taking no steps to counteract it. And we are vehemently urged to consummate it by giving greater facilities for the assignment of the warrants, so that the speculators may have less trouble than they have in selling these 95,000,000 acres of land—as much as would make the entire superfices of the State of Ohio four times over, lacking only five millions of acres. That is all. But instead of the ninety-five millions, which the Secretary counts, I count one hundred millions, setting down five millions for the good counterfeits that will be passed upon us.

Here we are, then, with the United States actually thrown out of her own market for sixteen years, and that so completely that not only the lands which have been picked and culled cannot be sold by the United States, but the new lands, and the finest in the world, cannot be sold. We are in a condition in which we shall get no revenue from the public lands for sixteen years to come, as things now stand, and in the mean time we are to keep up the machinery of the land office, for the benefit of those who chase us out of the market—and these are no slight burdens. I showed items some weeks ago which made up $700,000 annually for the expenses of the land system. Multiply that sum by sixteen—the number of years this is to continue—and you have a sum of $11,200,000. That is one branch of the expense. Another is that of the expense of the registers and receivers, who now have more labor than ever in disposing of the public lands, for which they get no compensation. I think the labor is four times as great as heretofore.

Mr. DODGE, of Iowa. It is at least four times as great.

Mr. BENTON. We know that the little sum of five hundred dollars is allowed to each register and receiver to cover the expenses of his office. If they live in towns, as they generally do, it does not do it. Their compensation was one per cent. on all sales. This they do not now receive, and they will of course petition Congress to pay it, and if Congress does not pay it they will give up their places, for they cannot work for nothing and find themselves. One per centum upon $120,000,000 worth of land will be $1,200,000 which we will have to pay them on that head. Then comes another head larger than that, where those will demand who will have more power to demand than the registers and receivers. I speak of the States—the new States, which gave up the right of taxation upon the public lands, under a compact with the government that they were to receive five per centum on their sales, for their benefit, either for the purpose of making roads or canals within the State or to the State. Five per centum upon the sales of the public land is the consideration which the States were to receive *for giving up the right of taxing—a right which, if they had retained and exercised it, would have been more than ten times over the five per centum. But here is that five per centum at once struck off the $120,000,000 worth of land for sixteen years, and for it the States are not to get one cent during all that time.* Is it to be supposed that they will lie still under such a loss—such an evasion of the compact?—that they will not apply here to the general government to pay that five per centum? They will certainly apply—will demand the money. And will not their demand, so just, be complied with? Now, put all these together: $6,000,000 to the States in lieu of five per centum; $1,200,000 to registers and receivers, for their one per centum; and $11,200,000 for the expenses of administering the land system—and you have got $18,400,000, which you are to pay on account of this land system, during these sixteen years that you are keeping up the system for the sole benefit of speculators, who are taking one hundred and twenty millions of dollars from you, and the United States not receiving one shilling during the whole time.

Sir, this state of things is actually upon us. It is no longer speculation; it is no longer in contemplation; but it is positively upon us, and operating while I am talking. This state of things is intolerable. It must rouse the country. It must attract the serious consideration of Congress. Something must be done. It would be bad enough—it would be deplorable at any time, when Congress, by two strokes of the pen—by two acts—should pass over to speculators—for the old soldier will have no benefit of it—every one's experience tells him that—when Congress, by two strokes of the pen, passes over to speculators as much territory as will make four such States as Ohio, lacking only five millions of acres, and pays $18,400,000 to enable them to enjoy the gift at our expense. It would be bad enough at any time—too bad at any time. But what is it at a time when we have just come out of a war with a debt of $134,000,000, principal and interest? And, curiously enough, the last item of the debt becomes due exactly at the end of these sixteen years. So that during these sixteen years, while we should be husbanding our resources to pay off the an-

1,250 copies, and at the same rate for any greater number not exceeding 1,500 copies.

The fourth class will consist of the executive documents of each house, embracing messages from the President, reports from the several executive departments, offices, and bureaus, and the documents and statements communicated therewith, with an index to the whole, to be printed in the same manner, form, type, and size, and upon the same paper, as the second class; and the proposals must state the same particulars as are required for the second class.

The fifth class will consist of every other description of printing not included in the preceding classes, and will be divided as follows:

Part A.—Resolutions and other documents from State legislatures, memorials, petitions, and all other papers or documents not included in parts B and C of this class. This part of the fifth class to be printed in the same manner, form, type, and size, and upon the same paper, as the second class; and the proposals must state the same particulars as are required for the second class.

Part B.—Treaties, messages, reports, and other papers and documents ordered to be printed in confidence for the use of the Senate, to be printed in the same manner, form, type, and size, and upon the same paper, as the second class; and the proposals must state the same particulars as are required for the second class, except that the price for press-work, paper, folding, and stitching of this part will be stated for 65 copies, and at the same rate for any greater number, not exceeding less than 100 copies. This part B is for the Senate alone.

Part C.—Tabular statements of the orders of the day, lists of yeas and nays, circular letters, and all other printing of a miscellaneous character, not included in either of the other classes, or in parts A and B of this class; and the proposals will state the price per 1,000 ems for composition, in whatever type, size, or form that may be required, for plain work, and the price for rule and figure work, and also the price per page for press-work, paper, folding, and stitching, per hundred copies of each of the following sizes, viz: for royal octavo, or any size smaller; for quarto post; for folio cap; for any size larger than folio cap.

The proposals will state the per-centage deduction on the prices for press-work, paper, folding, and stitching, [as stated under the second class,] for furnishing additional copies of matter included in either of the aforesaid classes—this is to say: the per-centage deduction for any number exceeding 1,500, and not exceeding 5,000; for any number exceeding 5,000, and not exceeding 10,000; for any number exceeding 10,000, and not exceeding 20,000; and for any number exceeding 20,000 copies. The deduction in every case to have reference to, and to be calculated upon, the whole number of any document ordered.

All the type specified above must be of the regular size of its kind, and must not be placed upon any but a regular body, belonging to such size and kind of type. The ink used to be of a fine quality book ink, and the printing to be executed in the best manner.

When additional copies are ordered, they are to be printed on the same paper, with the same ink, and in the same style, as the usual number.

All printed documents intended to be bound must be delivered by the printer in sheets from time to time, as they may come from the press, to the binder, as may be directed by the Secretary of the Senate and Clerk of the House of Representatives, respectively.

Each person is required to furnish, with the proposals, satisfactory evidence of his practical skill and his ability to do the work, and to offer at the same time good and sufficient security, to be so certified by a judge or clerk of the United States court of the district, or of the marshal of the district, in which the sureties may reside, for the faithful execution of the jobs and contracts proposed to be undertaken by him; and any proposal unaccompanied with such evidence will be rejected.

The poposals will be opened in the manner required by law, on Saturday, the 8th day of February, 1851, at 10 o'clock in the forenoon, at the Vice President's chamber, in the Capitol.

ASBURY DICKINS,
Secretary of the Senate.
RICHARD M. YOUNG,
Clerk of the House of Representatives.

☞All the newspapers in the city of Washington are authorized to publish the above advertisement daily for four successive weeks.
Jan 10—d4w

MORSE'S TELEGRAPH.

THE office of the Western Telegraph Company is removed to the rooms over Gillman's apothecary shop, on Pennsylvania avenue, a few doors west of Brown's Hotel.

This is the only direct line of telegraph from Washington to Wheeling and Pittsburg, where it connects with other lines extending to Detroit, Chicago, Cincinnati, Louisville, St. Louis, Nashville, Memphis, Vicksburg, and the whole western country.

The northern Morse office is a few doors east of the National Hotel.

The southern is on 7th street, opposite the National Intelligencer office.

AMOS KENDALL,
Jan 7—dtf President Western Telegraph Company.

AGENCY of Scientific Law, Medical, Religious, and Literary Magazine.
Silliman's Journal, $5 per annum.
Journal of Franklin Institute, $5 per annum.
The North American Review, $5 per annum.
Reprints of the British Review and Blackwood, $10 per annum.
Hunt's Merchants' Magazine, $3 per annum.
The Knickerbocker, $5 per annum.
The Law Reporter, $3 per annum.
The American Journal of Medical Sciences, $5 per annum.
Harper's New Monthly Magazine, $3 per annum.
The International Magazine, $3 per annum.
The Church Review, $3 per annum.
The Christian Examiner, $4 per annum.
At TAYLOR & MAURAY'S
Jan 10 Bookstore, near 9th street, Washington city.

MARSHAL'S SALE.—By virtue of two writs of *fieri facias* issued from the clerk's office of the circuit court of the District of Columbia for the county of Washington, and to me directed, I shall expose to public sale for cash on Thursday, the 6th of February next, at 12 o'clock, m., before the court-house door of said county, the following described property, to wit: Lot No. 3, in square No. 292; lots No. 11, No. 12, and No. 22, in square No. 368; lot No. 4, in square No. 371; lot No. 2, in square No. 865; lot No 4, in square No 1,066; lot No. 3, in square No. 1,105; and half of lot No. 7, in square No. 659: seized and levied upon, and will be sold to satisfy judicials No. 6 and No. 7 to October 1850.

RICHARD WALLACH,
Jan 9—dtds Marshal D. C.

EDMUND H. WILSON, Attorney at Law, will practise in the courts of Washington. Collections and claims before the different departments will receive prompt attention. Also, conveyancing and other business in the adjoining counties of Virginia will be duly attended to. Office on Louisiana avenue, four doors above Copp's Pavilion. Dec 17—dtif

FURNISHED House or Furnished Rooms.—The advertiser has a neatly-furnished three-story brick house in a central situation for rent, or two rooms adjoining on the second floor for one or two gentlemen.

The whole or a part will be leased on accommodating terms, on application to

DYER & McGUIRE,
Dec 21—dtf Corner 10th street and Penn. avenue.

ALBION K. PARRIS will attend to any business in the Supreme Court of the United States that may be intrusted to his care.

He will also attend to business before Congress and the executive departments. Nov 30—d&cptf

a petition of citizens of North Boston, in the State of New York;—praying the immediate repeal of the fugitive slave law of 18th September, 1850, for the recapture of fugitive slaves; which were severally ordered to lie on the table.

Mr. S. also presented the petition of citizens of Richland, in the State of New York, praying the prohibition of slavery in the Territories of Utah and New Mexico, and moved its reference to the Committee on Territories.

Mr. CLAY. I move it be laid upon the table.

The petition was accordingly ordered to lie upon the table.

Mr. SEWARD also presented a petition of citizens of Richland, in the State of New York, praying that slavery may be abolished in the District of Columbia, and in all other Territories of the United States wherein it may exist, and moved its reference to the Committee on the District of Columbia.

Mr. CLAY. I hope not. I hope it will be laid upon the table.

This petition was then ordered to lie on the table.

Mr. HALE. Mr. President, I hold in my hand, and have been requested to present, a petition of Thomas Butler, of the State of New York, who asks compensation in consequence of having suffered by a contract he entered into with the government to build a light-[illegible] Execution Rock, in New York, [illegible] suffered greatly because the government did not select a site at the time indicated in the contract, when he was ready to proceed with the construction of the work. He has also done extra work, for which he is entitled to compensation. I move to refer it to the Committee of Claims.

The petition was so referred.

Mr. MORTON presented the petition of Jane Jones, formerly wife of Hezekiah Douglass, deceased, praying compensation for the transportation of troops by her late husband during the Florida war; which was referred to the Committee of Claims.

In presenting the above memorial, Mr. M. said: It appears that in the year 1836, while the husband of the memorialist was connected with the Tennessee volunteers, stationed at St. Joseph, in the State of Florida, he was ordered by his colonel to remove the troops then fit for service, by water, to another place. He chartered a steamboat for the purpose of transporting the troops. The service was performed. Upon presenting the accounts at the Quartermaster's Department, they were decided to be inadmissible, inasmuch as Gen. Hodges was not authorized to engage the transportation. She therefore makes an appeal to the justice of Congress for remuneration for the services rendered by her husband in the transportation of these troops. The memorial is accompanied by the recommendations of a large number of individuals acquainted with the facts, who say that the claim is just and ought to be allowed.

Mr. DICKINSON presented a resolution adopted at a regular meeting of the Industrial Congress, held in New York, in favor of immediate action by Congress on the bill providing for the modification of the patent laws; which was ordered to lie on the table.

Mr. DAWSON. I am requested to present a petition of James Flournoy, a citizen of Georgia, who states that he makes no pretensions to pride, or to addressing so respectable and intelligent a body as is the United States Senate. He thinks, however, that a few hints, even from obscurity and weakness, may be of some use to their deliberations, and proceeds to remark that our country at this hour possesses a facility no other may bring her of filling her treasury, by reserving for a time some of the richest portion of the California mining districts to be worked by its hands and for its coffers. He thinks in this way it might build the proposed national roads to the Pacific, and hold ample means for numerous other projects of national utility, without taxing the people.

The petition was referred to the Committee on Finance.

Mr. D. also presented the petition of the late and present officers of the land office at Shawneetown, Illinois, praying an increase of compensation for locating military bounty land warrants; which was ordered to lie on the table.

Mr. D. also submitted an additional document in relation to the application of Wm. Nevins for an extension of his patent; which was referred to the Committee on Patents and the Patent Office.

Mr. HAMLIN presented a petition of citizens of Saco, in the State of Maine, praying the speedy repeal of the fugitive-slave law; which was ordered to lie on the table.

Mr. PEARCE presented a petition of clerks in the Baltimore post office, praying an increase of compensation; which was referred to the Committee on the Post Office and Post Roads.

Mr. SHIELDS asked that Arris Crosby have leave to withdraw his petition and papers from the files of the Senate; which was granted.

REPORTS FROM COMMITTEES.

Mr. DAVIS, of Mississippi, from the Committee on Military Affairs, made a report asking to be discharged from the further consideration of the memorial of John S. Knox, the memorial of John A. Bryan, the petition of Pamelia Preswick and the other heirs of Wm. Wigton, and the petition of Maria Mason, widow of the late Major Mason, of the United States army; which was agreed to.

Mr. SHIELDS, from the same committee, to whom was referred a petition of certain officers and soldiers of the army who served in California, praying to be allowed extra pay, and a resolution of the Senate on the same subject, submitted an adverse report; which was ordered to be printed.

The Senate proceeded, by unanimous consent, to consider the said report, and, in concurrence therewith,

Resolved, That any further action on the subject at this time is useless and unprofitable.

Mr. RUSK, from the Committee on the Post Office and Post Roads, to whom was referred the House bill for the relief of John Dearmit, reported it back without amendment, and recommended its passage.

[illegible] the consent of the Chair, in presenting the resolution, by stating that these occurrences place the country in a most unexpected state of difficulty. I have no information but that contained in the public papers. I have had no conversation and no communication with the departments, or with any member of a department. I seek reliable information upon this subject.

I hold, sir, in my hand a paper which I esteem very highly; and if the accounts in that paper be correct, or even substantially correct, it is time that some action should be had upon the question. It seems from this paper that on the 16th day of last October Mr. Chatfield, who is the British agent in Central America, notified San Salvador that in ten days, unless they complied with his demands, that whole coast should be placed under blockade by the British steamers. "Ten days"—something very prompt and decided in this. Mr. Chatfield must be a faithful disciple of his master. He only gave ten days to make his requisitions, his reclamations, his demands, or he would blockade the coast by the British steamers. I find also in this paper that the President of that little republic remonstrated against this outrageous conduct, as it is, and appealed to the mediation of the French consul. This mediation, so far as I can learn, was wholly disregarded by the British. The next act is [illegible] blockade the coast of San Salvador—the whole coast—[illegible] the principal port. The commander of the British frigate Gordon on this occasion notified the commandant of Acajutla of this blockade in terms exceedingly characteristic. He tells that commandant that the whole coast is blockaded; that the squadron consists of eleven vessels; that that force is to recapture Nicaragua, and if there is any resistance, and if provisions and water are not supplied, the town will be bombarded, and the city and the inhabitants entirely destroyed. Now, sir, this is a feeble country, and the ally of Great Britain. This is the manner in which this has been conducted. I will not enter into further details. The country has resented this aggression. The forces of San Salvador and the forces of Honduras have now entered Guatemala. They have carried the war into Guatemala—into the centre of the British power—to the head-quarters of this British official dictator, Mr. Chatfield. They have determined either to reverse that dictation or to yield their independence to Great Britain. Now, sir, we have entered into a treaty with Great Britain very recently. I was strongly in favor of that treaty. The objects of that treaty, as I understand it——

The PRESIDENT. The Chair will be under the necessity of reminding the senator that the resolution is not under consideration.

Mr. SHIELDS. Well, sir, I appeal to the unanimous consent of the Senate.

Mr. WALKER. I beg leave to say that, for one, I am anxious to hear the senator from Illinois; but if he can be permitted to proceed, I shall feel it to be my duty most positively to object to preventing others from saying a word in such cases.

The PRESIDENT. The Chair notified the Senate yesterday that he should feel compelled to enforce the rules in future.

Mr. SHIELDS. I presume, Mr. President, that I am not very edifying to the Chair or to the Senate——

The PRESIDENT. The Chair will say that individually he has no objection to hearing the senator; but he is under the necessity of enforcing the rules. If the senator obtains the unanimous consent of the Senate, it will then be in order to proceed.

Mr. PHELPS, (in his seat.) Let it lie over.

Several SENATORS expressed a hope that the senator would be allowed to proceed.

Mr. FOOTE. I should be very glad to hear the senator from Illinois, and hope no one will object, but that he will be allowed to proceed.

Mr. HALE. I hope he will be, for I know that the senator from Mississippi would not ask it unless it was highly proper. He objected yesterday to my proceeding, but is in favor of proceeding to-day. [Laughter.]

The PRESIDENT. The Chair has no particular desire in this case to enforce the rules; but they have been departed from in many instances, and inconvenience has resulted from the departure. The Chair yesterday gave notice that he should be under the necessity in future of confining senators within strict parliamentary rules. It therefore rests with the Senate to decide. If it is the pleasure of the Senate that the senator should proceed, certainly the Chair will not interpose an objection.

Mr. DOUGLAS. I hear no objection, and hope he will proceed.

Mr. SHIELDS. I was about to state that, as I understood the object of our recent treaty with England, it was to obviate and avoid these difficulties. I was in favor of that treaty at the time, because I believed that it would prevent the difficulties that I knew to be threatening in that part of the country from these very British officials in those States—perhaps not countenanced by the British government, but certainly occurring in that country. That treaty was made in variance from the policy of this country. It was a departure from our usual course. We united in a joint treaty with a great European power—a thing that our policy does not admit of in relation to the affairs of this country. Yet, sir, I was in favor of it then. But now I confess that the working of the treaty, as it is now exhibited in Central America, satisfies me that it was a very dangerous experiment at least. I have the most implicit confidence in the administration, so far as this country is concerned. I have confidence in the head of the State Department; I have confidence in the enlightened and intelligent representative of Great Britain in Washington. But if the reports in this paper be correct—if the difficulties be so aggravated as they are represented here—if two of these States, driven as it were by desperation, have waged war against the British power in Guatemala—if the forces have invaded Guatemala, and the British fleet blockaded this coast—there is war in Central America. What I want to know is, whether the reports are correct or not. I want some reliable information from the department, whether we

[illegible] of the first article of the late treaty, which was read, as follows:

"The governments of the United States and Great Britain hereby declare that neither the one nor the other will ever obtain or maintain for itself any exclusive control over the said ship-canal; agreeing that neither will ever erect or maintain any fortifications commanding the same, or in the vicinity thereof, or occupy, or fortify, or colonize, or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America; nor will either make use of any protection which either affords or may afford, or any alliance which either has or may have to or with any State or people, for the purpose of erecting or maintaining any such fortifications, or of occupying, fortifying, or colonizing Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America, or of assuming or exercising dominion over the same; nor will the United States or Great Britain take advantage of any intimacy, or use any alliance, connexion, or influence that either may possess with any State or government through whose territory the said canal may pass, for the purpose of acquiring or holding, directly or indirectly, for the citizens or subjects of the one, any rights or advantages in regard to commerce or navigation through the said canal which shall not be offered on the same terms to the citizens or subjects of the other"

Mr. D. said: I will not make any comments upon it. I merely wish that article of the treaty to go out with the other debate upon this matter.

Mr. SHIELDS. I may perhaps be permitted to say, in self-justification, that I have before me, from the papers of the country, the proclamation of the President, the notifications of the British authorities, the reclamations of this very active and very obnoxious agent of that country, Mr. Chatfield; and although I take up newspaper information, yet I have information which comes directly from the country. I have made no remarks, I hope, which are calculated to create improper excitement upon the subject.

Mr. DOUGLAS. I have but a remark to make upon this subject. I am glad this resolution has been brought forward, and that that section of the treaty has been read. I voted against the treaty, for the reason that I was unwilling to enter into any stipulation with any European power that we would not do on this continent whatever we might think it our duty to do, whenever the case should arise. I voted against it, therefore, because of the clause which has been read. As that has been entered into, all I desire is to see it enforced. I am not aware that that clause of the treaty has yet been carried into effect. I have yet to learn that the British government have yet withdrawn their protection from the Mosquito coast. I have yet to learn that they have abandoned that position which they held under the Mosquito King. I hope the inquiry will go far enough to enable us to learn whether the treaty has been executed or not; and I trust we shall have full information upon the whole subject.

The resolution was considered by unanimous consent, and agreed to.

JOINT RESOLUTION INTRODUCED.

Mr. DICKINSON, in pursuance of notice, asked and obtained leave to bring in a joint resolution (S. 45) to provide for placing medical officers of the navy, who render service on land, upon the same footing with medical officers of the army for similar services; which was read the first and second times by unanimous consent, and referred to the Committee on Naval Affairs.

CHANGE OF VENUE.

The Senate proceeded to consider the amendment of the House of Representatives to the Senate bill to authorize the change of venue in certain cases.

Mr. WAKLER. I wish to address some few remarks to the Senate upon this subject, but do not wish to do so now. I wish the senator from Connecticut to have the faith of the Senate carried out towards him with regard to the measure which he is anxious to discuss. I therefore move that the further consideration of the subject be postponed to Monday next.

The motion was agreed to.

BILLS PASSED.

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

Bill (S. 106) to amend the act entitled "An act to amend the act entitled 'An act supplemental to the act for the admission of Iowa and Florida into the Union.'"

Bill No. 138, to reduce and define the boundaries of the military reserve at the St. Peter's river, in the Territory of Minnesota, and to secure the rights of the actual settlers thereon.

STEAMBOATS—ARKANSAS.

Mr. BORLAND asked the Senate to take up Senate bill No. 60, to authorize the district judge in the court of Arkansas to appoint steamboat inspectors—it being well known that under the present law the judges had power to appoint them only in collection districts. There being no collection district in Arkansas, no inspectors could be appointed in that State. He would not press the matter if it should give rise to discussion, as he would not interfere with the senator from Connecticut, [Mr. SMITH.] The bill had been prepared at the Treasury Department.

Mr. DAVIS, of Massachusetts, suggested that the whole subject was now under the consideration of the Committee on Commerce, since the bill upon that subject had come from the House of Representatives. They would be able to report in a short time, and when they should report they would undoubtedly provide for this case.

Mr. BORLAND. I will say that this fact does not affect the question. This bill was reported by the Committee on Commerce at the last session, and merely gives the judge power to appoint under the existing laws. When the propositions to amend the laws in relation to inspection come up, if they are passed, the inspectors will act under the amended laws.

Mr. HALE. I hope the bill will not be taken up. I do not wish to oppose the senator from Arkansas, but we have several times decided to stick to the calendar. Besides, a friend upon my right has an amendment which he-

Mr. POTTER then proposed a substitute for the third section of the original bill. But before it was acted upon,

Mr. LITTLEFIELD proposed to amend the said third section by charging disunion newspapers double rates, and ordering that they shall be prepaid.

Mr. POTTER raised a point of order. This was not relevant to the bill.

The CHAIR sustaining the point of order, the substitute of Mr. POTTER was again read, providing for the coining of a United States three-cent piece for postage payments, three-fourths of silver and one-fourth of copper, to have on it the words "United States of America" and other devices, which shall serve to make it easily distinguishable from other American coins, and also making the said proposed coin a legal tender for all sums under thirty cents.

Mr. DUER moved to strike that out, and to insert in lieu thereof another providing for the coining of a two-and-a-half-cent coin, and that *from and after the 1st of June next the rates of postage shall be reduced to two and a half cents.*

Mr. PHŒNIX, in a few remarks, explained that the Committee on Commerce now had this subject under consideration; and then the said amendment was rejected.

The substitute of Mr. POTTER was next agreed to.

The [illegible] section of the original bill being next under consideration,

Mr. POTTER proposed to strike out therefrom all thereof giving to postmasters ten per cent. on the amount of the proposed three-cent stamps sold to them in sums of $50 and upwards.

After argument between Messrs. POTTER for, and VINTON against this motion, it was agreed to.

Mr. DICKEY proposed to strike out the whole 4th section, and insert a substitute therefor authorizing the Postmaster General to furnish for sale stamped envelopes, made of paper, into which the stamps shall be woven in its fabrication.

After a few remarks from Mr. DICKEY for this amendment as necessary to prevent frauds, and from Mr. POTTER against it, as, if enacted, likely to turn the Post Office Department into a grand stationery store,

Mr. CASEY proposed to amend Mr. DICKEY's proposition by making it discretionary with the department to provide such envelopes, and limiting the charge therefor to one mill for each envelope, in addition to the charge for the stamp.

After argument for five minutes against both these propositions from Mr. BROWN, of Indiana, the said amendment of Mr. CASEY was not agreed to.

Mr. CROWELL proposed to amend the amendment of Mr. DICKEY by adding thereto a provision abolishing the franking privilege, except where it had been granted to individuals by special laws, by way of compliment.

Mr. C. argued for five minutes in favor of his amendment.

Mr. MEADE, addressing the committee in reply for five minutes, said:

I hope the amendment of the gentleman from Ohio [Mr. CROWELL] will not pass. Our people are scattered over an immense territory, and yet must decide upon every question which is discussed here. It is the tribunal to which all the controversies on this floor must be referred; it is important that each party should be fairly heard. It has so happened that heretofore the most vital questions before the nation have enlisted on one side the associated capitalists, living, for the most part, in cities; and on the other, the agriculturists of the country, thinly dispersed over it. When such questions arise as affect the interests of the former, they promptly and easily assemble, and by means of their wealth, and through the medium of pamphlets and printed speeches, they appear before the people, and fill their minds with their arguments and views. The expense of sending those things through the mails is to them a small affair compared to their means and the immense interests they have at stake.

Not so with the other class. They live far apart; they cannot congregate together, and by joint contributions meet their antagonists with weapons like theirs. Their *common fund is the treasury of the country, and to secure a fair and impartial hearing, they must draw upon that. They do this in the shape of the franking privilege; and their servants here are allowed to send them by their own carriers, free of charge, all that may be said on both sides of the question. All that we ask on this side of the House is a fair hearing, and I warn my friends not to part with this means of securing it. And I would warn gentlemen on the other side, also, who may, in the mutation of affairs, hereafter require the aid of a free mail.*

And then the question being put, the said amendment proposed by Mr. CROWELL was not agreed to—ayes 44, noes 99.

The qestion was then put on the amendment of Mr. DICKEY; which was not agreed to.

Mr. TAYLOR proposed to strike out the fourth section of the original bill.

Mr. T. then addressed the House for five minutes against the use of post-office stamps, and was replied to by Mr. ASHMUN.

Mr. ASHMUN next raised a point of order. He desired to move to amend the said section, and held that it was the duty of the Chair, under the rule, to put the question on his proposed motion before the question on the motion to strike out was put.

The CHAIR overruled this point of order; and after an explanation from the Chair, stating the grounds of his decision,

Mr. ASHMUN appealed.

Mr. VINTON and Mr. STEPHENS each addressed a few remarks to the committee, sustaining the appeal.

And then the question being put, the decision of the Chair was overruled.

Mr. ASHMUN proposed to amend the said fourth section by adding a clause making it a felony, punishable by a fine and imprisonment not exceeding more than five

...onstitution.

Those who attempt to apologize for or uphold the fugitive Bill, very gravely ask, "*won't you support the Constitution?*" "*And don't the Constitution provide for the delivery up of fugitive slaves?*" "*And is not this law made simply to carry out that provision of the Constitution?*" These interrogatories, put with great assurance, stagger many minds and leave them in doubt as to the answer, though their intellects and consciences tell them that there is a good and valid answer. To our comprehension the answer is easy and perfect. Laying aside the question whether that provision of the Constitution is not in conflict with the "higher law" of God and of humanity, and ought not therefore to be disregarded when they come in conflict, and admitting that the Constitution is binding upon the Free States in this particular, and that Congress, instead of the States, have the power to legislate upon this subject, the question then arises ought this Fugitive from Service Bill, passed at the last session, to be sustained? We say it ought not. The duty of delivering up fugitive slaves required by the Constitution, does not make it necessary that any law framed to accomplish that object should outrage every principle of enlightened and Christian legislation, every safeguard of personal liberty provided by free institutions, and every feeling of humanity and fraternity existing in the human heart. All this the present law does. It denies the right of trial by jury, it renders nugatory, if it does not nullify, the writ of habeas corpus, it provides a summary and tyrannical procedure where the highest interest of man is concerned, it requires of the people of the Free States to trample on the best feelings of their nature and outrage the claims of benevolence and philanthropy, it inflicts penalties on the officers of the law when they are guilty of no neglect and no wrong, and as its crowning atrocity it offers a bribe to the administrators of its infernal provisions, to decide against the right to liberty! Now *such* a law relating to *any* subject, ought not to be supported for an instant by an intelligent and free people, and especially should it be scouted when its enactments are so framed for the express purpose of defeating the claims of freedom and securing the aims and triumph of tyranny. If laws to secure the return of fugitive slaves are to be made at all, let them be framed so as to afford all the safeguards to personal liberty, which thousands of years of enlightened legislation have "sanctioned and sanctified," and let every facility be secured for the assertion and maintainance of the right to freedom which every person in the Free States is presumed to possess until the most positive and incontestible proof is offered to the contrary. Let the "claim" of the owner be tried before a court of learning, experience and character, instead of a Commissioner who may or may not have a knowledge of law or any character to lose by being made the instrument of oppression. Let the facts that the person claimed as a fugitive, was *held to service* in another State—that he had *escaped*—and that his labor or service was *due* to the claimant, be established, by other testimony than exparte and interested affidavits, and to the satisfaction of a jury

The Writ of Habeas Corpus.

Many suppose the late Fugitive Slave Bill does not suspend the writ of *Habeas corpus*, and pin their faith in this particular, on the sleeve of Attorney General Crittenden. But such must be worse than blind, and wanting in the disposition, not to say ability, to think and reason for themselves. What is the writ in question? It is not the privilege of being discharged from custody or restraint, but the *privilege* of having an examination of our case, and of being discharged from disabilities, if in the opinion of the Court, we are *unlawfully* restrained.

Hence, it has been supposed, and is still true, that it is the righ of every person, who believes himself *unlawfully* restrained of his *liberty*, to have a habeas corpus issue in his behalf, and to have his case examined by the judge or court, allowing such writ. It is also the privilege of *any* third person, who believes the party unlawfully restrained, to have this writ issued in his behalf, on his relation upon oath of what he believes to be the facts in the case. The writ issuing, the party is brought before the court, or judge issuing such writ, who examine the case, and if it appears that one is unlawfully restrained, the court will discharge him. If *lawfully* restrained, the court will remand him. This is said to be the privilege of the writ of habeas corpus, and the extent of it.

But the Fugitive Slave Bill does not allow this. It supercedes the privilege of being brought up by this writ, and having the case examined. In proof, we quote the concluding sentence of section 6:

"The certificate, in this and the first section mentioned, shall be *conclusive* of the right of the person or persons, in whose favor granted, to take and remove such fugitive to the State or Territory from whence he escaped, and shall prevent all molestation of said person or persons, by ANY PROCESS, *issued by any court, judge, magistrate,* or any person whatsoever."

Now suppose a case. A person is seen travelling through our State, with a man in irons, and some one believes him to be unlawfully held, and a writ of habeas corpus issues, directed to the person who holds the man in irons. When the writ is delivered to him, for this is the mode of serving it, a certificate, executed by a Commissioner is shown, and the law appealed to as follows:

"*The certificate shall prevent all molestation by any process, issued by any court, judge, magistrate, or any person whatsoever.*"

Does not the Bill in question, justify this man in passing on with his victim? It certainly does if it has any meaning, and hence does not allow the alleged fugitive the privilege of the writ of habeas corpus, to see whether his detention is lawful or not. But this is not all. Not only are men deprived of this Constitutional safeguard of their liberty, by the infamous Bill of our late Congress, but it makes it a *penal* offence to interpose the writ of habeas corpus, in behalf of an alleged fugitive from service. It subjects such to a fine of one thousand dollars, and six months imprisonment,—besides rendering him liable to the claimant, in a civil suit, for another thousand dollars, for each alleged fugitive, in whose behalf a writ may be interposed. Hear the Algerine enactment:

tion, every safeguard of personal liberty provided by free institutions, and every feeling of humanity and fraternity existing in the human heart. All this the present law does. It denies the right of trial by jury, it renders nugatory, if it does not nullify, the writ of habeas corpus, it provides a summary and tyrannical procedure where the highest interest of man is concerned, it requires of the people of the Free States to trample on the best feelings of their nature and outrage the claims of benevolence and philanthropy, it inflicts penalties on the officers of the law when they are guilty of no neglect and no wrong, and as its crowning atrocity it offers a bribe to the administrators of its infernal provisions, to decide against the right to liberty! Now such a law relating to *any* subject, ought not to be supported for an instant by an intelligent and free people, and especially should it be scouted when its enactments are so framed for the express purpose of defeating the claims of freedom and securing the aims and triumph of tyranny. If laws to secure the return of fugitive slaves are to be made at all, let them be framed so as to afford all the safeguards to personal liberty, which thousands of years of enlightened legislation have "sanctioned and sanctified," and let every facility be secured for the assertion and maintainance of the right to freedom which every person in the Free States is presumed to possess until the most positive and incontestible proof is offered to the contrary. Let the "claim" of the owner be tried before a court of learning, experience and character, instead of a Commissioner who may or may not have a knowledge of law or any character to lose by being made the instrument of oppression Let the facts that the person claimed as a fugitive, was *held to service* in another State—that he had *escaped*—and that his labor or service was *due* to the claimant, be established, by other testimony than exparte and interested affidavits, and to the satisfaction of a jury of freemen—and let that great muniment of liberty—Habeas Corpus—be resorted to in cases of this character as well as in any other, without making it a mere form and a mere nullity. When laws for the reclamation of fugitive slaves are framed with such provisions, it will then be time to make an outcry against the North, if they are resisted and nullified, and not before. The tyrannical enactments which are embodied in the Fugitive Bill of the last Congress, have, in reality, none of the elements of Human and Christian legislation and cannot command either the assent of the intellect or the acquiescence of the heart in them.

B.

☞ It is with a choking sensation, al- ... that we ... ex- ... *Ver-* ... ll of ... men ... oved ... day, ... d in ... So ... f the ... was ... dge ... ict ... nd ...

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"And be it further enacted, that any person who shall knowingly and wilfully obstruct, hinder, or prevent such claimant, from arresting such fugitive from service or labor, EITHER WITH OR WITHOUT PROCESS, as aforesaid; or shall rescue, or attempt to rescue such fugitive from service or labor, from the custody of such claimant, shall for either of the said offences, be subject to fine, not exceeding one thousand dollars, and imprisonment, not exceeding six months; and shall moreover forfeit and pay by way of civil damages, to the party injured by such illegal conduct, the sum of one thousand dollars for each fugitive!"

Here we have it, that to prevent an arrest, to rescue, or to attempt to rescue, "WITH PROCESS" even, subjects a person to the payment of two thousand dollars, with cost, and six months imprisonment. Is not this suspending the writ of habeas corpus, and that with a vengeance? It is but mockery then, for a man to approach me with Gov. Crittenden's opinion, in the face of *positive* statute, and the evidence of my senses, to the contrary. If the climax of infamous legislation is not reached by the Fugitive Slave Bill, we shall search the ... *barism* in vain, to find ... then, and that party who do not ... *repeal*, REPEAL, on their banner, ... fit to be trusted with the issues ... man Liberty!

H.

WYETH, ROGERS & CO.

No. 32 CHURCH ALLEY, PHILADELPHIA,
AND
No. 128 PEARL STREET, NEW YORK,
IMPORTERS OF

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MATTHEW O'NEIL,
COPPER SMITH,

NO. 20 DECATUR Street, west side, between Market and Chestnut and Sixth and Seventh streets, Philadelphia, manufactures, to order, every kind of Still or vessel required by grain, turpentine and other distillers, sugar refiners, brewers, etc. Also, baths, boilers and heaters, dyeing kettles, mineral water fountains and copperwork for steam engines, factories, etc. fe11 [illegible]

JOHN M. COLEMAN,

IMPORTER OF
SHEFFIELD AND GERMAN

CUTLERY,

GUNS, PISTOLS, &c. &c.
Nos. 32 and 33 Arcade,
And No. 209 Chestnut Street,
fe9 PHILADELPHIA.

J. W. & E. D. STOKES,

WHOLESALE AND RETAIL

CLOTHING WAREHOUSE,

No. 194 Market Street,
(First below Sixth street,) south side, Philadelphia.
ODD FELLOWS' AND MASONIC REGALIA.
Constantly on hand, a variety of Regalia, suited to the various ranks and degrees of the Order fe8-1y

ROUSSEL'S PERFUMERY.

THE SUBSCRIBER has the honor of announcing to the public, that he has succeeded his brother-in law, EUGENE ROUSSEL, in his mercantile establishment, in which he has had an interest for several years past, and in whose laboratory he has been the sole director for the last six years. These facts will, he hopes, shield him from the charge of presumption, in pledging himself that the reputation of the house shall be sustained. By a skill in his profession, entirely unrivalled in America, Eugene Roussel has built up a business eminently successful, which it has become the easier, though more humble task of the subscriber to sustain in its integrity. The undersigned, having devoted his best energies, during many years, to the advancement of the interests of the business, deems it unnecessary to assert that his future exertions shall be no less energetic.

XAVIER BAZIN,
Successor to and former Director of the
Laboratory of EUGENE ROUSSEL,
ja28 114 Chestnut street.

Andrew McCallum & Co, 87 Chestnut street,
Wholesale and Retail Carpet Warehouse,

HAVE constantly on hand a general assortment of American and English Velvet and Brussels Tapestrys, Brussels, Imperial 3 plys, superior and fine Ingrains, Twilled, Plain and Tapestry damask Venitians, Oil Cloths, Druggetts, &c, &c, which they offer at the lowest prices, wholesale or retail. ja11 tf

POCKET BOOK
AND PORT MONNAIS MANUFACTORY.

POCKET BOOKS, Port Monnaies, Bankers Cases, Port Folios, Dressing Cases, Card do, Segar do, Writing do. Also, fine Pocket Cutlery.
F. H. SMITH, Pocket Book Manufacturer,
ja24 52 1-2 Chestnut street.

STORE SHADES,
CHURCH SHADES,
WINDOW SHADES,
LETTERED SHADES,

ARE manufactured at the exclusive DEPOT and MANUFACTORY, at such prices and in such manner of execution, as to defy all competition.
We most respectfully call the attention of all persons wanting
BULK WINDOW SHADES,
to the great number in this city, issued from this establishment, lettered in
—GOLD—
Plain and Variegated Colors,
And challenge any other establishment to equal them either in price or workmanship.
DEPOT OF WINDOW SHADES, 62 N. EIGHTH Street j31-tf

M. L. HALLOWELL & CO.

The Daily News.

FRIDAY MORNING, FEBRUARY 22, 1850.

BY MAGNETIC TELEGRAPH FOR THE DAILY NEWS.

THIRTY-FIRST CONGRESS—1st Session.

WASHINGTON, Feb. 21.

SENATE.—Mr. Seward presented the resolutions recently passed by the Legislature of New York, upon the subject of slavery, and the admission of California into the Union. Laid on the table and ordered to be printed.

Numerous petitions were received and referred.

Mr. Davis, of Mississippi, from the committee on Military Affairs, reported a bill to increase the number of Commissaries in the Army.

Mr. Hamlin's resolution, submitted some time since, calling for information relative to the imprisonment and barbarous treatment of American Seamen wrecked on the coast of Japan, was taken up and adopted.

Mr. Seward's resolution of inquiry into the propriety of giving some national testimonial to Captain Cook, of the British barque Sarah, for his noble conduct in rescuing the passengers and crew of the Caleb Grimshaw, was taken up and passed.

Numerous adverse reports were taken from the table and concurred in.

On motion of Mr. Atchison, the Senate took up the bill authorising the negotiation of treaties with the Indian tribes in Oregon, and the extinguishment of their claims to lands lying west of the Cascade mountains—removing the Indians east of the same.

After some explanation by Mr. Bell, Mr. Hunter objected to its consideration, and it was laid over.

Mr. Borland introduced a bill for the relief of the widow of General Worth.

Mr. Foote moved that ladies be admitted on the floor, which was agreed to.

The special order of the day being taken up. Mr. Miller proceeded to address the Senate. He said that the President had this morning left the Federal capitol for the purpose of being present at the laying of the foundation stone of the Washington monument about to be erected by the good old commonwealth of Virgina, in honor of her most distinguished son. The omen was good, and he trusted that this foundation stone might do much to strengthen the foundation stone of the union. He then proceeded to picture the prosperity and happiness of the American people. A people never were more prosperous than now, and yet never were there so much dissatisfaction. The union never was stronger than to-day, and yet its destruction was a continual theme. The people were never happier than now, and yet never were their representatives more distressed and worried. The national credit never was higher than now—our foreign and internal commerce never before so extended—all was prosperous—our national wealth, prosperity and strength, was never greater, and yet the country was racked with fear, commotion and excitement. This anomalous condition of things was worthy of notice. Notwithstanding such radient brightness marked the firmament, there were some political astronomers who seemed to affect or imagine a state of things, in which this lustre was to be dimmed by something which threatened us with danger. When he looked about him and beheld thirty happy and prosperous States clustering around the parent sun—each dwelling in a glory unsurpassed by any people that have preceded them, he had no fears but that the glorious system would move onward and onward in its career of brightness and prosperity, until it had accomplished the end for which a wise Creator had appointed it.

Mr. Miller then proceeded to consider the general question of slavery, answering the charges of aggression made by the south against the north—charging that they were exaggerated, and that so far as they exist, the representatives from the northern states are ready, and ever have been, to afford to the south all necessary and proper measures for the vindication of their rights. He reviewed the past history of the country, quoting the action of government on various questions similar in more or less respects to those now agitating the land, for the purpose of showing that the north asked nothing from the south violative of any usage or principle heretofore established, or of any true interest or right of the south. He advocated the proposition to admit California into the union, defending the president from the charge of usurpation, and arguing the necessity of giving to the people of the Pacific that necessary protection for which they sue at the hands of the federal parent. At about three o'clock, Mr. Miller gave way to a motion for postponement of the farther consideration of the subject until Tuesday next, which was agreed to. After some conversation relative to the title to the floor, in which it was generally understood that Messrs. Walker, Rusk and Seward should successively follow Mr. Miller, the Senate adjourned to Monday.

HOUSE.—Mr. Morse, from the committee on Private Land Claims, reported a bill to authorise persons entitled to bounty land to dispose of the same by testament. Mr. Morse said that according to the law of 1847, erecting an additional military force, when a soldier died his bounty land goes to his widow, children, father or mother, and in the absence of these there is no provision made. Many of the soldiers returned are without heirs. They were well treated and supported by friends, and some who have died left their benefactors the land given them as a small return of gratitude. He wanted the House to take some action on the subject, as a large number of such cases were before the committee.

Mr. Burt said it was obvious that if the bill become a law, it would totally repeal the humane provision of the present [illegible] soldier having no heirs [illegible] deprive hi[illegible]

country, that unless southern represen[tatives]
on the floor have greatly mistaken the
and intentions of their constituents, thei[r]
on the authority of the government is inv[...]
ble. They have given us to understand t[hat]
for a long time the people of the south ha[ve]
been calmly deliberating on the question of [the]
dissolution of the union—that they have e[x]-
amined into it in all its bearings and aspe[cts,]
and that their minds are made up, and that
a certain contingency, likely to happen, th[ey]
will rebel. We have been told that the so[uth]
have calculated the pecuniary advantages o[f a]
seperate confederacy, and the result of the c[on]-
viction in their minds is, that after paying
expenses, there will be a surplus of twenty [...]
millions. He then referred to the speeches [of]
southern members, to show that their objec[t is]
forcible.

He then referred to the speeches of South[ern]
members, to show that their object is for a d[is]-
solution. He repelled the charge of aggress[ion]
by the North, and showed that the North h[as]
been more aggrieved than the South. T[he]
abolition lecturers, most mischievous in t[he]
North, came from the South—such as Cassi[us]
M. Clay, Letcher and Metcalf. They stimulat[ed]
the Northern people, and then returned to t[he]
South, threatened dissolution, because t[he]
North are tainted with abolitionism, and t[he]
South complained of abolition papers, wh[en]
one was published here on the soil to whi[ch]
Mr. Clingman said he and his friends wou[ld]
adhere. He asked whether any one of t[he]
grievances of which they complained would [be]
remedied by dissolution? He thought th[at]
the slavery question was used as a prete[xt,]
and if they could not find in this question
cause to carry out their designs, they wer[e to]
hunt for some other pretext or make one.

He could speak for his own state. If dang[er]
menace the union, Illinois—which offered
the government nine regiments when engag[ed]
in the war with Mexico—will come to the su[p]-
part of the government. She will furnish twi[ce,]
three or four times that number—promisi[ng]
to return only when the danger is over or
more. He spoke for Illinois, and he thoug[ht]
that he could for the whole northwest, wh[en]
he said that there was not a man there w[ho]
would support the dissolution of the uni[on,]
and they would swear by the eternal God,
he now did, that it shall not be done.

Dissolve the union! How? Are we not n[ow]
admired and free, and if the Union falls w[ill]
not a pall settle over the earth more dark th[an]
Egyptian night? Our government stood o[ut]
as a beacon of light—as the strong defence [of]
freemen. Let the Union stand, still to che[er]
and encourage us. Do not extinguish t[hat]
beacon light. If you do, no Promethean fi[re]
can the light reillume. We must put up wi[th]
trifles we cannot avoid; but for those must w[e]
destroy this beautiful fabric and scatter it [to]
the winds. Forbid it Heaven.

Mr. Winthrop had refrained from enterin[g]
into the discussion of a question so much de-
bated, preferring to wait until some practicab[le]
plan should be proposed. The President was [at]
the helm, and by the blessing of God, he truste[d]
would be hailed as the pilot who had weathered
the storm. He then referred to the unmannerl[y]
and gross attacks which had been made upo[n]
him by Messrs. Johnson, of Tenn, Root, Gid-
dings and others—one side saying that he had
while speaker, so formed the committees as to
injure the interests of the south—and, on the
other hand, that he had betrayed the north
and had recently dodged the Wilmot proviso.
Ten years ago, when he was a candidate for
Congress, he said that if it was his fortune to b[e]
elected, he would deem it to be his duty no[t]
to agitate the subject of slavery—that he had
no sympathy with any fanatics, and tha[t]
whenever the interests of the north were as-
sailed he would defend them. "A plague o[n]
both your houses," has been his constant ex-
clamation.

He thanked his God that he was incapac[i]-
tated from countenancing ultraism in any wa[y.]
If he had the approval of the ultraist he shoul[d]
inquire in the language of one of old, "wh[at]
evil things have I done that they should spea[k]
ill of me?" As to Mr. Root's resolutions in-
structing the committee on Territories to brin[g]
in territorial bills with the slavery restriction
he regarded it as fraught with the greatest mi[s]-
chief. Hence, he voted to lay it on the tabl[e,]
and he came to the conclusion that the hono[r]-
able member (Root,) for the sake of a miserabl[e]
notoriety, put in peril a cause of which he pr[o]-
fessed to be the proudest advocate. If the re-
solution had been pressed on the House, all hop[e]
of legislation would have been at an end, an[d]
California admitted during this session. If th[e]
Wilmot proviso was dead, its death lies at th[e]
door of Mr. Root, and the epitaph on the tom[b]
ought to be: "here lies the victim of the res[t]-
less vanity and headstrong rashness of th[e]
gentleman from Ohio, who held it up delib[e]-
rately to receive its death blow." It was [a]
fatal blunder to offer that resolution, but M[r.]
Winthrop had sought the favor to say to hi[s]
constituents and his country, that these gentle-
men are not the proper judges of his votes.
There has never been a party under the cloak
of philanthropy that has been so vituperatively
abusive as the free soil sect.

He did not believe that there was ever wit-
nessed, in the history of this or any othe[r]
country, such audacity and false statements
as the presses of their party have exhibited. He
had had his share of it, and more than his share [...]
here, and at home there was a man biting a file, an[d]
in his district, who had been biting [...] they want [...]
having broken their own teeth [...] honorable members of th[e]
use the teeth of [...] He produced proof to show that th[e]
House. He produced proof to show that th[e]
charge of Mr. Giddings, that he went into th[e]
Whig caucus in 1846, and made a war speech
was false. He regarded the admission of Cal[i]-
fornia as a state, the first measure to be ac-
complished by Congress, and he would do a[ll]
in his power to effect that result.

He did not believe that slavery can be e[x]-
[ist]ed without the sanction of positive la[w]
[...] did not intend to give to this b[...]
[...] that the plan proposed [...] President was th[e]

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jal-tf

M. L. HALLOWELL & CO.

Mr. Miller proceeded to address the Senate. He said that the President had this morning left the Federal capitol for the purpose of being present at the laying of the foundation stone of the Washington monument about to be erected by the good old commonwealth of Virgina, in honor of her most distinguished son. The omen was good, and he trusted that this foundation stone might do much to strengthen the foundation stone of the union. He then proceeded to picture the prosperity and happiness of the American people. A people never were more prosperous than now, and yet never were there so much dissatisfaction. The union never was stronger than to-day, and yet its destruction was a continual theme. The people were never happier than now, and yet never were their representatives more distressed and worried. The national credit never was higher than now—our foreign and internal commerce never before so extended—all was prosperous—our national wealth, prosperity and strength, was never greater, and yet the country was racked with fear, commotion and excitement. This anomalous condition of things was worthy of notice. Notwithstanding such radient brightness [illegible] astronomers who seemed to affect or imagine a state of things, in which this lustre was to be dimmed by something which threatened us with danger. When he looked about him and beheld thirty happy and prosperous States clustering around the parent sun—each dwelling in a glory unsurpassed by any people that have preceded them, he had no fears! but that the glorious system would move onward and onward in its career of brightness and prosperity, until it had accomplished the end for which a wise Creator had appointed it.

Mr. Miller then proceeded to consider the general question of slavery, answering the charges of aggression made by the south against the north—charging that they were exaggerated, and that so far as they exist, the representatives from the northern states are ready, and ever have been, to afford to the south all necessary and proper measures for the vindication of their rights. He reviewed the past history of the country, quoting the action of government on various questions similar in more or less respects to those now agitating the land, for the purpose of showing that the north asked nothing from the south violative of any usage or principle heretofore established, or of any true interest or right of the south. He advocated the proposition to admit California into the union, defending the president from the charge of usurpation, and arguing the necessity of giving to the people of the Pacific that necessary protection for which they sue at the hands of the federal parent.

At about three o'clock, Mr. Miller gave way to a motion for postponement of the farther consideration of the subject until Tuesday next, which was agreed to. After some conversation relative to the title to the floor, in which it was generally understood that Messrs. Walker, Rusk and Seward should successively follow Mr. Miller, the Senate adjourned to Monday.

HOUSE.—Mr. Morse, from the committee on Private Land Claims, reported a bill to authorise persons entitled to bounty land to dispose of the same by testament. Mr. Morse said that according to the law of 1847, erecting additional military force, when a soldier died his bounty land goes to his widow, children, father or mother, and in the absence of these there is no provision made. Many of the soldiers returned are without heirs. They were well treated and supported by friends, and some who have died left their benefactors the land given them as a small return of gratitude. He wanted the House to take some action on the subject, as a large number of such cases were before the committee.

Mr. Burt said it was obvious that if the bill become a law, it would totally repeal the humane provision of the present laws, and the soldier having no heirs might, at his caprice, deprive his aged mother, father, brother or sister, of the land granted to him by the government. He hoped that no general law would be passed in relation to the matter, believing that it would contravene not only the policy of the government, but would be subject to abuse. Special cases might be acted on as they occur.

Several gentlemen expressed their views on the subject, and the bill was finally referred to the committee of the Whole on the State of the Union.

Mr. Johnson, of Tennessee, from the committee on Public Expenditures, by leave reported a bill to provide a homestead of one hundred and sixty acres of the public domain for every man, if the head of a family, and widow, if the mother of minor children—provided they become permanent occupiers of the soil.

Mr. Vinton inquired what right has the committee on Public Expenditures to report a bill to dispose of the public lands?

The Speaker replied that the question must be settled by the House.

Mr. Johnson thought that the report must be a legitimate one for the committee to make. Did not the public lands involve public expenditures?

Several questions of order were raised that debate was out of order, and that the subject of the bill belonged to the committee on Public Lands.

The Speaker said that the first question to be decided was whether the House will receive the bill as the report of the committee.

Mr. Johnson resumed, insisting that the committee on Public Expenditures had a right to report the bill.

Mr. Duer asked what was the question?

The Speaker replied that debate was not legitimately in order, but it being a novel question, the gentlemen from Tennessee was indulged in his remarks.

Mr. Duer objected to further debate.

Mr. Johnson—This bill was planned by many of your constituents. A man who wants to do good has but little chance here any how.

The Speaker decided that the report was not in order

Mr. Johnson said he would like to know by what authority the committee on Commerce, yesterday, reported a bill authorising another million of dollars to be deposited in the Mint to exchange for bullion.

The Speaker said the question was not debateable.

Mr. Johnson—How can the Speaker and House determine the character of the bill when the bill has not been read?

The provisions of the bill must conform to its title, which has been read.

Mr. Johnson took an appeal from the chair.

The question being taken the chair was sustained.

On motion, Resolved, That when the House adjourn to-day, it be till Monday next.

The House then went into committee of the Whole on the State of the Union.

Mr. Bissal, of Illinois, having the floor, proceeded to address the House.

Mr. Bissell said that if it were indeed true that dissolution was so near at hand as gentlemen declared—it should be known—if the contrary is the fact, the public heart should cease its anxious throbbings, and citizens have that repose and constant security which they are entitled to, under a government of their own creation and support. He had no hesitation in declaring here, and letting it go forth to the

to return only when the danger is over or[illegible] more. He spoke for Illinois, and he thought that he could for the whole northwest, when he said that there was not a man there who would support the dissolution of the union, and they would swear by the eternal God, he now did, that it shall not be done.

Dissolve the union! How? Are we not no[illegible] admired and free, and if the Union falls we[illegible] not a pall settle over the earth more dark than Egyptian night? Our government stood [illegible] as a beacon of light—as the strong defence of freemen. Let the Union stand, still to cheer and encourage us. Do not extinguish the beacon light. If you do, no Promethean fire can the light reillume. We must put up with trifles we cannot avoid; but for those must we destroy this beautiful fabric and scatter it to the winds. Forbid it Heaven.

Mr. Winthrop had refrained from entering into the discussion of a question so much debated, preferring to wait until some practicable plan should be proposed. The President was at the helm, and by the blessing of God, he trusted would be hailed as the pilot who had weathered the storm. He then referred to the unmannerly and gross attacks which had been made upon him by Messrs. Johnson, of Tenn, Root, Giddings, and others—one side saying that he had while speaker, so formed the committees as to injure the interests of the south—and, on the other hand, that he had betrayed the north and had recently dodged the Wilmot proviso. Ten years ago, when he was a candidate for Congress, he said that if it was his fortune to be elected, he would deem it to be his duty not to agitate the subject of slavery—that he had no sympathy with any fanatics, and that whenever the interests of the north were assailed he would defend them. "A plague on both your houses," has been his constant exclamation.

He thanked his God that he was incapacitated from countenancing ultraism in any way. If he had the approval of the ultraist he should inquire in the language of one of old, "what evil things have I done that they should speak ill of me?" As to Mr. Root's resolutions instructing the committee on Territories to bring in territorial bills with the slavery restriction he regarded it as fraught with the greatest mischief. Hence, he voted to lay it on the table and he came to the conclusion that the honorable member (Root,) for the sake of a miserable notoriety, put in peril a cause of which he professed to be the proudest advocate. If the resolution had been pressed on the House, all hope of legislation would have been at an end, and California admitted during this session. If the Wilmot proviso was dead, its death lies at the door of Mr. Root, and the epitaph on the tomb ought to be: "here lies the victim of the reckless vanity and headstrong rashness of the gentleman from Ohio, who held it up deliberately to receive its death blow." It was a fatal blunder to offer that resolution, but Mr. Winthrop had sought the favor to say to his constituents and his country, that these gentlemen are not the proper judges of his votes. There has never been a party under the cloak of philanthropy that has been so vituperatively abusive as the free soil sect.

He did not believe that there was ever witnessed, in the history of this or any other country, such audacity and false statements as the presses of their party have exhibited. He had had his share of it, and more than his share here, and at home there was a nest of vipers in his district, who had been biting a file, and having broken their own teeth they want to use the teeth of honorable members of this House. He produced proof to show that the charge of Mr. Giddings, that he went into the Whig caucus in 1846, and made a war speech was false. He regarded the admission of California as a state, the first measure to be accomplished by Congress, and he would do all in his power to effect that result.

He did not believe that slavery can be extended without the sanction of positive law, and that he did not intend to give to this his aid. He believed that the plan proposed in the special message of the President was the best—if not the only plan which can be adopted. He spoke of no abstract plan. We must aim at something practical, what we can accomplish, and what we wish to accomplish. He believed in his own soul that peace can be preserved and the union maintained and the northern principles sufficiently vindicated by adopting the course recommended by the President. He spoke the sentiments of Faneuil Hall, not those who meet in the anti-slavery convention, declaring war on everybody—but the sentiments of intelligent, patriotic freemen who will be remembered for generations to come, when he said the union must at all hazards be preserved—although he had been abused for the expression there made by himself. He repeated our country, whether bounded by the Sabine or the St. Johns, or however otherwise bounded be the measurement more or less, our country is to be cherished in all our hearts, and defended by all our power.

During the delivery of the above remarks, Mr. Winthrop was several times applauded, and members gathered round him to hear the better.

Mr. Root said that he never took any pains to escape a vote, as had been charged by the gentleman from Massachusetts. To use a plain phrase he never dodged. He might have paired off. As a swelled head genius he did the best he could, the best he knew how. He congratulated the country that the dough faces had found a voice and got it to talking.

Mr. Millson, of Va., commenced replying to Mr. Stevens, but gave way for a motion for the committee to rise, which prevailed.

The bill from the Senate, releasing the bondsmen of a vessel for the German Empire passed.

The house then adjourned till Monday.

PENNSYLVANIA LEGISLATURE.

HARRISBURG, Feb. 21.

SENATE.—The Speaker presented a petition, praying an extension of the charter of the Wyoming bank.

Mr. Crabb, a memorial from members of the Lycoming County Mutual Insurance company, remonstrating against any alteration in their charter; also, from citizens of Luzerne, against [illegible] charter of the Wyoming bank.

Mr. Fernon, four remonstrances of citizens of Philadelphia, against the occupation of Independence Park for any public buildings; petition of citizens of Mount Airy, upper ward, Germantown, relative to curbing and paving; also, from citizens of Philadelphia, asking an alteration in the license laws.

Mr. Forsyth, petition from citizens of Blockley, &c., praying an extension of the boundaries of West Philadelphia; also, for repeal of the license law of last session; also, that no public buildings may be erected on Independence Square, other than on the ground now occupied by the same.

Mr. Brooke, petition praying the passage of a law authorising the state to carry passengers on the Columbia and Philadelphia railroad.

Mr. Lawrence, petitions of citizens of Harrisburg, praying that the borough may be divided into four wards.

The bill regulating certain election districts was taken up, considered, and passed with amendments.

Mr. Forsyth read in place a bill relative to land and building associations, and giving courts power to grant charters.

Mr. Walker offered the following joint resolution, which was adopted:—

Continuation of the Proceedings of the Taylor Festival, at Boston on the 22d February, 1849.

Fourth regular toast:—

"Pennsylvania—The Keystone in the great National Arch—Her recent vote for the Presidential question has furnished a guarantee that whenever necessary she will not be backward in sustaining the principles necessary to perpetuate our Union."

Col. J. Sidney Jones, of Philadelphia, was then introduced to respond, being the bearer in behalf of his state, of the ensuing expression of kindred feeling:

The independent friends of Gen. Taylor, in the city and county of Philadelphia, present, in behalf of the Keystone state, through Col. J. Sidney Jones, to their brethren in Boston, celebrating the birth-day of Washington, the following sentiment:

The foundation of Freedom, of Thought laid by PETER FANEUIL and WILLIAM PENN, have made sacred forever, Independence Hall, in Philapelphia, and Faneuil Hall, in Boston. At these shrines of Liberty the people have dedicated to the civil service of the country, in its highest office, General Zachary Taylor, as exemplifying the virtues of the Father of his Country—GEORGE WASHINGTON.

J. K. MITCHELL. Chairman.

Edward D. Yates, Secretary.

SPEECH OF
GEN. J. SIDNEY JONES,
At the Taylor Celebration at Feneuil Hall, in Boston, February 22d, 1849.

Mr. President and my fellow citizens, in responding to your call, I would premise, that I feel almost overwhelmed with the multitude of thoughts and reminiscences pressing on my brain, connected with the history and fame of this sacred old Faneuil Hall—this cradle of American liberty, and the patriotic associations identified with its existence; and that of many of the compatriots of the first Washington, a Hancock, a Samuel Adams, with a Warren, and other kindred spirits, in times that tried the souls of men.

Truly, my friends, this is no ordinary occasion that brings us together; we stand upon holy ground, and when the sublime aspirations of the reverend brother ascended to the Throne of Grace, invoking the divine blessing upon the proceedings of this feast of reason and flow of soul, methought the sandals of the selfish caucus conventionalism of the outer world should be put off from our feet, for here are the elements in agitation that shall give an impress to the age in which we live; and when the senior members of this day's brotherhood shall have passed away to "that undiscovered country from whose bourne no traveller returns," and age have whitened the heads of the younger descendants of the Puritan Fathers, now around me in all the pomp of man, of military and civil pride, flushed with our recent triumph, it will be told to your sons that your mission was to aid in establishing a new jubilee—a new platform of freedom—broad enough for the oppressed and down-trodden of this and every other clime. Observe, my countrymen, the extraordinary coincidence of dates and thrilling events characteristic of our national history; see the glorious departure from life, on the same fourth of July of the star of the south, Thomas Jefferson, and the star of the east, John Adams; and [illegible] that on this day one year ago, the son of the latter, "the old man eloquent," the expounder from the book of Genesis of our indisputable title to Oregon—

"With the noble plough strike deep the furrow,
And mark man's claim where wild beasts burrow",

was called upon by the angel of death, to exchange time for eternity, after a long life devoted to the honor and glory of his country; "earth ending with him" on the very spot where his fame as a statesman, had so largely contributed to advance the great principles of man's social and political freedom, and where his prophetic vision, too, had been blessed with the sight of the new birth day of light, of civilisation for the western side of our continent, consecrated to all time on the field of Buena Vista, by the blood of a Clay, of a McKee, of a Hardin, of a Lincoln, with a host of other brave and philanthropic spirits, of "a little more grape, a little more grape," a sentiment remarkable for its brevity, like that of its great exemplar, "the union must, and shall be preserved," given at a most critical period, when that same genius of liberty, who had crossed over the vast waters with Columbus, in search of this western world, and who had watched over and nursed us in our existence, until we had become a great and mighty people, like the bird of Jove, hovered over the contending armies—the weal or woe of a generation at least, trembling in the balance, and then with unbounded love, giving our Spartan Leonidas band the victory over the immense hordes of Santa Anna. How grand and majestic was the influence of that expression, "a little more grape," in extending free soil and free suffrage over the benighted sons of Ishmael. This new era commencing on the same day, emphatically constitutes it the *natal* day, the second coming of the new dispensation, the first, the immortal Washington of the Atlantic, dedicating the second, the glorious Washington of the Pacific, to carry out the great design of man's political redemption. All these remarkable incidents force conviction upon the mind of the most casual observer [illegible] unerring wisdom and justice the destiny of his creation.

Impressed with these views, enthusiastically devoted to the prestige of Gen. Taylor, quite as much as any working man can be with propriety, without incurring the charge of neglecting legitimate callings, combining the avocations of tradesman, manufacturer and agriculturist, [illegible] was any doubt in my mind [illegible] justice to the subject [illegible] on your liberality [illegible] the Keystone [illegible]

opposed to its iron rule! What solemn warnings have we had of the disastrous results of party faction becoming despotic; alas, too many sad instances in Grecian and Roman archives, have caused alarm in the minds of many who really and devotedly love their country, but who blindly imagine they see an Alcibiades or a Cæsar in every soldier called to administer the executive power of the republic.

But it has been reserved for our country to offer to the world a new example in government, and a new subject for ambition; the moment the star of a Washington rose above the horizon, how rapidly paled all the former constellations! Where now are your founders of dynasties, your iron heeled despots of the past? Gone, faded before the hero of freedom, the simple soldier of liberty. The thrones, to erect which they sacrificed the happiness of their race, are crumbling to decay; the trophies of their valor are dust, like themselves, and their places in history each passing day more dubious; whilst years but add verdure to the laurels of the champion of man's holiest rights, and at this moment a voluntary tribute of respect is being offered to the memory of Washington in every land where civilisation exists, and commerce unfurls her canvass to the breeze of heaven. In modern times we have had but two instances of the betrayal of national liberty by those who had led the sons of a people to victory, and surely their fate has not been such as to lure others to follow in their footsteps. To secure a throne to his descent, Napoleon Bonaparte proudly dictating an alliance with a daughter of the Cesars, sacrificed with his domestic happiness the fondest affections of his heart, and then perished a lonely exile on the island of St. Helens; yet his apologists claim for him one merit, that, although wearing the crown of the usurper, he nevertheless struggled for principle; that his prowess was wielded to overthrow the idea of *legitimacy*—a despotism under which man had grovelled for ages, that the result of his course is now being felt throughout Eurepe; that the seed scattered by his victorious hand in the sunny and classic land of Italy, amid the dikes and fens of Holland, and over the mountains and vallies of Germany, have taken root, and in their course are undermining the foundations of tyranny and threatening the overthrow of unholy alliances, that have been cemented by the wrongs and oppressions of centuries. Of the other party, Santa Anna, it is scarce necessary to speak, except in his relation as the principal chief, opposed to Gen. Taylor. Driven form the confidence and association of the people whom he betrayed, after fully proving to their satisfaction that his defence of Vera Cruz against the Prince of Joinville, was but to confirm and strengthen despotism in his own person, he fled to a foreign land; returning again by treachery, intending to retrieve his fortunes amid the chances of a war, the result in a great measure of his own villiany and misrule, he found that fortune no longer favored him; beaten in every battle, exciting again the distrust that his early acts had inspired, he a second time found safety in flight, and now presents to the world the spectacle of a man, blessed with opportunities, that if rightly used would have inscribed his name high on the pillar of fame, as a benefactor of his nation—now a fugitive and an exile, whose brightest hope can only be that history may find no place for him.

Yet all this was but the result of a single error, that of "*loving power better than freedom,*" and consequently "*opposing the onward march of man's emancipation.*"

Truly, there is an overruling Power, that defeats all the designs of the selfish and evil-minded; and although human laws have enslaved man, fortunately, providentially I would say, such slavery in our republic has enlightened millions, who, otherwise, might never have enjoyed the opportunity of acquiring knowledge. May not this immense development of free soil on the Pacific be incidental to a new jubilee for 1850—for a new era in the history of human progress? Surely the enlightened laws of christendom are not more harsh and severe than the old Mosaic dispensation; and although it might be argued that Moses claimed the sanction of the Almighty to enslave man, still there was a qualification that the bondman should be of the heathen and stranger only; and with that there was social and political equality, with the exception for the circumcised slave, who could say our brother, our country and our God; he was sure of the fiftieth year—the year of freedom—the year of Jubilee. Observe the Levitican law—"AND IF HE BE NOT REMEMBERED THESE YEARS, THEN HE SHALL GO OUT IN THE YEAR OF JUBILEE, BOTH HE AND HIS CHILDREN WITH HIM. AND YE SHALL HALLOW THE FIFTIETH YEAR, AND PROCLAIM LIBERTY THROUGHOUT ALL THE LAND, UNTO ALL THE INHABITANTS THEREOF; IT SHALL BE A JUBILEE UNTO YOU." A portion of this verse was inscribed on the bell of old Independence Hall, and it called free men together for free suffrage, until the miscalled democratic party, in the late reform convention of Pennsylvania, disfranchised a portion of its native born citizens—and then the old bell of the revolution, which had tolled when our fathers proclaimed that "all men were created equal," lost its bold and clear sound—the silvery tone of freedom became dissonant, jarring and discordant, and its grating, tremulous ring, mournfully wailed the *temporary* selfish victory of cruel prejudice over republican christian principle.

The first Washington was called upon to harmonise and unite the crude principles of government, springing from the revolution, and thrown upon the existing chaos of the times. The second Washington, in the middle of the nineteenth century, a most wonderful era of philosophical, mechanical, and legislative improvement and discovery, is expected to continue the progress of these opinions, and spread them over the immense territories, won by the valor of himself and companions in arms; and here I would allude to the enlarged and provident foresight of [illegible]

ministration be ranked among the wisest of which our country can boast; and his name, coupled with that of his great prototype, will live in the songs, and legends of days yet to come. When the hardy arm of the adventurous pioneer shall have opened the path for civilization, industry and religion, through the dense wilderness of the west and south; when magnificent cities deck the shores of the bright Pacific, the banks of the Columbia and the Sacramento with their tributaries—and the western slope of this continent, cultivated by a robust, free and enlightened population, pour the fruits of industry into the lap of commerce—when we shall number our people by hundreds of millions, whose example will influence the destinies of men—in a word, when the great end of man's social and political creation shall have been achieved, and the promise of holy writ that the "Lion shall lie down with the Lamb" be accomplished, then and in that day will the fame and glory of those, who, sacrificing party alliances and attachments, aided to consummate the work of man's redemption from despotism, have a place in the memory of a great people, whilst the renowned warriors and usurpers of our own or other times be forgotten, or live in the memory of man only, as the shadow of an evil dream.

In conclusion, let me congratulate your association, that you were among the very first to avail yourselves of the opportunity to act as humble instruments in effecting our political regeneration. Nobly have you responded to the declaration of the Philadelphia County Association, which I had the honor to announce in this hall in January, 1848, and the shouts and cheers still ring in my ears, with which you received it:—

"The best pledge for future performance, is past practice—General Taylor for President, on his own merits, without reference to the demerits (if any) of others, independent of party faction."

To the indefatigable exertions of your worthy President, are the friends of General Taylor vastly indebted; his whole-souled energies have been devoted to this cause; the influence of his pen and paper added fuel to the flame; it will redound to his honor in the present celebration, and the future history of our country.

Mr. President, and my fellow-citizens, thanking you for the attention with which you have favored me, allow me to offer you for a sentiment—

"*The good time coming,*" will prove that the sword and the pen of the second Washington, dedicated by the vox populi in the middle of the nineteenth century, to regenerate the Pacific coast—to enlarge the area of human progress, will be equally as successful as the *first* in defending the rights and honor, and maintaining the integrity of free institutions over our more widely extended country.

By the President—Col. J. Sidney Jones, (an honorary member of this Association:) His presence on this occasion is an evidence of the zeal he has displayed in the recent contest, and his determination to sustain the incoming administration.

The following sentiment was received at the Chestnut Street Theatre from their brethren at Boston:—

"The friends of General Taylor assembled in Faneuil Hall on this glorious anniversary of the birth-day of Washington, send greeting to the friends of General Taylor, convened together in Philadelphia, Pennsylvania, to the indefatigable exertions of the independent friends of the hero of Buena Vista, is the country mainly indebted for his election to the Presidency."

Letters were received from the Hon. Charles S. Coxe and Samuel Wright, Esq., with the following sentiments:

General Taylor—For heroic deeds, emulating the fame, he was elevated by the people to the station, of Washington; in the execution of its duties, he will respect the example of the Father of his Country.

By the Association—

Hon. Charles S. Coxe—A veteran in politics and an honor to his party.

WASHINGTON AND TAYLOR.—It is the firm conviction of the friends of Gen. Taylor that as the principles of the one have been developed, so will they be carried out by the latter.

With sentiments of respect, your obedient servant,

SAMUEL WRIGHT.

By the association—

SAMUEL WRIGHT, ESQ.—An early and devoted friend of the President elect—and an [illegible] advocate of the rights of the people:

...son, John Adams, ... and the
at on this day one year ago the son of ... and rememb-
tter, "the old man eloquent," the expounder
om the book of Genesis of our indisputable
tle to Oregon—

"With the noble plough strike deep the furrow,
nd mark man's claim where wild beasts burrow"

was called upon by the angel of death, to ex-
hange time for eternity, after a long life de-
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an's social and political freedom, and where
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ista, by the blood of a Clay, of a McKee, of a
ardin, of a Lincoln, with a host of other brave
nd philanthropic spirits, of "a little more
rape, a little more grape," a sentiment re-
arkable for its brevity, like that of its great
xemplar, "the union must, and shall be pre-
erved," given at a most critical period, when
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ver the vast waters with Columbus, in search
f this western world, and who had watched
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ble incidents force conviction upon the mind
of the most casual observer, that an over-
ruling-Power governs and directs with *unerring
wisdom and justice the destiny of his creation.*

Impressed with these views, enthusiastically devoted to the prestige of Gen. Taylor, quite as much as any working man can be with propriety, without incurring the charge of neglect of his legitimate callings, combining the avocations of a tradesman, manufacturer and agriculturist—if there was any doubt in my mind of my power of doing justice to the subject before me, I would throw myself on your liberality, as a Philadelphian, a son of the Keystone state, seeking your indulgent consideration, in return for our kindness in days of yore to your young Benjamin Franklin, and nobly too did he repay that kindness, and if we presumptuously dare to rival or dispute with you the honor,

"Rome shall lament her ancient fame declined,
And Philadelphia be the Athens of mankind."

We frankly admit our vast indebtedness to the Boston Printer Boy.

Mr. President, it might seem selfish and indecorous to occupy your attention but for a moment with personal matters. The names of the sons of Massachusetts, and of Berkshire especially, ornament the escutcheons of every state in the union. It is said that, Yankee like, they always take advantage of favorable opportunity; honorable success is then an ample apology. I would imitate them. The same love of country animated those who preceded the individual who addresses you, descended from a disciple of George Fox, a companion of William Penn, whose line, however, sacrificed the principle of non-resistance and the communion of religious sect, when the stormy days of '76 called upon all to maintain that "resistance to tyranny was obedience to God." It is a privilege that I shall take to dedicate here, *those who are to follow me of my generation*, (one in particular, with the name of the second hero of this day, born in the immediate hour, when the magnetic telegraph indicated with prophetic certainty this election of General Taylor by large majorities of the first returns; *to emulate the same self sacrifice risk of health, life and fortune, if necessary, to perpetuate liberty, to oppose every kind of tyranny and falsehood that can oppress the mind of man*; born and reared, as I have been, almost in the shade of the walls of old Independence Hall—here on this memorable floor, devoted by its founder to the free expression of thought—in its immediate vicinity, Charlestown, Bunker's and Breed's Hills, my native pride, emboldens me thus to request your witness and sanction to this brief episode dictated by patriotic, paternal love. Yes, indeed, surrounded as I am with souvenirs of the glorious and sanguinary struggle of the revolution, the mind involuntarily adverts back to its soul-trying epoch, and memory, ever busy with the past, rapidly reviews the leading circumstances which mark out short but eventful history.

The two fold objects that we have met this *day to celebrate, though somewhat differing in* time and scenery, are, we believe, intended to conduce to the same great end, *the social and political freedom of man.* On this day, more than a century since, was born in the obscure colony of Virginia, one whose genius has spread its influence over the civilised globe; whose wisdom and forbearance guided our infant institutions, harmonised the conflicting elements of popular excitement, and thus directed the great experiment of man's capacity for self government through the earlier and more dangerous years of its existence.

Two years ago this day was fought the battle of Buena Vista, one of the most brilliant of modern engagements; but it is not alone the lustre that victory has shed upon American arms, that makes it memorable and glorious, but because it has been most prominent among the events that have operated to call from comparative retirement the man for the times—the Washington of his day, who uninfluenced by party prejudices or animosities comes into office prepared to crush the demon of faction; whose power has long tended to the subversion of free institutions, and used its influence to crush all liberty inconsistent with, or

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*Yet all this was but the result of a sing...
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and consequently *"opposing the onwar...
of man's emancipation."*

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have enjoyed the opportunity of acc...
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Jubilee. Observe the Levitican law—"
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BILEE, BOTH HE AND HIS CHILDREN ...
HIM. AND YE SHALL HALLOW THE FIFT...
YEAR, AND PROCLAIM LIBERTY THROUG...
ALL THE LAND, UNTO ALL THE INHABIT...
THEREOF; IT SHALL BE A JUBILEE UNTO Y...
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The second Washington, in the middle of
nineteenth century, a most wonderful er...
philosophical, mechanical, and legislative
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valor of himself and companions in arms;
here I would allude to the enlarged and ...
dent foresight of Jackson, Johnson, Tyler
Polk, the immediate predecessors of Ta...
and Fillmore. Incidental to our triumph...
Mexico has been the downfall of Louis Phili...
with the whole line of Bourbons. But for
decided position assumed by these great ...
in pressing the annexation of Texas, occu...
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elected Louis Napoleon, and who have si...
struck still unsuccessfully for liberty in o...
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tice of the Mexican war, would be willin...
admit of. It was the proud boast of our b...
men in Mexico—

"With the Press and the Pen we've done far m...
Than ever was thought of by layman or pries...
To give to the masses of knowledge a feast."

In fact, the wonderful organisation and E...
dus of the disciples of the Book of Morm...
and their being the first to occupy the ...
land, flowing with milk and honey,
abounding in gold and precious stones, i...
evidence that the present is emphatical...
age of wonders, and "that however men ...
suppose, God will dispose."

The genial Sun of education has penetr...
all minds; before its warmth has dissolved
bigotry and superstition of ages; upon all ...
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have the mists and prejudices of past ti...
been cleared away, *and man even in His ...
blest condition, has learned to esteem himsel...
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vance these great principles, and at the s...
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yet unvisited by civilisation, the people in
late election have abandoned their attachm...
to faction, and united to elevate, not a pa...
but themselves, as freemen—a Zachary T...
lor—a sovereign among three millions of ...
sovereigns, to power, *believing there was no th...
on his flesh or spirit, and confiding in his ...
rality, trusting that his "mission might ...
hasten the time when all men might enjoy the ...
glorious distinction."*

Let us congratulate ourselves upon the e...
tion of a republican soldier, educated in
great school of liberty, taught by the sire...
the revolution, a disciple of Thomas Jeffer...
One whose highest ambition has been to s...
his country whenever she might demand
exertions. "A man, so meek withal," a...
permit talents of the first order to sleep
noticed and unknown, until time has silv...
his brow and matured his judgment.
who comes fresh from the great mint of
vox populi, a true sample of the republ...
coinage of the olden time, unsullied by fac...
unstained by intrigue. A man who h...
enemies to punish, no friends to reward
thing to serve but his country.

The friends of General Taylor feel con...
that he will exercise the wisdom and fir...
necessary to the consummation of their ...
otic expectations; that the Providence ...
appears to have watched over and guid...
under the first Washington; that stood b...
upheld our leader, amid the dangers that
him on the blood-stained field of Buena
will continue to bless him. Then will h...

A GREAT NUMBER.—The Weekly *Mirror*, now ready, contains Mr. Clay's Speech entire—Mr. William Brown's letter to Meredith—a capital Chapter from David Copperfield, with many other good things "too numerous to mention." Price 3 cents.

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SINGLE COPIES TWO CENTS.

THE EVENING MIRROR

From Wilmer & Smith's Times.

Protectionism in the United States.

To the Secretary of the Treasury of the United States.

SIR,—I can assure you it gave me sincere pleasure when I saw Great Britain and the United States repeal those restrictions in their commercial codes, which impeded a more extended intercourse between the two great families of the Saxon race, for such a course I believe to be dictated by sound and enlightened policy, and by the true interests of both. It was, therefore, with regret and surprise that I read the President's message and your report to Congress, recommending a restrictive policy. I cannot reconcile your argument, when you almost in one and the same breath admit that no laws should be passed but for the good of the whole; and yet recommend a policy that will protect a class at the expense of the nation. I feel too much interested in your prosperity, as adding to the prosperity of all other nations with whom you trade, particularly to that of Great Britain, not to endeavor to show the fallacy of your reasoning; it is just such as I should look for from that class who seek for advantages at the expense of others, but not for a gentleman holding the distinguished position of Secretary of the Treasury to a great and enlightened people. After giving us some details of your revenue and expenditure, you go on to quote acts of Congress, showing the power to levy taxes on imports, and give your reasons for recommending a higher tariff. No one doubts the power of Congress to levy a tax on imports; it was therefore, not necessary, for you to establish that fact. *You omit, however, to remind us that Congress has no power to impose an export duty. The enlightened wisdom and forethought of those great men who framed your constitution,enabled them* to see that any burthens laid on exports would lesson their quantity, and if heavy would stop them altogether, and thus decrease the means of getting profitable exchanges from other countries of such articles as could be produced there cheaper than at home. Although they felt themselves compelled to raise the necessary revenue from import duties, they made them as light is possible, being well aware, of what experience has proved to be true, that there is a point beyond which if you increase your duties you decrease your revenue. We have felt the truth of that fact here; and now better understanding our true interest, we have abolished altogether the duties formerly collected on your flour, your cotton, and many other articles, and put within the reach of the consumers a greatly increased quantity of the necessaries and luxuries of life at much less cost; or in other words, as all commerce is barter,we have to part with less of our industry to procure more of that of other countries under a low tariff than a high one. Let me give you a simple illustration of this. Suppose you can buy a bale of French silks for 500 dollars, but to protect your manufacturing interest you place on it an import duty of 100 per cent., making the cost to the consumer 1000 dollars. Now if this 100 per cent. duty did not exist, 100 barrels of flour, at 5 dollars per barrel, would have paid for those silks; but by this extra duty you either put it out of the farmer's or consumer's power to buy, or he must pay 200 barrels of flour,or 1000 dollars for it. I do not go into the question of higher duties requiring more capital and more profit to the importers by making the silks more costly to the consumer. I merely want to show the effect of high duties in decreasing *the comforts of the people, and compelling them to pay high prices to the protected interest, whether that of the iron-masters, cotton spinners,* or any other protected class. During my residence in the United States I think the duties were about 15 per cent., so that 115 barrels of flour would pay for the bale of silk. For every 1 per cent. the duties are now or may hereafter be, above this rate; the farmer to make the same purchase must sacrifice another barrel of his flour, *or its equivalent in cotton, Indian corn, pork, rice, tobacco, or cheese, &c., &c.* It ought not to be lost sight of that the manufacturers' price at home is kept down by the import price. Consumers are not sufficiently aware how much they suffer indirectly from high tariffs; although they are not compelled to buy dutiable articles, yet many of them are necessaries of life which they cannot do without. If the other nations of the earth, trading with you, impose restrictive or prohibitory duties, on both sides you carry on a war of commercial injuries.

You seem altogether to forget that you them to buy protected articles at home, for the avowed and undisguised purpose of raising prices, and prevent their getting their necessaries cheaper, by imposing restrictions on importation. This is a double injustice. It is unquestionable that the accumulating wealth and property of individuals in the aggregate, promotes national aggrandisment and social comfort; and any thing that prevents this is a national loss. It never can be said that if I am confined to one market to make my sales I can do as well as if I had competition arising from a choice of the markets of the world; or if I am restricted to buy what I want at home, or to import under protective duties, that I can do as well as if no prohibition existed. You call protective duties necessary imposts; I deem them most injurious restrictions, and I doubt their advantage, in many cases, to the protected parties. They are a positive loss to the nation. No part of your reasoning astonished me more than your remarks about cotton. You say you produce to the value of 66,000,000 dollars, but if manufactured at home it would be increased fourfold. I presume you do not mean to assert that this fourfold increased value could be effected without increased capital and hands, although that inference may be drawn from what you state. I, therefore, ask this question,—how are you to withdraw both capital and hands from other pursuits, without serious and manifest injury to them? And with you, where there is great enterprise, sagacity, and intelligence, and where every man is at perfect liberty to employ his capital and his industry as he pleases, I ask whether they would not become cotton spinners, weavers, &c., &c., if their industry was better remunerated *in those channels than in their present pursuits? Is it, therefore, wisdom to* withdraw energy, enterprise, labour, and capital from other pursuits, and from your true native industry—the cultivation of the produce of your soil—where you have regions of virgin earth and other advantages at present that no other nation in the world possesses, and force all these faculties into manufacturing labour, when other countries have greater advantages than you, and when protecting duties are necessary to sustain it at the cost of all parties not protected?

As soon as you have capital and labour which can be more profitably employed in factories than otherwise, the sagacity of your people will find it out, without their being bolstered up with a high tariff. Capital can then venture into them with safety, without any fear of the next Congress being able to injure them by reducing the duties. Until the natural course of events has brought those changes round, it is not the policy of any country to force their citizens out of pursuits, in which climate or other circumstances give them peculiar advantages, and which they, therefore, find it their interest to follow, to induce them to adopt others that are stimulated into existence by bounties of protective duties. The division of labour is well understood to be productive of great advantages; but you would destroy this by encouraging planters and other industries to become manufacturers, irrespective of climate or other circumstances which may be favourable to them.

You say no country can attain a due strength or prosperity, which does not, by its labor, carry its own productions as nearly as possible to the point of ultimate consumption. I agree with you, that no nation can attain strength or prosperity except by its own labor; but you must not *force that labor into particular channels, when it is* more advantageously employed in other pursuits. The meddling interference of Government in those matters is national suicide. Individuals are much better judges how they can employ their time, their capital, and their labor, most productively, than any Government. It has not been of our sins here, that we have interfered and legislated too much. You state, that, under your present tariff, some articles have produced less revenue than under a higher rate of duties. This being so, it follows your own manufacture of those articles is sufficiently remunerative to the manufacturer, and has supplied the consumer so as to render larger imports unnecessary; or if that is not the case,that the consumers have the advantage of the reduction of price on the imported article; in either case the country is a gainer,by obtaining a supply for a less quantity of their productive labor: this surely must be their interest. I contend that it is the true interest of a state to let the capital and l

the United States repeal those restrictions in their commercial codes, which impeded a more extended intercourse between the two great families of the Saxon race, for such a course I believe to be dictated by sound and enlightened policy, and by the true interests of both. It was, therefore, with regret and surprise that I read the President's message and your report to Congress, recommending a restrictive policy. I cannot reconcile your argument, when you almost in one and the same breath admit that no laws should be passed but for the good of the whole; and yet recommend a policy that will protect a class at the expense of the nation. I feel too much interested in your prosperity, as adding to the prosperity of all other nations with whom you trade, particularly to that of Great Britain, not to endeavor to show the fallacy of your reasoning; it is just such as I should look for from that class who seek for advantages at the expense of others, but not for a gentleman holding the distinguished position of Secretary of the Treasury to a great and enlightened people. After giving us some details of your revenue and expenditure, you go on to quote acts of Congress, showing the power to levy taxes on imports, and give your reasons for recommending a higher tariff. No one doubts the power of Congress to levy a tax on imports; [illegible] therefore, not necessary, for you to establish that fact. You omit, however, to remind us that Congress has no power to impose an export duty. The enlightened wisdom and forethought of those great men who framed your constitution, enabled them to see that any burthens laid on exports would lesson their quantity, and if heavy would stop them altogether, and thus decrease the means of getting profitable exchanges from other countries of such articles as could be produced there cheaper than at home. Although they felt themselves compelled to raise the necessary revenue from import duties, they made them as light as possible, being well aware, of what experience has proved to be true, that there is a point beyond which if you increase your duties you decrease your revenue. We have felt the truth of that fact here; and now better understanding our true interest, we have abolished altogether the duties formerly collected on your flour, your cotton, and many other articles, and put within the reach of the consumers a greatly increased quantity of the necessaries and luxuries of life at much less cost; or in other words, as all commerce is barter, we have to part with less of our industry to procure more of that of other countries under a low tariff than a high one. Let me give you a simple illustration of this. Suppose you can buy a bale of French silks for 500 dollars, but to protect your manufacturing interest you place on it an import duty of 100 per cent., making the cost to the consumer 1000 dollars. Now if this 100 per cent. duty did not exist, 100 barrels of flour, at 5 dollars per barrel, would have paid for those silks; but by this extra duty you either put it out of the farmer's or consumer's power to buy, or he must pay 200 barrels of flour, or 1000 dollars for it. I do not go into the question of higher duties requiring more capital and more profit to the importers by making the silks more costly to the consumer. I merely want to show the effect of high duties in decreasing the *comforts of the people*, and compelling them to pay high prices to the protected interest, whether that of the iron-masters, cotton spinners, or any other protected class. During my residence in the United States I think the duties were about 15 per cent., so that 115 barrels of flour would pay for the bale of silk. For every 1 per cent. the duties are now or may hereafter be, above this rate; the farmer to make the same purchase must sacrifice another barrel of his flour, *or its equivalent in cotton, Indian corn, pork, rice, tobacco, or cheese, &c., &c.* It ought not to be lost sight of that the manufacturers' price at home is kept down by the import price. Consumers are not sufficiently aware how much they suffer indirectly from high tariffs; although they are not compelled to buy dutiable articles, yet many of them are necessaries of life which they cannot do without. If the other nations of the earth, trading with you, impose restrictive or prohibitory duties, on both sides you carry on a war of commercial injuries.

You seem altogether to forget that you must buy to be able to sell, and the more property you can possess yourself of at home, or import from abroad—at the least expenditure of your capital or labour—the sooner you become rich. I presume this will not be denied. It is true, as you state, that every producer, in any branch of useful industry, is a consumer of the products of other industries; it follows, that the more prosperous other countries are with whom you trade, the more they are able to buy and give you as equivalents for the products of your native industry, the products of your soil, which is your true native industry. Then is it not great injustice to your planters, your farmers, and your consumers, to shut those markets against them by protective or prohibitory duties on imports which decrease the power of foreigners to buy, as you limit the quantity you can take from them. In the first place you narrow the market and abridge the competition amongst those who would be purchasers of their produce; and you also confine aggrandisment and social comfort; and any thing that prevents this is a national loss. It never can be said that if I am confined to one market to make my sales I can do as well as if I had competition arising from a choice of the markets of the world; or if I am restricted to buy what I want at home, or to import under protective duties, that I can do as well as if no prohibition existed. You call protective duties necessary imposts; I deem them most injurious restrictions, and I doubt their advantage, in many cases, to the protected parties. They are a positive loss to the nation. No part of your reasoning astonished me more than your remarks about cotton. You say you produce to the value of 66,000,000 dollars, but if manufactured at home it would be increased fourfold. I presume you do not mean to assert that this fourfold increased value could be effected without increased capital and hands, although that inference may be drawn from what you state. I, therefore, ask this question,—how are you to withdraw both capital and hands from other pursuits, without serious and manifest injury to them? And with you, where there is great enterprise, sagacity, and intelligence, and where every man is at perfect liberty to employ his capital and his industry as he pleases, I ask whether they would not become cotton spinners, weavers, &c., &c., if their industry was better remunerated in those channels than in their present pursuits? Is it, therefore, wisdom to withdraw energy, enterprise, labour, and capital from other pursuits, and from your true native industry—the cultivation of the produce of your soil—where you have regions of virgin earth and other advantages at present that no other nation in the world possesses, and force all these faculties into manufacturing labour, when other countries have greater advantages than you, and when protecting duties are necessary to sustain it at the cost of all parties not protected?

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See the effects here of decreased rates on postage. Notwithstanding a reduction of from 500 to 600 per cent. the income from this source, since the change, has gradually increased, and goes on increasing, so that the gross receips are nearly as high as they ever were under the old system. It was not till after many years discussion of the impolicy of our corn-laws, that this nation was taught sound political economy, and became sufficiently enlightened to overcome their prejudices in favor of protection.

The landed aristocracy, who fear that they will suffer by our free-trade principles, will, no doubt, make every effort again to get back a duty on corn. I believe,

however, that to enforce such a measure would endanger the safety of the State.—Every step we have taken to removing restrictions shows its wisdom. I have always viewed the dependence of man on man, and of nation on nation, making it their interest to live on friendly terms with each other, independent of higher considerations, as the very best security for maintaining social intercourse, and the peace of the world. To hear the Secretary of a a great and rising nation express his belief that it is their interest to adopt his Chinese or Japanese policy, or to force the citizens of this country to create a band of smugglers, as in Spain and Portugal, to evade laws which they consider unjust, must be a matter of astonishment.

When we consider the state of Switzerland—laboring as it does, under many disadvantages of climate and locality, but unburthened with a custom-house—maintaining a successful competition in many articles in foreign markets, with countries which have innumerable advantages that this little State does not possess—we see what may be done by giving free scope to industry and enterprise. I did not expect that any man would have courage enough to propose such a retrogade movement, to favor any class interest, in the face of the intelligence of the age. Prior to the embargo, in 1808, there was as much disgrace attached to smuggling as stealing from a shop. This moral restraint guarded your revenue better than the host of custom-house officers, which prohibitions and high duties, have made necessary with you, as everywhere else: it is the effect produced by unequal and unjust laws. I have no doubt we shall go on here without reference to what the United States or any other country may do; and you may rest assured that neither you nor any other nation will remain under unnecessary and injurious imposts, when the effect of their removal here is fully developed and understood.

I have the honor to be,
Yours, very respectfully,
WILLIAM BROWN.

Richmond Hill, near Liverpool,
24th January, 1850.

The Evening Mirror.

NEW YORK,
WEDNESDAY EVENING, FEB. 13, 1850.

The Tariff.

In publishing portions of the letter of Mr. Brown to the Secretary of the Treasury, one of our city cotemporaries makes the following admission:—

"In the first place, while he thinks he is talking of a *Protective* duty, he is in fact dealing exclusively with a *Revenue* one. So long as our Silks should continue to be almost wholly imported under such a duty as he suggests, that duty would have no Protective efficiency. It could only begin to operate Protectively, by diminishing the amount of Importation, and replacing it by Home Production. Now the moment Home Production, to any considerable extent, began to supplant Importation, that fact would be evidence that the 100 per cent. duty *did not* increase the price of the article to our consumers 100 per cent., nor very near it; for if it *did* have that effect, the Importation would not give place to Home Consumption."

We have the assertion in a positive and unequivocal form, then, by one of the most influential advocates of the protective policy, that to be efficient it must be to a certain degree prohibitory. That is, articles which would be admitted under revenue duties, and thus help to fill the public treasury, must be excluded by a high tariff, that the deficiency may be supplied by home manufactures. Well, the country will now understand, when it is thus announced in an authoritative form, what may be expected from a re-establishment of the protective system. The wishes of the purchaser are to be controlled by legislative power. If he is desirous of obtaining goods manufactured in England, or upon the Continent, the government must interpose its action for the purpose of frustrating his designs. And for what object? For the avowed purpose of *forcing* him to purchase of the American manufacturer. There is no disguising the fact, for it is palpable. We have so often adduced arguments in opposition to this system, and which its friends have rarely attempted to refute, that we dislike to be put to the trouble of exposing it again.

Suppose a tariff of thirty per cent. was placed upon any given article imported from abroad; we will take iron, for instance. According to the theory of our cotemporary, the protection arising from that duty would not be *efficient*, unless it excluded some of the iron, which, without it, would be admitted. Now one of two results must be inevitable; the price of iron manufactured in the United States will either be increased, producing a demand for *greater protection, until the foreign article is altogether prohibited*, producing a necessity to that extent for direct taxation; or competition here, will reduce the price, until the market is monopolized by the American manufacturer, resulting also in direct taxation. Now which horn of the dilemma will our cotemporary lay hold of; one or the other he must embrace.

It was formerly a favorite argument, that protection for a few years would enable the manufacturers to compete with the pauper labor of Europe. It was proclaimed in 1816, and reiterated by Mr. Clay in 1833. But the pledge has been so often violated, and the demand for protection has been so constant, that its advocates now hesitate to base their appeals upon it. It would, indeed, be relying rather too much upon the credulity of the people, to reproduce an argument which was long ago exploded. And hence the defenders of the restrictive system now openly avow the doctrine that a tariff to be *efficient* must be *prohibitory*. This is a flat denial of the argument, which influenced so many voters in past years, that the competition resulting from protective duties would enable the manufacturer to sell goods cheaper then they can be supplied by foreigners. If the domestic manufacturer nineteen Americans or the same number of Englishmen. If both will reduce the price to the same point, it can make no possible difference with him.

The effort is made by our cotemporary to produce the belief, that the American manufacturer will not increase the price upon a protected fabric, until it equals that of the one imported, after the duty is added. We will adduce the evidence of men at least as eminent as himself, belonging to his own party, to refute his assumptions. *"Our whole annual consumption of this article (iron) is supposed by the chairman of the committee to be 48,000 or 50,000 tons. Let us suppose the latter. The amount of our own* manufactures he estimates at 12,000 tons. The present duty (1824) on the imported article is $15 per ton; and as this duty causes of course an equivalent augmentation of the price of the home manufacture, the whole increase of price is equal to $75,000 annually. This sum we pay on a raw material, and upon an absolute necessary of life. The bill proposes to raise the duty from $15 to $22 50 per ton, which would be equal to $125,000 on the whole annual consumption. So that suppose the point of prohibition which is aimed at by some gentlemen to be attained, the consumers of the article would pay this last mentioned sum every year to the producers of it, over and above the price at which they could supply themselves with the same article from other sources."—*Mr. Webster's Speech in* 1824.

"The duty operates as a bounty, or premium, to the domestic manufacturer. But by whom is it paid? Certainly by the purchaser of the article, whether of foreign or domestic manufacture. The duty constitutes a part of the price of the whole mass of the article in market. It is substantially paid upon the article of domestic manufacture, as well as upon that of foreign production—upon the one it is a *bounty*, upon the other a *burden*; and the repeal of the tax must operate as an equivalent reduction of the price of the article, whether foreign or domestic.—*Extract of a Report of John Quincy Adams in* 1832.

BROOKLYN SACRED MUSIC SOCIETY.—The Grand Oratorio of the Messiah will be given by this Society, to-morrow evening, in the Rev. Mr. Beecher's Church, Orange street, between Hicks and Henry streets, Brooklyn; and the reputation of the society, and the extra talent engaged for the occasion, are a guaranty for the great musical treat that will be afforded. The solo parts will be given by Miss Julia Northall, Miss E. Deluce, Mr. Johnson, and Mr. E. Miller, who will then make his first appearance in this country; the chorusses will be given by 100 vocalists, and the orchestra consists of thirty-five performers.—With such a force, under the conductorship of Mr. A. J. lander, the glorious music of Handel can scarcely fail to receive ample justice. The church in which the performance is to take place, has just been erected, and is a perfect model of architecture; being so constructed, that an unobstructed view of the orchestra can be obtained from every part of the edifice.

We may take this occasion to refer to the President of the Brooklyn Sacred Music Society, L. B. Wyman, Esq., to whose energy, judgment, and liberality, it is mainly indebted for its present position. Since his withdrawal from its namesake in this city, it has gradually declined, while that to which his efforts have been transferred, has rapidly risen in public estimation, until it has become in fact the only Sacred Music Society in this part of the State; and by its admirable organization, internal harmony, and superior excellence, affords an example worthy of emulation by all other musical societies.

AMERICANS IN PARIS.—We learn from private letters that our worthy citizen, *James Phalen, Esq.*, is giving splendid entertainments in Paris, which are honored and graced by all the beauty and nobility of that gay Capital. Mr. Phalen lately gave a dinner to LORD BROUGHAM, which is described as a very unpretending and quiet, yet altogether elegant affair. Another family from UNION SQUARE are on velvet at the Tuilleries, and frequently entertained by LOUIS NAPOLEON, and other members of the "Royal Family." Our New York ladies are just now quite "the rage," and the reigning belles of Paris. We only hope they won't "*teeteer*" when they come home; that is, that they will not exhibit the ridiculous motions of some of their travelled predecessors, who return from Europe with coiled wires in their ankles and spines, which give them a sort of *verticular vibration* when they walk, or sit, and prevents them from "standing still."

THE HAGUE STREET CALAMITY.—VERDICT OF THE CORONER'S JURY.—The Jury, after being in consultation for three hours yesterday, rendered a verdict, censuring A. B. Taylor & Co. as being the direct cause of the calamity, by using more steam than they were informed the boiler would bear. Also censuring Walker & Milligan as being the indirect cause of the explosion, in permitting the boiler to go out of their possession, knowing it to be imperfect; and that Messrs. Pease & Murphy are reprehensible for selling the boiler, knowing of its imperfections, and after it had been exposed to the open air for more than a year.

COL. WEBB'S REJECTION.—This event has not surprised us. He never had the slightest chance of "confirmation." The President always said he would be rejected; and those *false friends* of the North who crammed the "Colonel" *down the throat of the Administration, deserve, and will receive, all the odium connected with this whole transaction—this swindle upon the public Treasury.*

COL. WEBB'S DIPLOMATIC PLATE.—A large chest of elegant Plate, got up by order of Col. Webb, and packed in a very careful manner, was dispatched to him from this city last week. The service was intended to shine on "State occasions" in Vienna.—But that cruel vote in the Senate will change its destination.

THANKS.—We are indebted to the Hon. Wm. H. Seward, the Hon. T. H. Benton, and the Hon. Asbury Dickinson, of the Senate; and to the Hon. T. H. Bayly, and the Hon. James Brooks, of the House, for valuable Public Documents.

THE UNITED STATES ARMORIES.—We learn from an official document, that the total expenditures for the support of the Armories during the last fiscal year was as follows:

Springfield Armory	$261,475 14
Harper's Ferry	237,227 56

The expenses for improvement in the armories

which have innumerable advantages that this little State does not possess—we see what may be done by giving free scope to industry and enterprise. I did not expect that any man would have courage enough to propose such a retrogade movement, to favor any class interest, in the face of the intelligence of the age. Prior to the embargo, in 1808, there was as much disgrace attached to smuggling as stealing from a shop. This moral restraint guarded your revenue better than the host of custom-house officers, which prohibitions and high duties, have made necessary with you, as everywhere else: it is the effect produced by unequal and unjust laws. I have no doubt we shall go on here without reference to what the United States or any other country may do; and you may rest assured that neither you nor any other nation will remain under unnecessary and injurious imposts, when the effect of their removal here is fully developed and understood.

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It was formerly a favorite argument, that protection for a few years would enable the manufacturers to compete with the pauper labor of Europe. It was proclaimed in 1816, and reiterated by Mr. Clay in 1833. But the pledge has been so often violated, and the demand for protection has been so constant, that its advocates now hesitate to base their appeals upon it. It would, indeed, be relying rather too much upon the credulity of the people, to reproduce an argument which was long ago exploded. And hence the defenders of the restrictive system now openly avow the doctrine that a tariff to be *efficient* must be *prohibitory*. This is a flat denial of the argument, which influenced so many voters in past years, that the competition resulting from protective duties would enable the manufacturer to sell goods cheaper then they can be supplied by foreigners. If the domestic manufacturer can sell goods as cheap as foreigners, they certainly ought to do so now, for they have had protection more or less for the last thirty years. It is so hard to satisfy men who have been humored and petted by the government, that something unreasonable is required to gratify their wishes. The protection which *necessarily* flows from a strictly revenue tariff is as much as they deserve. Even that will be taken from them when the revenue required to defray the expenses of the general government is obtained by direct taxation. A tariff of 30 per cent. upon any article imported, which $100, at once increases its price to $130. Even an advantage of twenty dollars upon the hundred, over the foreign manufacturer, is enough protection, and if they cannot sustain themselves with that, they ought not to look for greater contributions from the farmers.

But our cotemporary in the sentence we have quoted, says that the moment home production to any considerable extent began to supplant importation, that fact would be evidence that the 100 per cent. duty *did not* increase the price of the article to our consumers 100 per cent., nor very near it. Now admitting this assumption to be true, we understand the inference to be drawn is, that competition will bring down the price. Now suppose that twenty manufacturing establishments in this country should spring up to supply the demand for goods previously furnished by twenty foreign manufactories, what difference will it make to the twentieth American manufacturer whether his competitors for the market are above the price at which they could supply themselves with the same article from other sources."—*Mr. Webster's Speech in* 1824.

"The duty operates as a bounty, or premium, to the domestic manufacturer. But by whom is it paid? Certainly by the purchaser of the article, whether of foreign or domestic manufacture. The duty constitutes a part of the price of the whole mass of the article in market. It is substantially paid upon the article of domestic manufacture, as well as upon that of foreign production—upon the one it is a *bounty*, upon the other a *burden*; and the repeal of the tax must operate as an equivalent reduction of the price of the article, whether foreign or domestic.—*Extract of a Report of John Quincy Adams in* 1832.

BROOKLYN SACRED MUSIC SOCIETY.—The Grand Oratorio of the Messiah will be given by this Society, to-morrow evening, in the Rev. Mr. Beecher's Church, Orange street, between Hicks and Henry streets, Brooklyn; and the reputation of the society, and the extra talent engaged for the occasion, are a guaranty for the great musical treat that will be afforded. The solo parts will be given by Miss Julia Northall, Miss E. Deluce, Mr. Johnson, and Mr. E. Miller, who will then make his first appearance in this country; the chorusses will be given by 100 vocalists, and the orchestra consists of thirty-five performers.—With such a force, under the conductorship of Mr. A. J. Iander, the glorious music of Handel can scarcely fail to receive ample justice. The church in which the performance is to take place, has just been erected, and is a perfect model of architecture; being so constructed, that an unobstructed view of the orchestra can be obtained from every part of the edifice.

We may take this occasion to refer to the President of the Brooklyn Sacred Music Society, L. B. Wyman, Esq., to whose energy, judgment, and liberality, it is mainly indebted for its present position. Since his withdrawal from its namesake in this city, it has gradually declined, while that to which his efforts have been transferred, has rapidly risen in public estimation, until it has become in fact the only Sacred Music Society in this part of the State; and by its admirable organization, internal harmony, and superior excellence, affords an example worthy of emulation by all other musical societies.

AMERICANS IN PARIS.—We learn from private letters that our worthy citizen, *James Phalen, Esq.*, is giving splendid entertainments in Paris, which are honored and graced by all the beauty and nobility of that gay Capital. Mr. Phalen lately gave a dinner to LORD BROUGHAM, which is described as a very unpretending and quiet, yet altogether elegant affair. Another family from UNION SQUARE are on velvet at the Tuilleries, and frequently entertained by LOUIS NAPOLEON, and other members of the "Royal Family." Our New York ladies are just now quite "the rage," and the reigning belles of Paris. We only hope they won't "*leeteer*" when they come home; that is, that they will not exhibit the ridiculous motions of some of their travelled predecessors, who return from Europe with coiled wires in their ankles and spines, which give them a sort of *verticular vibration* when they walk, or sit, and prevents them from "standing still."

THE HAGUE STREET CALAMITY.—VERDICT OF THE CORONER'S JURY.—The Jury, after being in consultation for three hours yesterday, rendered a verdict, censuring A. B. Taylor & Co. as being the direct cause of the calamity, by using more steam than they were informed the boiler would bear. Also censuring Walker & Milligan as being the indirect cause of the explosion, in permitting the boiler to go out of their possession, knowing it to be imperfect; and that Messrs. Pease & Murphy are reprehensible for selling the boiler, knowing of its imperfections, and after it had been exposed to the open air for more than a year.

COL. WEBB'S REJECTION.—This event has not surprised us. He never had the slightest chance of "confirmation." The President always said he would be rejected; and those *false friends* of the North who crammed the "Colonel" down the throat of the Administration, deserve, and will receive, all the odium connected with this whole transaction—this swindle upon the public Treasury.

COL. WEBB'S DIPLOMATIC PLATE.—A large chest of elegant Plate, got up by order of Col. Webb, and packed in a very careful manner, was dispatched to him from this city last week. The service was intended to shine on "State occasions" in Vienna.—But that cruel vote in the Senate will change its destination.

THANKS.—We are indebted to the Hon. Wm. H. Seward, the Hon. T. H. Benton, and the Hon. Asbury Dickinson, of the Senate; and to the Hon. T. H. Bayly, and the Hon. James Brooks, of the House, for valuable Public Documents.

THE UNITED STATES ARMORIES.—We learn from an official document, that the total expenditures for the support of the Armories during the last fiscal year was as follows:

Springfield Armory.....	$261,475 14
Harper's Ferry.....	237,227 56

The expenses for improvement in the armories were $115,495 66, and for lands purchased $14,958 87.

The cost of altering flint locks to percussion was $14,057 16.

The arms manufactured were as follows:

At Harper's Ferry, rifles.....	1925
muskets.....	8300
At Springfield, muskets.....	15,215

THE INDIGNATION MEETING. — The news boys have an "indignation meeting" in the Park, front of City Hall, this afternoon, at 3 o'clock. Several distinguished speakers are to hold forth.

☞ It was understood at the Isthmus that Baring & Brothers, of London, have taken £50,000 in Panama Railroad stock. It is rumored that a movement will be made at the present session of Congress of New Grenada, to transfer the seat of Government from Bogota to Panama.

☞ A Western editor, in praising the girls of his district, says they occasionally ride a tame wolf to meeting.

☞ The health of Mr. Calhoun is said to be very critical and precarious, notwithstanding the announcement of his convalescence.

☞ In Minnesota they carry the mails on an ox sled on the ice down the Mississippi!

☞ "Judge Leatherhead's charge to the Jury" is crowded out to-day.—It will appear to-morrow.

THE SOUTHERN PRESS.

DAILY - - - - - - - - - - - - - $10 00
TRIWEEKLY, - - - - - - - - - 5 00
WEEKLY, - - - - - - - - - - - 2 00

For the Southern Press.

To Mademoiselle Jenny Lind.

Although I may not hear thy voice,
  Which thrills the hearts of all who hear,
Yet may I note thy generous deeds,
  Which glad the heart and dries the tear—

Which poverty doth cause to flow,
  So bitterly, down orphans cheeks,
Thy generous bounty to the poor,
  A pure and noble soul bespeaks.

Aye, I would love to look upon,
  The form where such a soul doth dwell,
I more admire thy feeling heart,
  Than e'en thy music's wondrous spell.

Not only is thy treasure given,
  But that, which thousands prize much more,
Thy strains divine, are warbled free,
  To give a pleasure to the poor.

Fair child of song, sure God designed,
  When he endowed thee, at thy birth,
With gifts so rare, that thou should'st be
  A perfect creature formed for earth.

The generous deeds thou hast performed,
  Doth make me deem thee most divine,
A soother thou of sorrowing hearts,
  May anguish never rest on thine.

WASHINGTON, Dec. 17, 1850. N. P. L.

DANGERS OF THE REPUBLIC.—On Thanksgiving Day, Nov. 28th, a discourse on the state of the Nation was delivered at the Melodeon, in Boston, by the Rev. THEODORE PARKER, and subsequently published entire in the Chronotype, as phonographically reported for that paper. *The following extracts we give as a sample of the whole discourse :—*

And now, a word of our DANGERS. There seems no danger from abroad ; from any foreign State, unless we begin the quarrel ; none from famine. The real danger, in one word, is this, that WE SHALL TRY TO ENACT INJUSTICE INTO A LAW, AND WITH THE FORCE OF THE NATION TO MAKE INIQUITY OBEYED.

See some of the special forms of injustice which threaten us, or are already here. I shall put them into the form of ideas.

1. One, common amongst politicians, is, that the State is for a portion of the people, not the whole. Thus it has been declared that the Constitution of the United States did not recognize the million slaves as citizens, or extend to them any right which it guarantees to other men. It would be a sad thing for the State to declare there was a single child in the whole land to whom it owed no protection. What, then, if it attempts to take three millions from under its shield? In obedience to this false idea, the counsel has been given that we must abstain from all "political agitation" of the most important matter before the people. We must leave that to our masters, for the State is for them—it is not for you and me. They must say whether we shall "agitate" and "discuss" these things or not. The politicians are our masters, and may lay their fingers on our lips when they will.

2. The next false idea is, that government is chiefly for the protection of property. This has long been the idea on which some men legislated; but on the nineteenth of this month, the distinguished Secretary of State, in a speech at New York, uses these words :—"The great object of government is the protection of property at home, and respect and renown abroad." You see what the *policy* must be where the government is for the protection of the hat, and only takes care of the head so far as it serves to wear a hat. Here the man is the accident, and the dollar is the substance for which the man is to be protected. I think a notion very much like this prevails extensively in the great cities of America, North and South. I think the chief politicians of the two parties are agreed in this ;—that government is for the protection of property, and every thing else is subsidiary. With many persons, politics are but a part of their business ; the State House and the Custom House are only valued for their relation to trade. This idea is fatal to a good government.

Think of this, that 'the great object of government is the protection of property.' Tell that to Samuel Adams, and John Hancock, and Washington, and the older Winthrops, and the Bradfords and Carvers! Why! it seems as if the buried majesty of Massachusetts would start out of the ground, and, with its *Bible in its hand*, say, *this is false!*

3. *The third false idea is this*: that you are morally bound to obey the law, let it be never so plainly wrong and opposed to your conscience.—This is the most dangerous of all the false ideas yet named. Ambitious men, in an act of passion, make iniquity into a law, and then demand that you and I, in our act of prayer, shall submit to it, and make it our daily life ; that we shall not try to repeal and discuss and agitate it. This false idea lies at the basis of every despot's throne, the idea that man can make right wrong, and wrong right. It has become to be taught in New England, to be taught in our churches,—though seldom there, to their honor, be it spoken,—that if wrong is law, you and I must do what it demands, though conscience declares it is treason against man, and treason against God. The worst doctrines of Hobbs and Filmer are thus revived.

I have sometimes been amazed at the talk of men who call on us to keep the Fugitive slave law, one of the most odious laws in a world of odious laws—a law not fit to be made or kept. I have been amazed that they should dare to tell us the law of God, writ on the heavens and our hearts, never demanded we should disobey the laws of men !—Well, suppose it were so. Then it was old Daniel's duty, at Darius's command, to give up his prayer ; but he prayed three times a day, with his windows up. Then it was John's and Peter's duty to forbear to preach of christianity ; but they said, 'whether it be right in the sight of God to hearken unto you more than unto God, judge ye;' then it was the duty of Amram and Jochebed to take up their new-born Moses and cast him into the Nile, for the law of king Pharoah, commanding it, was 'constitutional,' and 'political agitation' was discountenanced as much in Goshen as in Boston. But Daniel did not obey ; John and Peter did not fail to preach christianity ; and Amram and Jochebed refused 'passive obedience' to the king's decree!—I think it will take a strong man all this winter to reverse the judgment which the world has passed upon these three cases. But it is 'innocent' to try. However, there is another ancient case mentioned in the Bible, in which the laws commanded one thing, and conscience just the opposite. Here is the record of the law :—'Now, both the chief priests and the Pharisees had given a commandment, that if any one knew where he, (Jesus) were, he should show it, that they might take him.' Of course, it became the official and legal business of each disciple who knew where Christ...

'not a whit behind the very chiefest apostles.'—'The law of God never commands us to disobey the law of man.' *Sancta Iscariote ora pro nobis.*

It is a little strange to hear this talk in Boston, and hear the *doctrine* of passive obedience to a law which sets christianity at defiance, taught here in the faces of Adams, and Hancock, and Washington! It is amazing to hear this talk, respecting such a law, amongst merchants. Do they keep the usury laws? I never heard of but one *money-lender* who kept them, and he has been a long time dead, and I think he left no kith or kin! The temperance law, is that kept? The fifteen gallon [illegible] —were men so 'passive' in their obedience [illegible] that they could not even 'agitate?' [illegible] violated no law of God—was not unchri[illegible]. When the Government interferes with the r[illegible]-seller's property, the law must be trod under foot; but when the law insists that a man shall be made a slave, I must give up conscience in my act of prayer, and stoop to the vile law men have made in their act of passion!

It is curious to hear men talk of law and ord[er] in Boston, when the other day one or two hu[n]dred smooth-faced boys and youths, beardless [as] girls, could disturb a meeting of three or fo[ur] thousand men, for two hours long, and the ch[ief] of the police, and the mayor of the city stood and looked on, when a single word from their lips might have stilled the tumult, and given men a hearing.

Talk of keeping the Fugitive slave law! Come, come, we know better. Men in New England know better than this. *We know that we must not keep a wicked law, and that it should not be kept when the law of God forbids!*

But the effect of a law which men cannot keep without violating conscience, is always demoralizing. There are men who know no higher law than the statute of the State. When good men cannot keep a law that is base, some bad ones will say, 'Let us keep no law at all;' then where does the blame lie? On him that enacts the outrageous law.

But the idea that a statute of man frees us from obligation to the law of God, is a dreadful thing. *When that becomes the deliberate conviction of the great mass of the people, North or South, then I shall despair of justice, and despair of God* [illegible] it will never come.

One of the most awful spectacles I ever saw was this:—A vast multitude attempting, at an orator's suggestion, to howl down the 'higher law,' and when he said, Will you have this man to rule over you? they answered, 'Never!' and treated the 'higher law' to a laugh and a howl. It was done in Faneuil Hall, under the eyes of the three Adamses, Hancock and Washington, and the howl rung round the venerable arches of that hall, and one could but ask, 'Why do the heathen rage, and the people imagine a vain thing, and the rulers of the earth set themselves, and kings take counsel against the Lord and say, Let us break his bands asunder, and cast off his yoke from us'; and I could not but remember that it was written, 'He that sitteth in the heavens shall laugh; the Lord shall have them in derision. He taketh up the isles as a very little thing, and the inhabitants of the earth are as grasshoppers before him.' Howl down the law of God at a magistrate's command! Do this in Boston! Let us remember this but with charity.

Men say there is danger of disunion, of our losing fealty for the Constitution. I do not believe it yet! Suppose it be so. The Constitution is the machinery of the national mill; and suppose we agree to take it out and put in new—we might get worse, very true, but we might get better. There have been some modern improvements; we might introduce them to the State as well as the mill. But I do not believe there is this danger. I do not believe the people of Massachusetts believe so. I think they are strongly attached to the Union yet, and if they thought 'the Union was in peril this day,' and every thing the nation prizes was likely to be destroyed, we should not have had a meeting of a few thousands in Faneuil Hall, but the people would have filled up the city of Worcester with a hundred thousand men, if need be; and they would have come with the cartridge-box by their side, and the firelock on their shoulder. That is the way the people of Massachusetts would assemble, if they thought there was real danger.

I do not believe the South will withdraw from the Union, with five million freemen and three million slaves. I think Massachusetts would be no loser, I think the North would be no loser; but I doubt if the North would allow them to go, if so disposed.

But I think I know of one cause which may dissolve the Union—one which ought to dissolve it, if put in action; that is, a serious attempt to execute the Fugitive slave law, here and in all the North. I mean an attempt to recover and take back all the fugitive slaves in the North, and to punish with fine and imprisonment all who aid or conceal them. *The South has brow-beat us again and again. She has smitten us on the one cheek* with 'protection,' and we have turned the other, kissing the rod; she has smitten that with 'free trade.' She has imprisoned our citizens; driven off, with scorn and loathing, our officers sent to ask constitutional justice. She has spit upon us. Let her come to take back the fugitives—and, trust me, she will 'wake up the lion.'

In my humble opinion, this law is a wedge—sharp at one end, but wide at the other—put in between the lower planks of our ship of State. If it be driven home, we must go to pieces. But I have no thought that that will be done, quite yet. I believe the great politicians who threaten to drive it through the gaping seams of our argosy, will think twice before they strike again. Nay, that they will soon be very willing to bury the wedge 'where the tide ebbs and flows four times a day.' I do not expect this of their courage, but of their fears; not of their justice—I am too old for that—but of their concern for property, which it is the 'great object of government' to protect.

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in that instrument related to the territory then possessed. We have an equal number of free and slave states, and we are told it would be aggression to admit another free state. Was not the south relatively stronger than she was at the time of the formation of the constitution? A large majority of the people believed that Congress has the exclusive right to legislate over the territories.

He would not compromise on the ground of constitutionality and right; he would not compromise on the question of human freedom, so help him God. He belonged to the reviled section of Free Soilers, and there would be no difficulty in making an issue with him. Gentlemen had been taunted with the remark that the Wilmot proviso is dead. It must be gratifying to northern men to be told to their faces, that the Wilmot proviso has been murdered in the House by its friends, and trampled under foot; but the proviso is a living and abiding principle in the breasts of the people of the free states. It may appear that instead of the proviso being dead, those twenty members who voted to lay it on the table may have committed suicide. Not ten of these men could have come here, if they had told their constituents what they would have done. There was one thing more absurd than the cry of dissolution of the Union, and that was the alarm that gentlemen feel about it. Dissolution was a mere speculative question. He averred that if this should occur, the children of the ordinance of 1787 would float up and down the Mississippi river whenever they please.

Mr. Welborne said that the ordinance of 1787 was passed by the Congress of Confederation, before the adoption of the constitution. It was a matter of fact that there was no territory belonging to the states when they entered into the Union.

Mr. *Fitch* asked, whether the first Congress *did not recognise the ordinance.*

Mr. Welborne repeated, that no territory then belonged to the states, and for this reason it was properly remarked in the Federalist, by Mr. Madison, that it was out of constitutional power to pass the ordinance. He submitted two resolutions, and trusted that they would be adopted, viz: That it is inexpedient to receive California as a state, with her present constitution, restricting slavery north of 36 30; that the Committee on Territories be instructed to report bills providing for the organization of that portion south of that line, and the territories of New Mexico and Deseret, prohibiting slavery north of 36 30, and recognising the admissibility of slavery south of that line, until the adoption by the inhabitants thereof, of state constitutions, and their incorporation into the Union. A portion of the people of California had different languages, religions and colors, and two years ago they were conquered by our arms. By the laws of naturalization they could not recognise the first right of citizen suffrage. Would the free states consent to receive California without a limitation of boundary? This proposition does not give the whole of the territory to either party, but divides it. It proposes repose; but it would be better to settle the question now, than to let it remain as an apple of discord hereafter. He spoke earnestly on the importance of settling the question on high national grounds. Sometimes he thought that there was only one thing people would bow down to, and that was the infernal demon of party. He afterwards imagined that the American people were the least considerate and grateful on earth, considering the untold blessings they enjoy; while the downtrodden people of the old world experience innumerable oppressions, and are crowded together, while we have the pure, free air of heaven. In conclusion, he appealed to all to come forward and honorably adjust all their existing difficulties.

Mr. Mann claimed to be a free soiler, if the term included one who wished territories to be free. If a slave soiler was one who desired to bear slaves, he was willing to be weighed in the balance, with the epithets which had been applied to the free soilers. Though the term abolitionist was used as a term of reproach, fortunately it may be used in an honorable sense, and if abolitionist means a man who desires to abolish what ought to be abolished, then he took pleasure in being one. There are some who desire the abolition of this Union, and he was content that to these the term should be used as a term of reproach. It was applicable to persons at the north; but they were few in number, and feeble in power. It was announced by General Cass, that Congress has no right to legislate on any subjects, including slavery, pertaining to the territories. The senator was driven to this, because if he had admitted the right to legislate at all, it can be applied to slavery. If Congress has no power to legislate, how is it that gentlemen propose to legislate for California, New Mexico and Deseret, and settle their boundaries?—The question cannot be settled according to this doctrine. When persons leave their states, they leave behind them their local laws. They do not carry their system of education with them, or their former laws on the subject of lotteries and gaming; they become subject to the laws where they locate. As to the south's considering the Wilmot Proviso an insult, there could be none, when insult is not intended, and disavowed. This is the rule among gentlemen. The north propose the Wilmot Proviso, only to assert the great right of mankind. It is a fixed and settled purpose of the north that there shall be no more slave territory and slave states. He then spoke of the Southern Convention and the threats which had been made, in case of the passage of the Wilmot Proviso. A dissolution of the Union cannot be peacable; overt steps must be taken to carry it into effect; custom-houses, magazines, arsenals, &c. must first be seized—and this would bring into requisition the power of the Executive, who has sworn to support the Union, and see that the laws are faithfully executed; and this would inflame the country into civil war. He could not contemplate this subject without a shudder. If the day come, it would be with thunderings above, and earthquakes below, and darkness around—and when the darkness shall be lifted up, they would see the country severed, and the deep, profound gulf between the sections filled with the scarred bodies of the combatants, and we would find our hands and garments red with suicidal blood. How could we stand before posterity, and say that the event come to pass because it was determined to carry slavery to a country where it does not now exist and to retrograde to the dark ages, while all the world is looking on; but this was to take place at any and every hazard. If such an event must befall the country, we cannot but see the disastrous consequences.

He then proceeded to show that the slaves could escape with more facility than they now do into the free states, having only a frontier of 1000 miles south and east. Where would the new territory fall?—If a party secedes, he leaves the territory behind him, and that which the south contend for would be lost, unless slaves were carried there by force. Slaves would be instigated to escape; and even if a northern army should invade the south, the slaves would not turn against those who have most sympathy with them. It is said that there are three millions of slaves—let the adults escape, and the old and young would soon melt away. Let such a state of things come to pass, and the slaves would find a star in the east, which they would worship with Chaldean homage. Great Britain would not be found more friendly to the south than the north are. There are more emancipationist, ten to one, there than here. The great principle of the age is human freedom. Great Britain, France, Sweden, and the degraded Mexico, and Turkey, have abolished slavery. Does any one think to trample out this love of freedom in the human breast? Nothing but the love of law, and the restraints thrown around the institution, prevent the inflammable material from igniting and consuming the whole.

Mr. Burt observed that the gentleman had said that instances of capital punishment were few in the south among the slaves, and he attributed this to sordid, mercenary motives. In South Carolina and other southern states, it is well known that slaves are subject to capital punishment for crimes unknown to common law, for which white men are not subject. The slave is not entitled to the benefit of clergy, and for an aggravated assault on a white man, he is put to death.

Mr Burt called on Mr. Mann to withdraw the detraction.

Mr. Mann said that if he had inadvertently fall

...RTY-FIRST CONGRESS.—First Session.

WASHINGTON, Friday, Feb, 15.

IN SENATE:

After the reception of petitions, reports from Committees and Resolutions, the Senate resumed the consideration of the President's Message, transmitting the Constitution of California.

Mr. Butler addressed the Senate in opposition to the separation of the question of the admission of California from the other agitating questions of the day. It would be unwise. He desired to say to the majority, not to place the question of California's admission in a situation in which the best and wisest men in the country would have no control over it. He did not make the salvation of the Union, under any circumstances, the great and paramount question. His desire was, to save the Union, if it could be done at the same time, that the rights and interests of his constituents were saved. He wanted to secure both together. One was valueless without the other. He alluded to Mr. Clay's remarks yesterday, in relation to the allegiance which he recognised, and expressed his surprise that the Senator had boldly declared that he owed no allegiance to the south. He was prepared to hear him say that we owed allegiance to the Union, as an entire body, but not to hear him declare that he owed no allegiance to one particular section.

Mr. Clay interposing said, that he thought he had said, and if he had not said it, he meant that he acknowledged no specific allegiance to any section—that he acknowledged allegiance only to the sovereignty of Kentucky and to the sovereignty of the Union.

Mr. Butler said, that for himself he knew no Union, except that which South Carolina might recognise, owed no allegiance except to South Carolina, and no allegiance to the Union except through her. As to the settlement of the question of the admission of California, together with all other agitating questions so intimately connected therewith, he was willing to refer the whole subject to a Committee, composed entirely of northern men, for the purpose of ascertaining what they were prepared to offer the south. Mr. B. then proceeded at some length with remarks against the admission of California with her present constitution and boundaries, asserting that such action would be a violation of the well settled practice and usage.

He contended also that her constitution was the result of an usurpation of power for the purpose of getting rid of the Wilmot proviso—measures worse than a thousand times than the proviso had been adopted. He also argued the inexpediency of the admission of

the new state, contending that it would leave to one section the choice either of submission, degradation, or secession. The south demanded equality—nothing more, and would submit to nothing less. In conclusion, he appealed to the senate to settle this, or any one of the questions connected with the slavery agitation, until every man who desired it should have an opportunity to express his views, in the hope that some made of settlement might be suggested.

Mr. Badger said that he was not responsible for the difficulties which had thus grown out of the war with Mexico. If the Senator from South Carolina, Mr. Butler, who says he had *foreseen the danger* and *difficulties which must result* from the acquisition of new Territories, had united with any other two Senators, who also foresaw the difficulty, but voted with him—if these Senators has cast their votes for an amendment to the Mexican Treaty offered by him, Mr. Badger, striking out all acquisition, these foreseen troubles might all have been avoided.

Mr. Butler interposing, said that the amendment was offered at too late a day.

Mr. Badger resuming, remarked that he had said during the discussion of the treaty, that, notwithstanding, he believed the origin of the war with Mexico to have been unnecessary and unjust—he would rather have continued it an hundred years than that it should have resulted in an acquisition of territory, to produce internal commotion and disunion.

Mr. B. then proceeded to state his objections to the proposed instructions to the Committee on Territories.

Mr. WEBSTER concurred in the propriety of giving this subject a calm and deliberate consideration. It was a grand and important question, and he designed for one, to give it a more careful examination. It was a question in which the whole country, and all sections of the country, were deeply interested, and he thought it the duty of every Senator to express the result of his studious deliberations thereon. He did not design to intimate any immediate expression of his own views, although he would probably, in the course of the discussion, state his views. He was ready to admit that there were many difficulties attending the proposition to admit California, but hoped to be able to show that they are not insuperable. It was in this spirit that he designed to meet the subject.

Mr. Hale desired to say a word in relation to the precedents for the proposed action. Some four or five years ago there were two exciting questions—Texas and Oregon—before the country. They both, like the Siamese twins, went through the Presidential election together; but when the election was over, and they came to legislate, these sisters were separated, and Oregon had to sit within the cold region of 54 40, until Texas was taken care of. This, then, was a precedent, and he hoped it would be followed. He hoped California would first be taken care of, and then, after she had been brought safely and snugly into the Union, that they would proceed and take up the other questions and dispose of them also.

Mr. Clemens next took the floor, when the further consideration of the subject was postponed until Tuesday, and the Senate adjourned to Monday next.

HOUSE OF REPRESENTATIVES.

The House went into Committee of the Whole on the State of the Union.

Mr. Root said that he would go for admitting California with her present boundaries, and for ratifying all that had been done. He differed from the President in his do-nothing policy, and was in favor of doing something. He believed that a majority of both branches of Congress were in favor of action. It was not the fault of the House that nothing was done at the last session; for the House passed a bill at that time, but the august Senate did nothing with it. The Walker amendment was tacked on to the civil and diplomatic appropriation bill in the Senate; there was a fixed and settled determination to force it through, and it was not relinquished until it was known that by persistance the bill would be lost. He was one of those who were determined that the amendment should not be passed, and helped to fight it off.

We are told that southern gentlemen have the same object in view—but they must not jump too quick nor run too fast. The people of New Mexico should have constitutional law, instead of that of the bowie knife. Why was Minesota provided with a territorial government? She had a population of only 20,000. What is the objection urged against prohibiting slavery in territories now free? Because it is said the harmony of the country would be disturbed! In his opinion, it was rather to avoid disturbing the harmony of parts of the country. The framers of the constitution never contemplated the acquisition of territory—if so, they would have made some provision for its management. The provisions in that instrument related to the territory then possessed. We have an equal number of free and slave states, and we are told it would be aggression to admit another free state. Was not the south relatively stronger than she was at the time of the formation of the constitution? A large majority of the people believed that Congress has the exclusive right to legislate over the territories.

He would not compromise on the ground of constitutionality and right; he would not compromise on the question of human freedom, so help him God. He belonged to the reviled section of Free Soilers, and there would be no difficulty in making an issue with him. Gentlemen had been taunted with the remark that the Wilmot proviso is dead. It must be gratifying to northern men to be told to their faces, that the Wilmot proviso has been murdered in the House by its friends, and trampled under foot; but the proviso is a living and abiding principle in the breasts of the people of the free states. It may appear that instead of the proviso being dead, those twenty members who voted to lay it on the table may have committed suicide. Not ten of these men could have come here, if they had told their constituents what they would have done. There was one thing more absurd than the cry of dissolution of the Union, and that was the alarm that gentlemen feel about it. Dissolution was a mere speculative question. He averred that if *this* should occur, the children of the ordinance of 1787 would float up and down the Mississippi river whenever they pleased.

Mr. Welborne said that the ordinance of 1787 was passed by the Congress of Confederation, before the adoption of the constitution. It was a matter of fact that there was no territory belonging to the states when they entered into the Union.

Mr. Fitch asked, whether the first Congress did not recognise the ordinance?

Mr. Welborne replied, that no territory *then belonged* to the state for this *reason it was proper*. As formerly remarked in the Federalist, by Mr. Madison, *that* it was out of constitutional power to *pass the ordinance*. He submitted *two resolutions*, and trusted that they would be *adopted, viz*: That it is inexpedient to receive *California* as a state, with her present constitution, restricting slavery north of 36 30; that the Committee on Territories be instructed to report bills providing for the organization of that portion south of that line, and the territories of New Mexico and Deseret, prohibiting slavery north of 36 30, and recognising the admissibility of slavery south of that line, until the adoption by the inhabitants thereof, of state constitutions, and their incorporation into the Union. A portion of the people of California had different languages, religions and colors, and two years ago they were conquered by our arms. By the laws of naturalization they could not recognise the first right of citizen suffrage. Would *the free states consent to receive California without a* give the whole of the territory to either party, but divides it. It proposes repose; but it would be better to settle the question now, than to let it remain as an apple of discord hereafter. He spoke earnestly on the importance of settling the question on high national grounds. Sometimes he thought that there was only one thing people would bow down to, and that was the infernal demon of party. He afterwards imagined that the American people were the least considerate and grateful on earth, considering the untold blessings they enjoy; while the downtrodden people of the old world experience innumerable oppressions, and are crowded together, while we have the pure, free air of heaven. In conclusion, he appealed to all to come forward and honorably adjust

=York.

CIPLES, NOT MEN.

MORNING, NOVEMBER 30, 1850

NORTH AMERICAN AND UNITED STATES
GE, PHILADELPHIA.—Persons wishing to subscribe to
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CONGRESS assembles at Washington on Monday; and it is idle to deny that this will probably be the most important session of our National Legislature which has ever been held. The events of the last twenty years have all been tending to produce the crisis which is upon us; and to escape from which, without collision and bloodshed, will require not only great patriotism and devotion to the Union, but extraordinary prudence, firmness and discretion in the exercise of that patriotism.

We have said that this crisis has been approaching for twenty years past We might say with truth, that although not visible, it has been approaching from the day of the Union of these States. Those who formed that Union *felt* the pressure of the Institution of Slavery in their deliberations for the organization of the Government, and plainly foresaw its probable effects upon the country at no distant period. It was an obstacle to the formation of our Union which presented itself at every step; but fortunately for us, for the welfare of mankind, and for the solution of the great problem of the ability of man to govern himself, those who had that great work in charge were Patriots, Statesmen, and Philanthropists untinctured with fanaticism. They saw and deplored the evils of Slavery; and they very plainly foresaw the malign influence which it would probably exercise upon our future destinies. But like men of sense and practical philanthropists, they put to themselves the question, "what will it avail—how lessen or ameliorate the evils of Slavery—if we refuse to make a Union of States in which that Institution shall be recognized?" It already exists in nearly every State of the Confederacy; and if we determine to abandon the idea of a Union, it will still exist in the different States precisely as if the Union were made upon the terms proposed. So far then, as the question of Slavery is concerned, whether we do or do not form a Union in which it shall be recognized, is not of the slightest importance. It actually exists in most of the States; and whether united or separate, there it must continue to exist until the people of the States themselves shall abolish it. To suffer it, therefore, to interfere with the establishment of a *united* Government, is to sacrifice to an abstraction the benefits *which that Government promises, and to build up in its stead innumerable petty sovereignties with separate interests and separate views, which must constantly produce collision, and ultimately lead to the re-establishment of monarchical institutions among us.*

A very little reflection will demonstrate to the satisfaction of the most fanatical of our readers, that not only the love of liberty, a desire to demonstrate the ability of man for self-government, and the highest dictates of patriotism, prompted the Union of States which our fathers formed,—but that it was equally demanded by every consideration of philanthropy and religion. Prompted by these feelings, and morally certain that a union of the independent States upon the conditions which now exist, could in no manner increase the evils of Slavery,—while it was certain to benefit the cause of mankind throughout the world and at the same time secure the peace, happiness and prosperity of the people of all the States—our fathers did not hesitate to agree upon the conditions and compromises of Union which our Constitution so clearly sets forth.

And now we put it to the fanatics of both and all sections of our country, whether that Union was not, under the circumstances, an act of Patriotism, of Union and of Philanthropy: and whether it has not, secured to us even greater happiness, tranquility and prosperity, than at the time, it promised, or the most sanguine among the framers of our Constitution anticipated? To answer this question correctly, it is only necessary to look to the South American States and reflect upon what our condition, as separate independencies, *would have been*, and compare it with what our position *now is!*—A dozen or more petty Republics, Monarchies and Despotisms, wasting their energies in incessant wars and internal commotions—is the picture which we must inevitably have now presented, if our glorious Union had not been formed; while without that Union, the accursed Slave Trade would never have ceased, but would at this day have been in full vigor on our Southern coast and throughout the world; for it must ever be borne in mind, that it was the *United States*, with slavery in their midst, that first put an end to the importation of slaves; and then, in defiance of the public opinion of the world, declared all who were engaged in it Outlaws and Pirates! To our Union and its compromises therefore, we owe the suppression of the Slave Trade and the punishment of all concerned in it as *Pirates*; while in consequence of the same blessed Union, instead of exhibiting a spectacle similar to that of the South American States, we present to the world the phenomena of a great *Nation* of twenty-five millions of freemen, illustrating by their practice the ability of man to govern himself, developing the resources of a mighty continent, and diffusing through all classes the blessings of education;—inculcating religion and virtue, securing to every one the blessings of civil and religious liberty, and tolerating and protecting freedom of speech and thought;—a nation young, vigorous and powerful, possessing within herself every element of greatness—prosperous and happy beyond all that the world ever before witnessed—and exercising an influence upon *the happiness, the liberties and the destinies of the human race, such as Almighty Wisdom could alone have foreseen and permitted.*

And yet there are those at the North—madmen and Fanatics—who would sacrifice all this to an abstract hatred of Slavery! and there are similar madmen and Traitors at the South, who wickedly and falsely declare, that the Union of States has not secured the blessings which it promised, and that it is their *interest* and their right to destroy it! We will not insult our own pretention to common sense, by pausing to argue the question of *interest;* but in regard to the *right* of any portion of the confederacy to destroy the Union, we simply answer—"*try it if you dare*, and you will soon receive, as you will richly merit, a traitor's doom."

To the people of the North we desire to say, in all less of all consequences. And having done so, we would have them proclaim trumpet-tongued, to the North and to the South—to the East and to the West—that the Constitution and the laws, are to be vindicated and enforced at every hazard and at any necessary sacrifice of life; and that even civil war itself, has no terrors, if they are to be indulged at the expense of the Union of the States, or the toleration of Treason in the form of secession or resistance to the laws. "*The Union*—IT SHALL *be Preserved*," was the sentiment which frightened *Traitors* from their purposes in 1832; and the same sentiment boldly proclaimed and vigorously enforced, if need be, will as certainly arrest agitation, secure obedience to the laws, and put down Treason in 1850. Stand by the Constitution and the laws; be true to every compromise which our fathers made, and to the spirit which dictated them; be just and fear not; and the same beneficent Providence which conducted our fathers in triumph through the perils of the Revolution, and imparted to them the wisdom to form that glorious Union—which has been to us the ark of safety, and to the whole civilized world the harbinger of better and brighter days—will not desert us in our hour of need.

Special Diocesan Convention.—It will be perceived

could alone have foreseen and permitted.

And yet there are those at the North—madmen and Fanatics—who would sacrifice all this to an abstract hatred of Slavery! and there are similar madmen and Traitors at the South, who wickedly and falsely declare, that the Union of States has not secured the blessings which it promised, and that it is their *interest* and their right to destroy it! We will not insult our own pretention to common sense, by pausing to argue the question of *interest;* but in regard to the *right* of any portion of the confederacy to destroy the Union, we simply answer—"*try it if you dare*, and you will soon receive, as you will richly merit, a traitor's doom."

To the people of the North we desire to say, in all sincerity and frankness, that they owe it to themselves—to justice, to good faith, and to the memory of their fathers—never for a moment to entertain the idea that it was not the part of wisdom and philanthropy, to agree to the terms of Union, notwithstanding those terms granted to each and every State the exclusive right of treating Slavery as a purely domestic question, recognized the slave as property, and gave the same or even greater protection to that species of property than any other. These were the conditions of Union—the terms and compromises of the Constitution; and while they demanded no sacrifices from the North, they gave to both North and South peace, happiness, and prosperity, which nothing but *Union* could secure. By that Constitution, and its compromises, it is the duty of all alike to abide, be he of the North or of the South; and he who refuses to do so—he who would intentionally infringe upon a solitary compromise of the Constitution—we care not whether it be of its letter or spirit—is a *Traitor* to his country, and an enemy to the human race. And *fanaticism* and abstract questions of philanthropy, are no more an excuse for such treason, than is drunkenness for crime.

But while such is the duty of the North, the South must not forget that it too, has duties to perform which may not be neglected. If the Union has scattered its blessings broadcast over the land, the South has received quite her share of them. To the Union she owes her quiet and safety, and the prosperity which flows from them; to the Union she is indebted for protection, and the safety and security which that protection gives; to the Union she is indebted for civil and religious liberty—to freedom from servile insurrection within and aggressions from without; and to the Union and the Constitution and the laws of the Union, she owes allegiance and obedience which may not be rendered or withheld at pleasure, and which it is the duty of those in power, to exact and enforce at every hazard.

It is not true as the South alleges, that when this Government was formed, it was intended that there should for ever be a balance of power between the free and the slave States. A grosser perversion of fact—a more deliberate falsification of history for base sectional purposes—never was devised by man Precisely the reverse was the fact. More than two-thirds of all the States were slave-holding States; and so far from it ever having been a matter of compromise or understanding, implied or expressed, that the Slavery and Anti-Slavery States should always be equal, it was *designedly intended that the* Institution of Slavery should be a mere local question, with which the people of the States only could meddle, and which each State for itself, might establish or abolish at pleasure. Neither the Constitution nor any of its compromises, ever intended that the General Government should have any cognizance of, or know any thing in relation to, the question of Slavery, except to compel the surrender of fugitives, to give this species of property a representation in Congress, and to abolish the Slave Trade after 1808. It is idle, false, and wicked then, for the South or any portion of it, to *pretend*—for it is only *pretence*—that it is wronged by there now being more Free than Slave States! As well may they deny to Delaware, Maryland, Kentucky, Missouri and Tennessee, the right of abolishing Slavery hereafter, if the people of those States should think proper to do so; and with equal justice may they say that the States which have abolished Slavery, had no right to do so, and thereby have given cause to the South to withdraw from the Union! There is not the shadow of ground for complaint on this head.

Of what then, may the South complain? We answer emphatically, of nothing that the *Government* of the *Union* has ever done. That individuals at the North—madmen and fanatics—have given cause of complaint and constantly meddled with what does not concern them, is unfortunately too true. But it is equally true, that the madmen and fanatics of South Carolina, in the case of HOAR who was sent by Massachusetts to Carolina to make an appeal to the Laws in behalf of a citizen of Massachusetts, took the law in their own hands, drove the agent of Massachusetts out of the State, and thus trampled upon the majesty of the law itself, with the full approbation of the State authorities! This outrage exceeds any similar outrage ever perpetrated by the madmen of the North against the South; but it was not the act of the General Government and gave no pretext for Disunion, or of Treason to the Union.

What madmen and fanatics of either section of our country, may think or do in their individual capacities, will undoubtedly aggravate and annoy the friends of the Constitution and the Union throughout the land; but the folly or wickedness of such men, can never be an apology for treason to the Union. When they place themselves within the reach of the law, let them be punished to the utmost extent that punishment is legal; but we beg and entreat of all the friends of the Union, and especially of Congress, whose duty it is to sustain the Constitution and legislate for the whole country, not to permit agitation of the Slavery question again to exhibit itself within the halls of Congress. It is the right of every member of Congress to entertain whatever opinions his conscience may dictate upon the question of Slavery; but it is his DUTY, irrespective of his private opinions, to abide by, and in good faith enforce, with all the power of the Government, each and every compromise of the Constitution in regard to Slavery or any other question. That duty we call upon them to perform honestly, fearlessly, and regard-

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THIS ARTICLE, FROM THE NUMEROUS TESTIMONIALS to its value and efficacy, from the most highly respectable sources, and entitled to the confidence, ought to be in the possession of every person of sedentary habits, as well as those of weak nerves and debilitated or weak constitutions. There is a more useful medicine, and one so universally applicable to every case of organic or functional derangement, has never yet been compounded. Every clergyman, merchant, accountant, and mechanic whose occupation keeps him much within doors; every female of domestic habits, seamstress, every lady of nervous temperament, and all who are afflicted with dyspepsia, indigestion, and the like complaints, would derive from its use the most immediate and invaluable benefit. Its virtues and effects are truly astonishing. Numerous certificates, in possession of the proprietors, prove this abundantly, and a trial is only necessary to satisfy the most incredulous. The following from Dr. Remington:

NEW YORK, Oct. 29, 1849.

DR. F. HIBBARD—Dear Sir: I have examined the medicine which you have prepared, viz: Wild Cherry Bitters, which you recommend to the public as a remedy for weakness and general debility. It is an excellent and well adapted to afford relief in such cases, as well as promote general health.

Wild Cherry (Prunus Virginiana) has long been regarded by the profession as the most valuable among our indigenous remedies. It unites the tonic power with the sedative, and therefore strengthens and invigorates the system. It is recommended as being admirably calculated to afford great relief in a debilitated condition of the stomach, or of the system at large, especially when this debility is united with a general or local irritation. Dr. Perlie regards it as an excellent medicine to be given in the hectic fever of scrofula and consumption. It is particularly useful in the general debility which often follows inflammatory diseases. It has also been used to advantage, and found to be well adapted to many cases of dyspepsia; and also successful in intermittent fever.

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THE DAILY GLOBE.

NEW YORK, TUESDAY, AUGUST 26, 1850.

[For the Globe.]

Negroism and Atheism.

To doubt if the negro and white man be descended from the same progenitor, is, with the Abolitionists, infidelity; yet the Abolition doctrine of the equality of all the species of mankind, is, pre-eminently, an infidel doctrine.

During the last century, negroes were owned, alike by clergymen and laymen, in all of the then thirteen colonies. Whatever may have been thought of the policy of bringing negroes to America, none regarded it a sin to own them; and the Abolitionists tell of a pious Puritan Doctor of Divinity who sent a barrel of rum to Africa to purchase a negro. Towards the close of the century, a sect of infidels sprung up in France, preaching the universal equality of all mankind, negroes, Hottentots and all; but some of them—particularly Volney, who held that the color and peculiarities of negroes were owing to climate, and that the ancient inhabitants of Circassia, now the handsomest of white people, were jet black negroes—although they held that the progeny of negroes transplanted to temperate climates, would not only become white, but intellectually equal to the white man, yet they believed in the diversity of their origin—that there were different pairs created. Our American infidels, semi-infidels, and socialists, *almost to a man, believe in the same doctrine of full negro brotherhood; so that it cannot be denied, the ultra Puritan clergy have mounted the infidel platform.*

It is no disparagement to our clergy, to say that, aside from theological matters, they are not so well informed as are other professional gentlemen; and this subject of the unity and equality of all the species of mankind, being purely scientific, must be referred to scientific men, not to mere theologians. Now it is a remarkable fact, that every scientific man who has written on this subject in America, either tacitly admits or argues to prove, not only the diverse origin of the negro species, but their inferiority to MAN in all ages, in every climate, and under every variety of circumstances—such as Morton, Nott, Pickering, Gliddon, Squier, Van Amringe, Agassiz, &c.; most of whom enjoy a reputation throughout Europe, as being of the first class of intellects, and in the first rank as naturalists, physiologists, anatomists, [illegible], and the like. While those who have written on the unity side, are such theologians as are unknown and unheeded beyond the limits of their own sect; and these gentlemen are paradoxically laboring to prove a scientific question by quotations from an unscientific book—the Bible—a book that no one *now* pretends is a text-book in astronomy or geology—why, then, in natural history? Astronomers and geologists, in the infancy of those sciences, were branded by the clergy as infidels, exactly as they now brand naturalists and ethnologists.

People are taught to believe that the Bible asserts that Adam and Eve were the only human pair ever created; but it does not so teach; it is the old Puritan catechism, the same book in which is this verse:

"In Adam's fall, we sinned all."

To which a negro divine added:

"In Cain's murder, we sinned furder."

The recent researches of Gliddon, Lepsius, and others, prove that negroes existed in Egypt anterior to the time of Abraham; and that they were there, as they ever have been everywhere, when living with our species, slaves; and, moreover, that they were of the same color and form as are our negroes. No one pretends but that Noah and his sons, and Abraham descended from them, were white men. Noah and Abraham were alive at the same time—Abraham being almost sixty years old when Noah died; *and long before that event, the Egyptians caught negroes in Ethiopia for slaves. Now, is it credible that in so short a space of time, some of* Noah's descendants wandered off to Ethiopia, became black, and received the other disgusting characteristics of the negro, which have been transmitted to their posterity in all climates for thousands of years; while Abraham and other of his descendants remained near by in a similar climate, and have transmitted their white color to the present day? Why do not our negroes of Long Island and Virginia, whose stock has been here 200 years, show some signs of turning white, if a shorter period, with less difference of climate, at the other end of time, turned pure whites into negroes?

A great many Abolitionists pretend to believe the ancient Egyptians were full-blooded negroes, because that *pious* infidel, Charles F. Volney, has told them so; and his authority is a single line, and no more, in Herodotus. Every well-informed person knows they were not: that is, the governing race was not, for negroes existed there as they do in our southern States. But the supposition that they were negroes makes directly against the unity men; for, as before shown, they had less than 200 years for the transformation, and if they were actually changed from pure white to jet black in that short space, how did it happen that Jacob's descendants, who were in that same Egypt, by their own account, 430 years, and most of that time slaves, were not transformed into negroes too? If such great changes can be wrought by climate, why do the Spanish and Portuguese, who have been in the torrid zone of South America longer than from the deluge to the time negroes are known to have been in the valley of the Nile, yet retain the color and features of their European ancestors? Why do not the lion, the tiger and the leopard turn black instead of yellow, brindled and spotted?

The truth is, the Holy Scriptures do not teach the unity of mankind: they imply the reverse. They explicitly declare that Adam's proud race, made in God's own image, shall have dominion over all other created beings on earth; and the men of that race have proved their intellectual superiority and Godlike origin, by always emerging from barbarism or any depressed situation into which circumstances may have forced them; while in no one known instance have negroes advanced far enough in civilization [illegible]

of course deny that the negro is brother to the white man. They scout the Old Testament because it upholds the perpetual slavery of an inferior species to a superior, and denies, by implication, that the negro is of the species of the man Adam.

Their doctrine is based upon a few stray passages in the New Testament: such as, "He hath made of *one blood* all *nations of men*," which they will interpret to mean that the papua, the hottentot, and the negro are all equal to the white man. How do they render the passage averring that, "If the many other things which Jesus did were written, the whole world itself could not contain the books?" They are both mere general expressions, after the manner of the Orientals. Besides, what does *one blood* literally mean? None but a chemist can tell the difference between the blood of a lion, an eagle, or a man; and as to *nations*, there is not an instance on record of negroes having organized a *nation;* while in every nation where they live, or have lived with that species to which the words were addressed, the laws and customs have invariably held them below the level of *men.*

These infidel clergymen are openly in the field as politicians; not a political occasion can peep out its head but *rub-a-dub-dub* beats the drum ecclesiastic. They are using the same means to obtain universal power that in all ages have defiled religion and made slaves of the people. Their interpretation of a stray passage of Scripture, and that, too, directly contrary to the interpretation of the wise and good of all ages, they proclaim to be above all constitutions, all laws; and in this unholy infidel crusade are engaged the majority of all the churches of New England—with the honorable exception of the Catholics and Episcopalians. By converting their churches into political clubs, they caused the too hasty annexation of Texas, and were guilty of every drop of blood shed in the Mexican war. All the strife now raging over the land, is owing to their interference with what is none of their business; and should the time arrive when brothers shall sheath their swords in each others bosoms, it will be owing *to the coward meanness of those same mild lambs of the Prince of Peace. A few years ago they were prophesying that the Catholic religion was to ruin this country. Now, negro slavery* is the burden of their cant—but the prophecy would be more true if it read thus: *If the union of these States is ever dissolved, or the liberties of the people destroyed, it will be through the instrumentality of the infidel clergy of Massachusetts.*

Jefferson, though intimate with most of the French philosophers of his age, did not endorse their theory of the universal equality of all species of mankind. His strongest passages in their favor, are—"The opinion that they (negroes) are inferior in the faculties of reason and imagination, must be hazarded with great diffidence;" and—"I advance it, therefore, as a suspicion only, that the blacks, whether *originally* a distinct race, or made so by time and circumstances, are inferior to the whites in the endowments both of body and mind." In the same article, after showing how entirely different are the negroes from us, and the utter impossibility of mixing, he says—"It is not their condition, then, but their nature, which has produced the distinction;" and that when freed, "they should be colonized to such places as the circumstances of the time should render most proper." He then goes on to show, that when freed they must not be permitted to live with us; for, among other reasons, "the real distinctions which nature has made, and many other circumstances, will divide us into parties, which will probably never end but in the extermination of the one or the other race." This was in 1781, and throughout his life he maintained the same—that the negroes ought to be freed if they could be sent from us; but not freed to live with us. In his memoirs he says, "Nor is it less certain that the two races, equally free, *cannot live in the same Government.*" At the time of the Missouri excitement, he was dreadfully severe upon that class of Abolitionists, now demagogically calling themselves "Free Soilers," denouncing them as the worst enemies of our country, of our own species, and of the slaves too. While he said the removal of negroes from a State to a Territory, could not add to the whole number, but would be better for all parties, yet he declared that was not the question: it was—"Are our slaves to be presented with freedom and a dagger?" and that 'many honest people at *the North went blindfolded into the snare of political gamesters,'—precisely as they do now. For a full understanding of his views, see his published letters, from 1819 to 1824, to John Adams, Wm. Short, John Holmes, Joseph C. Cabell, Gen. Breckenridge, Lafayette, and Jared Sparks.* In this last letter to Sparks, he says, adverting to his views in 1781: "No particular place of asylum was specified, because it was thought possible, that in the revolutionary state of America [Spanish and French possessions] then commenced, events might open to us," &c., &c. So it seems he squinted at the very territories now in dispute as a proper place to drive our negroes, or take them as slaves.

How is it possible for the Abolitionist, ever declaring that the negro is equal to the white man, and that both species ought to live together in the same community, on terms of equality; how is it possible for them to claim the great Jefferson, *our* Jefferson, as of their school? Instead of stating his general opinion, ever the same from 1781 to 1824, they tear out a paragraph from its context, and parade it before their ignorant followers as the whole truth. If a geographer should hit the Mississippi at a bend running East, and should thereupon declare that the the river ran easterly, he would be thought a fool; yet precisely so do these "Free Soilers" of the principles of Jefferson. Their argument, that because he, in 1781-7, when we had less than a million of negroes, disfavored their emigration to the North and West, and that too because he hoped to see them removed southward, therefore, now, when we have *four* millions, he would not only disfavor their being removed southward, but wish them to remain with us *free*, is not only very silly but very wicked. Because, under one set of circumstances, he was opposed to their being removed in one direction, therefore, under other and very different circumstances, he would oppose their being sent in any direction? Because, in infancy a child draws nourishment from the maternal fount, *therefore*, in vigorous manhood, should he do the same?

One of the meanest falsehoods these Abolitionists use to prejudice the people of the North against our brethren of the South, is, that the South has a larger representation in Congress than she would have were it not for her slaves. The fact is the very reverse, as ap-

...Advice free. je10 6m

OUZELY'S
ARABIC ELIXIR,

...hich is now introduced for the first time into the Un...d States, is the only infallible remedy yet discovered fo

NERVOUS
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IS THE MENTAL PHYSIC SO LONG SOUGHT FOR AND NEVER BEFORE FOUND, THE ONLY NATURAL AGENT THAT CAN "ADMINISTER TO A MIND DISEASED." IN CASES OF NEURALGIA, HEAD-ACHE, VERTIGO, PAIN IN THE NERVES OF THE FACE, AND ALL THE VARIOUS TRAIN OF NERVOUS AFFECTIONS, IT WILL
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...ill increase and restore appetite, strengthen the ...iated, renew the health of those who have destroyed ...sensual excesses or evil practices, induce continued ...fulness and equanimity of spirits, and prolong life. ...not our purpose to puff a medicine which has received ...anction of the highest medical authorities in Europe; ...a course is unnecessary, and would savor too much ...ackery. The medicine is prepared from a receipt ...by the Rev. Mr. Ouzely to a relative of his, who is ...ated with us in its preparation and sale. We have, ...heavy expense, made arrangements for constant and ...supplies of the wonderful vegetable from which it is ...ufactured, and we offer it to the public, simply re...ting a trial, and confident of its success.

...d at No. 3 Dey street; and Mrs. Hayes, 175 Fulton ..., Brooklyn.

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je16 1m

MRS. VAN HOUTEN, THANKFUL FOR THE very liberal patronage bestowed on her the past ...ar, begs to inform her friends and the public that she ...s removed her Shirt Establishment from 85, to a more ...nvenient store, 82 Nassau street, nearly opposite, ...re, by the increased facilities afforded, she will be enabled to fulfil all orders entrusted to her care with that de...spatch, punctuality and superior workmanship, which has ...obtained for her establishment its high reputation. The ...tention of the public is particularly solicited to her new ...yle of Summer and Embroidered Shirts, so highly ap...roved of, together with a choice selection of fancy print...ed lines, of the newest designs.

N. B.—An extensive assortment of gentlemen's Furnishing Goods, of the most fashionable styles. 82 Nassau street, between Fulton and John streets. je21 3m

TO LUMBERMEN AND CAPITALISTS.

FOR SALE—Three lots of splendid pine lands. One lot, containing a thousand acres of very good pine, which will cut upwards of 20,000,000 feet of lumber, besides some white oak and other timber, situate on Big Pine Creek. Two other lots near Pine Creek, nearly equal to the first; and a fourth lot, of excellent farming land, with a good deal of cherry, white oak, and other hard timber.

These four lots are situated in the townships of Shippen and Delmar, in the county of Tioga, in Pennsylvania, adjoining the New York line, and possess superior facilities for getting the timber to the Baltimore and New York markets.

A capitalist would find a good investment in building a mill, jointly with the owner, and in getting out lumber for the New York market.

Address WILLIAM W. GREEN, Syracuse,
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JAMES CONNER & SON, TYPE FOUNDERS, corner of Ann and Nassau streets, New York, have on hand every article necessary for Complete Printing Establishments. The entire materials of this paper are from the above Foundry. fe1 tf

BROOKLYN PROPERTY.—A lot on Pacific street, near Henry street—25 x 100. Not a more desirable location in Brooklyn. For sale by W. C. HOLLY, 7 Nassau street.

Also, two lots on Eighteenth street, next the corner of Seventh avenue. For sale by W. C. HOLLY, 7 Nassau street. jy18

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Prichard, recently deceased in England, who has written more and better on the unity side than all others put together, started with the blasphemous proposition that Adam was a negro. He soon abandoned that, but maintained that climate, &c., had produced all the difference between negroes and whites, at the same time maintaining the truth of the Old Testament; but in his last edition, he abandons the Pentateuch, because he sees, as every intelligent person must, that the account given by Moses cannot be true if the negro is descended from Adam. So that when the question is, shall the truth of the Bible be maintained or the infidel theory of negro equality, that no people ever practice, he throws overboard the Bible and marches over to the French infidels.

And so it is with our Abolitionists: if men who have devoted fifty years to the study of the Scriptures—men more familiar with the original languages of the Bible than these fellows with their A B C, assert that the Old Testament sanctions slavery, or, if they say one word to assuage the strife of brothers, these fellows bawl out, like the little children—as in fact they are in mind—"Go up, thou bald-head." They are scoffers and infidels, for Abolitionism as directly leads to infidelity as murder does to the gallows. And yet these fellows have the effrontery to apply the epithet *infidel* to those who uphold the Scriptures in their purity, and ...political clubs, they caused the too hasty annexation of Texas, and were guilty of every drop of blood shed in the Mexican war. All the strife now raging over the land, is owing to their interference with what is none of their business; and should the time arrive when brothers shall sheath their swords in each others bosoms, it will be owing to the coward meanness of those same *mild lambs* of the Prince of Peace. A few years ago they were prophesying that the Catholic religion was to ruin this country. Now, negro slavery is the burden of their cant—but the prophecy would be more true if it read thus: *If the union of these States is ever dissolved, or the liberties of the people destroyed, it will be through the instrumentality of the infidel clergy of Massachusetts.*

Jefferson, though intimate with most of the French philosophers of his age, did not endorse their theory of the universal equality of all species of mankind. His strongest passages in their favor, are—"The opinion that they (negroes) are inferior in the faculties of reason and imagination, must be hazarded with great diffidence;" and—"I advance it, therefore, as a suspicion only, that the blacks, whether *originally* a distinct race, or made so by time and circumstances, are inferior to the whites in the endowments both of body and mind." In the same article, after showing how entirely different are the negroes from us, and the utter impossibility of mixing, he says—"It is not their condition, then, but their nature, which has produced the distinction;" and that when freed, "*they should be colonized* to such places as the circumstances of the time should render most proper." He then goes on to show, that when freed they must not be permitted to live with us; for, among other reasons, "the real distinctions which nature has made, and many other circumstances, will divide us into parties, which will probably never end but in the extermination of the one or the other race." This was in 1781, and throughout his life he maintained the same—that the negroes ought to be freed if they could be sent from us; but not freed to live with us. In his memoirs he says, "Nor is it less certain that the two races, equally free, *cannot live in the same Government.*" At the time of the Missouri excitement, he was dreadfully severe upon that class of Abolitionists, now demagogically calling themselves "Free Soilers," denouncing them as the worst enemies of our country, of our own species, and of the slaves too. While he said the removal of negroes from a State to a Territory, could not add to the whole number, but would be better for all parties, yet he declared *that* was not the question: it was—"*Are our slaves to be presented with freedom and a dagger?*" and that 'many honest people at the North went blindfolded into the snare of political gamesters,'—precisely as they do now. For a full understanding of his views, see his published letters, from 1819 to 1824, to John Adams, Wm. Short, John Holmes, Joseph C. Cabell, Gen. Breckenridge, Lafayette, and Jared Sparks. In this last letter to Sparks, he says, adverting to his views in 1781: "No particular place of asylum was specified, because it was thought possible, that in the revolutionary state of America [Spanish and French possessions] then commenced, events might open to us," &c., &c. So it seems he squinted at the very territories now in dispute as a proper place to drive our negroes, or take them as slaves.

How is it possible for the Abolitionist, ever declaring that the negro is equal to the white man, and that both species ought to live together in the same community, on terms of equality; how is it possible for them to claim the great Jefferson, *our* Jefferson, as of their school? Instead of stating his general opinion, ever the same from 1781 to 1824, they tear out a paragraph from its context, and parade it before their ignorant followers as the whole truth. If a geographer should hit the Mississippi at a bend running East, and should thereupon declare that the the river ran easterly, he would be thought a fool; yet precisely so do these "Free Soilers" of the principles of Jefferson. Their argument, that because he, in 1781–7, when we had less than a nillion of negroes, disfavored their emigration to the North and West, and that too because he hoped to see them removed southward, therefore, now, when we have *four* millions, he would not only disfavor their being removed southward, but wish them to remain with us *free*, is not only very silly but very wicked. Because, under one set of circumstances, he was opposed to their being removed in one direction, therefore, under other and very different circumstances, he would oppose their being sent in any direction? Because, in infancy a child draws nourishment from the maternal fount, *therefore*, in vigorous manhood, should he do the same?

One of the meanest falsehoods these Abolitionists use to prejudice the people of the North against our brethren of the South, is, that the South has a larger representation in Congress than she would have were it not for her slaves. The truth is the very reverse; in apportioning representatives, one to so many thou*sand inhabitants, every free negro, North and South is counted, but only three-fifths* of the slave negroes. *If the other two-fifths* of the slave negroes were counted the same as are all free negroes, or as these same slaves would be if emancipated to-morrow, the slave-holding States would gain about twenty representatives in Congress.

The Constitution declares that, "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." At the time of its adoption, the term negro and slave were synonymous: there were no negro citizens: they were all aliens. More recently some of the States have not only admitted negroes to full citizenship, but their inhabitants have organized bands of pious thieves to prowl through all the slaveholding States, under one pretence or another, but in reality to steal negroes; and Massachusetts has passed laws encouraging the intermarrying of negroes and puritans! Notwithstanding these efforts, their colored stock is on the decrease; because, being nearly all mulattoes, they partake of the nature of hybrids, and of course cannot procreate, among themselves, beyond a few generations—the strongest possible proof that man and negroman are different species of the same genus. Like the dog and fox, the horse and ass, some species of each of which, though considered by all naturalists as of different origin from each other, are not so dissimilar as are the negroes and whites. Many, if not all, of these will copulate with others of the same genus; but their progeny cannot be propagated as a permanent race. They are sickly and die off, or by continual mixing, the nobler stock runs out and the progeny cannot be distinguished from the full-blooded baser parentage. So it is with negroes: you cannot show a mulatto, either of whose parents were half-blood negroes, so nearly a white as not to be distinguished from one; but there are abundance of them that not one in a hundred but would pronounce full-blooded negroes, one of whose grand parents nevertheless was white.

The nobler blood—the intellectual species, runs out entirely: the mixed breeds are obliterated, swallowed up by the baser blood of the unintellectual species. A fine picture, truly, for those clerical infidels forever prating of the benefits of amalgamation.

The framers of the Constitution having wisely provided, that though we are a confederacy of many nations so far as local administration is concerned, yet as to citizenship only one nation; but some of the States having unwisely nominally elevated to the rank of citizens an inferior species of being, that cannot possibly be made full citizens in other States, were the people so base as to desire it; it would seem that we ought to return to the Constitution in its original purity, or separate all political connexion between the one class of States and the other. Should the only real disunionists in any of the States—the eastern infidels—succeed in the darling wish of their hearts—driving the slaveholding States out of the Union—how much better off would be the masses in all the non-slaveholding States? It needs no prophet to foretell the numberless woes that would follow that most dire of all calamities—the dissolution of this Union. Rather than drive our brethren to a step so fatal to all, by eternally proclaiming a doctrine we know to be false and never practice, that negroes are our brethren—for notwithstanding the cuckoo cry of "free soil, free labor," *that* is the point on which the whole question turns;—rather than that, it were better, a thousand times better, to amend the Constitution, making, from an early future day, its letter what its spirit was at its adoption, when the words *negro* and *slave* conveyed the same meaning. Leaving each State free to receive or reject negroes; but take from States and individuals the power to emancipate negroes, unless they are, at the same time, as Jefferson said they ought to be, expatriated, deported. And this, not on the principle that a *strong* man may enslave a weaker; but because, *in a pure Republic, there should not be admitted as citizens a species of mankind, that though physically equal, must forever remain far, very far inferior, psychically, intellectually,* to MAN. If they are to remain, let it be as aliens, servants, slaves. At the same time, let ample provision be made to remove such as can be made willing to emigrate to their original home—Africa. They fled not hither, like our ancestors, to get rid of oppression at home; nor, in returning, will they encounter any of the difficulties our ancestors did in founding this empire; but will go among their own blood, willing to receive them, with a powerful nation to back them. One-half the money now dissipated by Abolitionists, and by Congress and the States every year, in questions growing out of Abolitionism, would remove more than our increase of negroes. Besides, we should create and monopolize a trade with the rich regions of the tropics, that would in a few years become immensely profitable. That they were born here does not imply that they are our equals, or should forever remain here, or be of the governing power while they do remain. If an ass happen to be foaled in a lion's den, is he, *therefore*, a lion?—or, is there any justice in requiring the noble lion to divide his power and dominion with a drove of servile asses?

Thus it appears that prior to the present century, all races of negroes when living with any of the races of our species, were universally held in the condition assigned them by nature's God, slaves—that the first to preach their equality with the white man, were the Atheists of France, the very men who produced the "Reign of Terror" in that unhappy country; and whose principles, diluted through the watery intellects of our Socialists, bid fair to produce the like bloody results in yet happy America—that scientific men unanimously pronounce against the unity of the human species—that the Bible does not teach that negroes are descended from Adam and Eve—that men of research who are yet slaves of stale and shallow theological notions, are forced to discard the Old Testament in favor of their disgusting theory of negro equality—that the tendency of the Abolition churches is to concentrate all power in the hands of theologians, who have ever, when they have obtained supreme power, made slaves of the minds of men—that Jefferson taught the inferiority of the negro to the white man, and if they remained with us it must be as slaves, and moreover, that if they were *spread over a greater surface, it would be better for all—that the slaveholding* States lose about twenty Representatives in Congress that they would gain to-morrow if they were to emancipate their negroes, without giving them one particle of political power—from all which it is inferred that the cure for our black evil, is to go back to the original purity of the Constitution, amending it, if need be, simply to allow or compel the General Government to remove negroes to Africa as fast as emancipated.

GOD'S TRUTH.

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The Globe.

Some of our Democratic friends, when asked to subscribe for the GLOBE, say:

"The *Globe* has, heretofore, been shifting and vascillating—and shivering in the wind—half the time. It is on the right track *now*—but how long will it continue right?"

To such inquiries we have but one reply. Read our prospectus. On that Platform alone, will this paper be conducted. If it cannot succeed on that Platform; then ...

THE DAILY GLOBE.

NEW YORK, TUESDAY, AUGUST 27, 1850.

Mail Steamships to Africa.

The *Albany Atlas* and the *Evening Post*, the two leading Abolition organs in this State, having assailed the report of the Naval Committee of the House of Representatives, on the proposed line of steamers to Africa, sensible men have come to the conclusion that the report must contain some good and patriotic suggestions. The course of those papers on the subject creates no surprise, inasmuch as it is well known that the removal or colonization of the negroes would take from them their most reliable supporters, and prevent them from erecting Herkimer, Utica, and Buffalo platforms, for the benefit of traitors and disunionists. *If they, the Abolitionists, will make the colonization of the Africans now in the United States an issue,* we will go with them before the laborers and producers of the free States at any time, and doubt not the latter will unanimously say, "Send the negroes to the land of their fathers, and save us from the evils of competition with them in the field and in the workshop. This would be an issue in its practical effects, worth ten thousand *Provisos*, whether we consider the good of the white or the black race. As slavery is abolished in the States where it now exists, the free negroes will crowd into the cities on the Atlantic shore. Are our mechanics and laborers ready to receive them? It is a question that admits of but one answer. Abolish slavery in the South, and allow emancipated negroes to settle amon g us, and in less than twenty years there will be a war of races in the North, unless colonization immediately follows emancipation.

We are pleased to observe that the *Journal of Commerce* coincides freely with us in the views we have frequently expressed on this subject, and we make room, with great pleasure, for the following article which it contained yesterday:

MAIL STEAMSHIPS TO AFRICA.—The project reported by the Committee on Naval Affairs of the United States House of Representatives, for the establishment of a line of steamers from the United States to the coast of Africa, with a view "to promote the colonization of free persons of color, to suppress the African slave trade, to carry the mails, and to extend the commerce of the United States," is regarded with general favor, and we are happy to learn that no serious opposition is expected to be made to its adoption by Congress. It is intended to incorporate the bill for that object, as an amendment, into the Naval Appropriation bill, and thus secure its passage at the present session. The memorialists proposed to construct four steamers, convertible into vessels of war, two-thirds the cost of which to be advanced by the Government in specific instalments, to be repaid by the Company in equal annual portions during the existence of a mail contract to continue twenty years. *The bill, on the other hand, provides for the construction of three ships, of 4,000 tons each,* to cost not exceeding $900,000 each, Government to advance as their building progresses, two-thirds of the cost, in a five per cent stock, payable at the end of thirty years; the advances to be repaid in the manner above mentioned. It provides also that the ships shall be built under the superintendence of an officer appointed, and pursuant to plans approved, by the Secretary of the Navy; that each shall be commanded by an officer of the Navy, assisted by four passed midshipmen to serve as watch officers; that the Secretary of the Navy shall have the right to place on board each. two guns of heavy calibre, with the men necessary to serve them, and, in case of war, to take the ships for the exclusive service of the United States, on paying their appraised value. It requires the contractors to carry, on each voyage, so many free colored emigrants, not exceeding 2,500, as the Colonization Society may send, for $10 paid in advance for each over twelve, and $5 for each under twelve years of age; together with such necessary agents as the Government or the Society may require, free of cost; and finally, to have the ships in readiness—two of them within two and a half years, and the third within three years after the execution of the contract. It also provides that the Government shall pay $40,000 for each trip; and take security for the performance of the contract, and a lien on the ships for payment of the advances.

The steamers are required to make monthly trips to Liberia, touching on their return at certain points in Spain, Portugal, France, and England, thus: one ship will leave New York every three months, touching at Savannah for freight and mails; one will leave Baltimore every three months, touching at Norfolk and Charleston for passengers, freight, and mails; and one will leave New Orleans every three months with liberty to touch at any of the West India islands. They will proceed directly to Liberia, with liberty to touch at any of the islands or ports of the coast of Africa; thence to Gibraltar, carrying the Mediterranean mails; thence to Cadiz, or some other port of Spain, to be designated by the Government; thence to Lisbon; thence to Brest, or some other port of France, to be designated as above; and thence to London—bringing mails from all those points to the United States.

The estimated cost of the three ships is $2,700,000. Annual expense, including cost of running, interest, repairs, and insurance, $1,221,000 ... Government pay, $480,000, and passage money of colored emigrants, $54,000. This leaves a balance of ...

Why Democrats should Rejec[t] the Free Soil Part[y]

1. Because it was tried last F[all]
and would fail again, if attempte[d]

2. Because after the union w[as]
cheated us, by interrogating our
fore the election, for the purp[ose]
them, and did defeat them.

3. Because the Democratic [party]
rit of the union, aided to elect
last Fall twenty of the Fre[e]
could not have been elected
Those twenty united with the
Wilmot Proviso instructions to
Representatives, which could
passed without such a coalition.
violated their compact with us,
selves to be utterly faithless, and
fraud upon the Democrats, by whos[e]
election had been secured.

4. Because they denounce Mr. D
treating such "instructions" with th
they deserved.

5. Because Democrats and Free
two separate and distinct parties,
cally disagree upon principles of the
and momentous character, and which
must continue to be, the subject of po
tion.

6. Because the union, if possible, of
cordant elements, would beget weakne[ss]
of strength.

7. Because there is *no object in for*
an union except for public plunder.

8. *Because such an union would be*
corrupt, insincere, immoral, and d
the character of public men.

9. Because it would disgust all s
crats, who have an abiding faith in
ples of their party, and keep the
polls.

10. Because the Democratic par
ceed without it, and will fail with
ple are disgusted with the Anti-Sl
tion, and will rush with enthusiasm
port of a clean Democratic ticket.

11. Because, if the Free Soil p
to a separate organization, they w
insignificance, from the paucity
bers, and the contempt of the peop

12. Because the Democratic
Union is sure to be triumphan
Presidential election; and New
with her Democratic sisters if w
our principles and organization;
among the Whig or Abolition State
or temporize.

13. Because the Free Soil party
rous faction, which defeated th
party in 1848, *for revenge.*

14. Because they are a *contem*
which, though recruited from bot
parties, Whigs and Democrats,
14 in the House of Representativ
the no-party Abolitionists, and d
the vote of a single State at the la
Election.

15. Because they are a *da*
which, under the cover of a pr
human freedom, would violate
and endanger the Union of the

16. Because they are the all
tionists, and with them, built
form, to which they yet profes

17. Because the numbers
ded in 1848, have left them, a
seek union with the Democra
divide, or, as they hope, to "I

18. Because union *with the*
son to the Democracy of the
we would thereby be separat
forever.

Mr. Benton.

A foolish attempt to break
Benton is making by his Free So
wont they let a man die when
out? Since his total overthrow h
been ascertained, his friends are
invention for devices with which
retreat to oblivious retirement. C
to make him a candidate for Congr
Louis District, for next Congress—a
the chickens before they are hatch
his election as Speaker a test in
Congressional District in the U. S.
could have suggested this but the L
General himself. It bears the ear-
Elephant.

Next, by way of consoling the wou
bilities of the "great rejected," it
to start a Free Soil paper at Wash
make Mr. Benton President. Thes
very harmless panaceas for the defeat
Senator is well satisfied terminates his
career. They can do no harm and the
visions which they suggest may "swe
tude"—though they may never be rea

[From the Geneva Gazette.]

Union and Harmony in Yates

We congratulate our friend and neighbor o
Yan Democrat upon the success of his effort
and harmony. The result of the primary e
his county must be exceedingly gratifying
been a general arrangement and understanding
out the county that the tickets for delegates
equally divided between the two sections, and
understanding, and under the influence of the
of the *Democrat*, the regular Democracy of th
sank to a blissful repose; and awoke the morn
the elections, to find that out of the forty-eight
to the County Convention. thirty-nine were B
ers Penn Yan, the especial field of the effor
amiable and harmonious friend, and where o
could without difficulty have elected every dele
vote of two to one, elected a clear ticket of Barn
Oh! its a glorious thing to be duped. *Vive la*
Vive la Humbug!

The foregoing will show what the Barn
ing fraternity design. The *circulars*, whi
stated sometime ago had been issued
them to pack the Convention to be h
rause on th...

principle that a strong man may enslave a weaker; but because, in a pure Republic, there should not be admitted as citizens a species of mankind, that though physically equal, must forever remain inferior, psychically, intellectually, to MAN. If they are to remain, let it be as aliens, servants, slaves. At the same time, let ample provision be made to remove such as can be made willing to emigrate to their original home—Africa. They fled not hither, like our ancestors, to get rid of oppression at home; nor, in returning, will they encounter any of the difficulties our ancestors did in founding this empire; but will go among their own blood, willing to receive them, with a powerful nation to back them. One-half the money now dissipated by Abolitionists, and by Congress and the States every year, in questions growing out of Abolitionism, would remove more than our increase of negroes. Besides, we should create and monopolize a trade with the rich regions of the tropics, that would in a few years become immensely profitable. That they were born here does not imply that they are our equals, or should forever remain here, or be of the governing power while they do remain. If an ass happen to be foaled in a lion's den, is he, *therefore*, a lion?—or, is there any justice in requiring the noble lion to divide his power and dominion with a drove of servile asses?

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Suggestions to Democratic Friends.

To every country paper advertising the Prospectus of the *Globe four* weeks, and sending *marked* copies of *their* paper, the *Daily Globe* will be sent in exchange for one year.

☞ Such friends in *the country* as are willing to act as agents for procuring subscribers, will, upon giving us good references, be furnished with a written authority to act. The commission will be 25 per cent.

☞ Any of our friends who are desirous of aiding us in the enlargement of our circulation, if they will call at the office, can be accommodated with a PROSPECTUS.

DEMOCRATIC STATE CONVENTION.

☞ A Democratic State Convention will be held at the city of *Syracuse*, on *Wednesday, the eleventh day of September next*, at noon of that day, to be composed of one delegate from each Assembly District, for the purpose of nominating a ticket for State officers, to be supported by the whole Democracy of the State at the next election, and to determine how future Conventions shall be called, and to transact such other business in regard to the organization of the party and the promotion of its interests, as may be deemed necessary.

JOHN V. L. PRUYN,
Chairman of the Democratic State Committee.
CHARLES A. MANN,
Chairman of the Democratic Legislative Caucus.
June 7th, 1850.

DEMOCRATIC REPUBLICAN GENERAL COMMITTEE FOR 1850.

☞ The Delegates to this Committee will meet at Tammany Hall, on TUESDAY, the 27th instant, at 8 P. M., for the purpose of organizing permanently.

EDWARD STRAHAN, Chairman pro tem.
H. M. WESTERN, } Secretaries.
JOS. CORNELL, }
au23 t27

the benefit of traitors and disunionists. If they, the Abolitionists, will make the colonization of the Africans now in the United States an issue, *we will go with them before the laborers and producers of the free States at any time, and doubt not the latter will unanimously say, "Send the negroes to the land of their fathers, and save us from the evils of competition with them in the field and in the workshop.* This would be an issue in its practical effects, worth ten thousand *Provisos*, whether we consider the good of the white or the black race. As slavery is abolished in the States where it now exists, the free negroes will crowd into the cities on the Atlantic shore. Are our mechanics and laborers ready to receive them? is a question that admits of but one answer. Abolish slavery in the South, and allow emancipated negroes to settle amon g us, and in less than twenty years there will be a war of races in the North, unless colonization immediately follows emancipation.

We are pleased to observe that the *Journal of Commerce* coincides freely with us in the views we have frequently expressed on this subject, and we make room, with great pleasure, for the following article which it contained yesterday:

MAIL STEAMSHIPS TO AFRICA.—The project reported by the Committee on Naval Affairs of the United States House of Representatives, for the establishment of a line of steamers from the United States to the coast of Africa, with a view "to promote the colonization of free persons of color, to suppress the African slave trade, to carry the mails, and to extend the commerce of the United States," is regarded with general favor, and we are happy to learn that no serious opposition is expected to be made to its adoption by Congress. It is intended to incorporate the bill for that object, as an amendment, into the Naval Appropriation bill, and thus secure its passage at the present session. The memorialists proposed to construct four steamers, convertible into vessels of war, two-thirds the cost of which to be advanced by the Government in specific instalments, to be repaid by the Company in equal annual portions during the existence of a mail contract to continue twenty years. The bill, on the other hand, provides for the construction of three ships, of 4,000 tons each, *to cost not exceeding $900,000 each*, Government to advance as their building progresses, two-thirds of the cost, in a five per cent stock, payable at the end of thirty years; the advances to be repaid in the manner above mentioned. It provides also that the ships shall be built under the superintendence of an officer appointed, and pursuant to plans approved, by the Secretary of the Navy; that each shall be commanded by an officer of the Navy, assisted by four passed midshipmen to serve as watch officers; that the Secretary of the Navy shall have the right to place on board each. two guns of heavy calibre, with the men necessary to serve them, and, in case of war, to take the ships for the exclusive service of the United States, on paying their appraised value. It requires the contractors to carry, on each voyage, so many free colored emigrants, not exceeding 2,500, as the Colonization Society may send, for $10 paid in advance for each over twelve, and $5 for each under twelve years of age; together with such necessary agents as the Government or the Society may require, free of cost; and finally, to have the ships in readiness—two of them within two and a half years, and the third within three years after the execution of the contract. It also provides that the Government shall pay $40,000 for each trip; and take security for the performance of the contract, and a lien on the ships for payment of the advances.

The steamers are required to make monthly trips to Liberia, touching on their return at certain points in Spain, Portugal, France, and England, thus: one ship will leave New York every three months, touching at Savannah for freight and mails; one will leave Baltimore every three months, touching at Norfolk and Charleston for passengers, freight, and mails; and one will leave New Orleans every three months with liberty to touch at any of the West India islands. They will proceed directly to Liberia, with liberty to touch at any of the islands or ports of the coast of Africa; thence to Gibraltar, carrying the Mediterranean mails; thence to Cadiz, or some other port of Spain, to be designated by the Government; thence to Lisbon; thence to Brest, or some other port of France, to be designated as above; and thence to London—bringing mails from all those points to the United States.

The estimated cost of the three ships is $2,700,000. Annual expense, including cost of running, interest, repairs, and insurance, $1,221,000. Estimated receipts, $534,000, made up of Government pay, $480,000, and passage money of colored emigrants, $54,000. This leaves a balance of expense, over government pay and profit of emigrants, of $687,000, to be raised by commerce and passengers.

The removal of free blacks to the coast of Africa is regarded as a measure in which all sections of the country are equally concerned, and by which all interests, and chiefly those of the emigrants themselves, are essentially promoted. But there are various other considerations which justly commend the project to public favor. The planting and building up of Christian colonies on the coast of Africa is certainly one of the effective obstacles to, if not the only practical preventive of the prosecution of the slave trade. The extension of our steam marine is also of paramount importance, in the increased facilities it affords to commerce, and the strength it adds to the arm which is established for its defence and protection.

In commending the above plan, we, of course, do not mean to endorse all its details, as to the price of the steamers, rate of compensation to be paid by the Government, &c.; all this being a matter which requires calculation and study, as well as a knowledge of ship-building. But the plan itself is admirable, and worthy of the great American Republic.

☞ We wish to present our readers our most sincere thanks for the great increase to our subscription list which has occurred since we assumed the control of this journal. Every mail brings us gratifying evidence in the shape of pre-paid subscriptions, that our exertions in the Democratic cause are appreciated. For the purpose of rendering our paper even more acceptable, and at the same time of bringing our terms within the means of every Democrat, we shall, on Monday next, reduce the price of the *Daily Globe to one cent* per copy, or *six cents per week*.

corrupt, insincere, immoral, and d
the character of public men.

9. Because it would disgust all t
crats, who have an abiding faith in
ples of their party, and keep them
polls.

10. Because the Democratic par
ceed without it, and will fail with it
ple are disgusted with the Anti-Sl
tion, and will rush with enthusiasm
port of a clean Democratic ticket.

11. Because, if the Free Soil pa
to a separate organization, they w
insignificance, from the paucity
bers, and the contempt of the peo

12. Because the Democratic
Union is sure to be triumphan
Presidential election; and New
with her Democratic sisters if w
our principles and organization;
among the Whig or Abolition State
or temporize.

13. Because the Free Soil party
rous faction, which defeated th
party in 1848, *for revenge*.

14. Because they are a *contemp*
which, though recruited from bot
parties, Whigs and Democrats, c
14 in the House of Representativ
the no-party Abolitionists, and d
the vote of a single State at the la
Election.

15. Because they are a *da*
which, under the cover of a pr
human freedom, would violate
and endanger the Union of the

16. Because they are the all
tionists, and with them, built
form, to which they yet profess

17. Because the numbers
ded in 1848, have left them, a
seek union with the Democra
divide, or, as they hope, to "l

18. Because union *with the*
son to *the Democracy of the U*
we would thereby be separat
forever.

Mr. Benton.

A foolish attempt to break
Benton is making by his Free So
wont they let a man die when
out? Since his total overthrow
been ascertained, his friends are
invention for devices with which
retreat to oblivious retirement.
to make him a candidate for Congr
Louis District, for next Congress—a
the chickens before they are hatc
his election as Speaker a test in
Congressional District in the U. S.
could have suggested this but the L
General himself. It bears the ear-
Elephant.

Next, by way of consoling the wo
bilities of the "great rejected," it
to start a Free Soil paper at Wash
make Mr. Benton President. Thes
very harmless panaceas for the defeat
Senator is well satisfied terminates his
career. They can do no harm and the
visions which they suggest may "swe
tude"—though they may never be rea

[From the Geneva Gazette.]

Union and Harmony in Yates

We congratulate our friend and neighbor o
Yan Democrat upon the success of his effort
and harmony. The result of the primary
his county must be exceedingly gratifying.
been a general arrangement and understandin
out the county that the tickets for delegates
equally divided between the two sections, and
understanding, and under the influence of the
of the *Democrat*, the regular Democracy of t
sank to a blissful repose; and awoke the morn
the elections, to find that out of the forty-eigh
to the County Convention, thirty-nine were
ers Penn Yan, the especial field of the effo
amiable and harmonious friend, and where
could without difficulty have elected every del
vote of two to one, elected a clear ticket of Barn
Oh! its a glorious thing to be duped. *Vive l
Vive la Humbug!*

The foregoing will show what the Barn
ing fraternity design. The *circulars*, whic
stated sometime ago had been issued,
them to pack the Convention to be held a
racuse on the 11th of September, with
Soilers, is beginning to display its fruits.

It will be the duty of the *sound Democr*
the Convention, to purge it of all deleg
obtained by fraud, surprise or any im
means. If the delegates of the *sound De
cy* cannot control the proceedings of th
vention, they will, of course, not permit
selves to be used for the purpose of a
principles which they abhor.

INFERIORITY OF THE NEGRO RACE.—W
fer our readers to a very able article o
first page, in which this subject is discussed
ability, and practical views taken, which th
they may be novel, are deserving the most
found attention of every patriot. The idea
the unity of the human race is the Bible
trine, is the foundation of the Abolition crus
against the rights of the white man. But wh
we shall all become satisfied that the Bible
teaches no such doctrine, the folly and icked-
ness of the Abolitionists in seeking to elevate the
African negro to an equality of rights and privi-
leges with the American Anglo-Saxon will be
universally confessed.

IOWA.—The returns now show the e
Mr. Henn, candidate for Congress in
District. The Mormon vote fell sho
expectations of the pipe-layers. Str
counties give Henn a majority over
mon candidate. The democratic cou
erally give increased majorities for
the whig counties give a diminished
for Miller.

Keller

TO THE EDITORS.

I notice in your paper of the 20th ult. that a writer over the signature of "Inventor" has favored the public with some strictures on the patent laws, and as his remarks evince either a total ignorance of the subject or a desire to misrepresent, now that the subject of the amendment of the law of patents is under discussion in the Senate of the United States, I beg that you will give publicity to the following answers to "Outside glances at the Patent Laws and Patent office."

First. It tells us that when there are two or more existing patents for the same thing, no power exists either in the courts or the Patent office to repeal them. This is not true. The 16th section of the Act of 1836, now in force, makes provision for the repeal of patents in such cases, and there are now pending two bills before the U. S. Circuit Court in Equity for the Southern District of New York, for the repeal of two patents under this law—one of which was argued last fall before his Honor Judge Nelson; and how many other similar motions may be pending before the other courts, I do not know.

Second. We are told that a party holding a patent which has been declared invalid even by the Supreme Court, may sue and hold a party to bail under such patent. This is true in part. He may sue in all States, and can hold to bail in some, as this depends on State laws. It is the same as with any other species of property. A party holding or claiming title, may commence an action for the recovery of property, although his title may be fraudulent and void. But there is a difference between property in inventions and in real Estate, which would authorize a difference in the laws regulating their tenure. One is general—and the other is local, and although in one action, and under a particular state of the evidence, a Court should declare a patent invalid, under another action and a different state of the evidence, the same Court might declare the same patent valid.

Your corrrespondent seems to consider it a great defect in the law that there is no provision for repealing patents. We have shown that the law does make provision for repeal when there are conflicting patents; but not in other cases, and it was wise on the part of Congress to omit such provision in all other cases, for it would lead to great wrong and would be of no practical utility to the public, for it does not appear that since the adoption of the Constitution there is a single instance in which a Patentee has brought an action under a patent against which there had been an adverse decision by the Supreme Court. Such a law would be a dead letter. No man would be so reckless as to commence an action under a patent which has been pronounced against by the highest legal tribunal in a fair presentation of the case, for he must know that he would be defeated and would be mulcted in the costs and counsel fees. But if the evidence was imperfectly presented, ii is but just that the patentee should be permitted again to present and litigate his title. As to the questions of law respecting the validity of the patent, when once decided by the Supreme Court, , the ruling becomes the law of the land, and will govern all the courts in similar cases.

We are told that no patent case can be carried to the Supreme Court unless the verdict is for $2500, or more.—Again an error. In all cases the patent law in common with all other laws gives an appeal to the Supreme Court whenever the verdict is for $2000 and over; but the patent law of which this Inventor so much complains, makes patents an exception, and gives a writ of error to the Supreme Court in all cases, but at the discretion of the Judge before whom the case was tried when the verdict is below $2000. And this discretion was proper to prevent the Supreme Court from being overloaded with *cases in which there can be no difference of opinion among legal minds.*

It is objected that all proceedings on applications for patents before the Commissioner of Patents are secret, and that no evidence is required but the oath of the applicant. What evidence other than the oath of the applicant could be furnished? Is any other person competent to represent the conscience of the Inventor? By what process of divination could others become competent to testify that the person who claims the invention was the originator of it? Who can fathom the secrets of the mind to testify to the justice of the claim? In the very nature of things there can be no evidence other than the oath of the applicant, for he alone can be sure that his mind originated the idea. Others may be competent to prove that he is not the original and first inventor; but none but himself can prove that he is.

The great objection in the mind of "Inventor," however, appears to be that the "public are not permitted to have the least knowledge on the subject until after the patent is granted." This objection, if it has any force, applies equally to the law of patents of all civilized countries. It is one of the wisest provisions of the law. The grant of a patent is a question between the applicant claiming to be the inventor and the Government representing the interests of the public at large. The Commissioner of Patents and his corps of experienced examiners, all of them men of science and experience, provided with the records of all the inventions previously patented, and an extensive library containing the records of the inventions of other countries, make a careful examination to determine whether the alleged invention is new, and if not the patent is refused. This is a sufficient safeguard for the public. If there be other claimants, they can either file caveats or apply for Patents, which prevents the grant of Letters Patent until the question of priority of invention is determined between the conflicting parties. And not only this, but after a patent has been granted, another party claiming the same invention can have a hearing, and, on sufficient proof, obtain a patent and then have the previous one repealed.

With all these safeguards, why throw the door open to expose the poor inventor to be opposed by interested cupidity with all its array of corrupting influences. How could the poor inventor whose means have been exhausted in producing a great invention, resist the opposition which might, and would be arrayed against him in such a conflict. Ths same objections are made to the proceedings on the re-issue of patents and with no more justice. The re-issue of a patent is limited to the correction of errors. The new patent must, and always is, limited to the original invention—no new matter can be introduced. The sole purpose is to enable an inventor, who has committed an error in obtaining his patent, to correct it. And yet this writer would expose the patentee to the annoyance of opposition from all whose interests would be furthered by the failure of justice. This provision of the law grew out of the great difficulty of properly defining an invention in the specification. The model and drawings generally always show what the patentee invented, but the specification which defines his legal title is not always artistically drawn, for to do this properly requires an intimate knowledge of practical science and of law; two branches of knowledge seldom combined. Formerly an error in this instrument was fatal to the rights of the patentee. The existing law remedied this great defect, and "Inventor," whom I judge to be an infringer on the rights of inventors, wishes to carry us back to the old system that he may commit his depredations without fear of punishment.

"Inventor" objects to the law that it vests the whole power to renew patents in the Commissioner of Patents and that it makes his rules the guide. This power must be vested in some one, and who more competent than the Commissioner of Patents. The law defines what shall authorize him to renew a patent, and the only rules which he can make are such as is vested in every court in the United States, viz: the manner in which the parties for and against renewals shall file their evidence and be heard—The law requires that the Commissioner shall notify the public when any application for extension is made, that any one may enter opposition. The inventor must prove what he has expended and received by reason of his invention, that he has failed to receive a reasonable reward for the value of his invention, and that he has used due dilligence in intreducing his invention.—And the opposing parties can file evidence and arguments against all that the patentee is required to prove. In the name of all that is fair what more can the law do? But says "Inventor" *"three or four different sets of rules on this subject have been adopted since 1848."* This is not so.—*The rules have not been changed in any material part, and they are such as justice requires.*

"The rules particularly made law by the Act of 1848 are not (we are informed) in the patent office. What this wise writer means by "rules made law" we leave for him to define. The law is published with all other statutes and separately for distribution by the Commissioner of Patents. And if this objector will take an inside glance, he will find the rules published with all the other, rules in pamphlet form, freely distributed by the Commissioner of Patents.

A grave charge is made against the Commissioner that different rules are applied to different cases and to different persons in the same case. We have not met with any instance which will give color to the charge. But we have heard of instances in which certain individuals examined as disinterested witnesses against applications for removals of patents, have afterwards presented themselves to the Commissioner of Patents acting as and claiming the privileges of parties, and we infer that the Commissioner, with a desire to guard their consciences, may have declined to regard them in the latter equivocal position. As to the last charge, that favorites and patent agents have privileges extended to them which are denied to others, we can only say, that coming from any quarter we, should be inclined to doubt so grave a charge, but coming from one, who in every other particular has shown either an utter ignorance of the subject, or a desire to mislead, it becomes a moral duty to disbelieve.

As "Inventor" promises to pursue this subject, we will beg the privilege to follow him, with the hope, however, that in future before writing, he will take the trouble to read the statute and the rules of practice of Patents, for there is nothing so irksome as denying a statement and simply refuting it by reference to the letter of the statute.

PROTECTION.

THE VERMONT LAW.

The Washington *Union* does not attempt to show that our exposition of this law is unfair or incorrect, but it seems to think it ridiculous that any editor, especially an anti-slavery editor, should presume to entertain opinions of the Constitution, differing from those of the authors and supporters of the Fugitive act of the last session. The editor has a wonderful reverence for authority, when he imagines its weight to be on his side of the question, but no one is more ready to question its claims, when it is against him. Now, he appears to believe that the Supreme Court of the United States is an infallible Tribunal, before whose decisions all must bow in prompt, unquestioning submission.

We have great respect for the laws of Congress, and for judicial decisions; but we regard them neither as infallible nor irreversible. A law is binding until repealed, and the decisions of the Supreme Court are law in the particular case decided—but the humblest American citizen may question the wisdom of the law and seek its repeal, as he may deny the soundness of the decision and seek its reversal. Granville Sharpe did not succeed in procuring a final opinion against the possibility of slavery existing in England, until several opinions to the contrary had first been pronounced by the highest courts of the realm. Members of Congress in this country are sworn to support the Constitution; and this Constitution and the laws passed in pursuance thereof, not the decisions of the Supreme Court, are declared to be the Supreme Law of the Land. Every member is bound by what *he* believes to be the obligations imposed by the Constitution, not by what any court has affirmed them to be. He will vote in accordance with his belief, and, if there be a majority concurring with him, their acts will be law, creating certain rights or imposing certain obligations. Its validity may be questioned before the Supreme Court, and its decision may be adverse, but, we repeat, that decision is final only in the particular case decided. Other cases may be made under the law, for the purpose of obtaining a reversal of the decision, and Congress, if it choose, in the exercise of its independent right, as the Law Making Power, may enact another law, embracing the same principle which the court has pronounced invalid. The decision of the Court is final in the particular case decided, binding upon the parties to it, is to be enforced by the executive officers of the United States, and constitutes an authoritative precedent; but it is not *the Constitution* or a part of the Constitution: it does not limit the power of Congress, or deprive the constituency of the right to think, speak, and vote against it, with a view to induce renewed action by Congress in favor of what the Court has pronounced against.

If we understand anything, this is the Democratic platform; to claim supremacy, final and universal, for the Supreme Court, is of the essence of Federalism.

It is now evident that the *Union*, and the journals which have been declaiming against the Vermont law, had never understood it.

The first three sections, we said, provided for more effectually securing the writ of *habeas corpus*. We should like to see the editor audacious enough to question the right to make such a provision. If the Fugitive law denies or impairs the *habeas corpus*, everybody knows that to that extent it is null and void; and, if it does neither, then the sections of the Vermont law, more effectually securing the writ, are not in conflict with it. About this part of the law, therefore, there can be no ground for discussion.

In relation to the closing sections, which provide a mode of trial for fugitive cases, there is room for a difference of opinion—and here we do not attempt to dogmatize. We said Vermont, as a sovereign State, had the right to judge of her duties under the Constitution—that, in the exercise of her independent judgment, she decided that the right to make provision for fulfilling the stipulation of the Constitution relating to fugitives, belonged to the States, and not to Congress, and thereupon proceeded to make the requisite provision—that the form of trial she had prescribed was not repugnant to the stipulation, and was the very form Mr. Webster had proposed that Congress should prescribe—that, while there could be no question as to the constitutionality of this, there might be a question in regard to her right to legislate in the premises—but that, for our part, here, as in other cases of questionable power, we inclined to the side of State sovereignty. In other words, we took the Democratic side, and our "Democratic" neighbor of the *Union* took the Federal side.

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We were not aware that there was anything novel in all this, or that we were guilty of presumption in suggesting our opinion, especially as there was high authority to sustain us. Since then, the following paragraph has caught our eye. It is from an editorial in the *Cincinnati Enquirer*, one of the leading Democratic papers of the West, and, we need not add, as Hunkerish as the *Union* itself:

"Our own opinion is, that the General Government of the United States *has nothing whatever to do with enforcing that agreement*, [the constitutional clause relating to fugitives from service] *It is a matter left entirely with the States.* * * * We do not think the General Government has *any right* to send its officers into the States to carry out what good faith requires the States *alone* to do."

But there is much higher authority in favor of the Vermont view of State rights under the Constitution. DANIEL WEBSTER, now an oracle with the *Union*, in his famous speech in the Senate, delivered with great emphasis the following opinion:

WASHINGTON, D. (

"I have always thought that the Constitution addresses itself to the Legislatures of the States themselves, or to the States themselves. It says that those persons escaping to other States shall be delivered up, and I confess I have always been of the opinion that it was an injunction upon the States themselves. When it is said that a person escaping into another State, and becoming therefore within the jurisdiction of that State, shall be delivered up, it seems to me the import of the passage is, that the State itself, in obedience to the Constitution, shall cause him to be delivered up. That is my judgment. I have always entertained it, and I entertain it now."

The claim of Vermont, then, to legislate upon this subject, is sustained by the deliberate judgment of Mr. Webster, always entertained, and now entertained. The difference between her and Mr. Webster is, that he, as a lawmaker, bows implicitly to the Supreme Court, in opposition to his own judgment, while Vermont, acting in accordance with her judgment, is willing to give the Court an opportunity to reconsider and reverse its decision.

We now commit the editor of the *Union* to his new teacher, Daniel Webeter. "The new era in constitutional law" which it says is "established" by the *National Era*, must be credited to its new oracle, the Great Expounder.

the Na... ...ws most clearly—what we had much rather had not been shown at all or been true in fact—that the President affixed his signature to the Fugitive Slave bill because he "approved" the measure. However much the avowal may increase the popularity of the President at the South, here, in free New England, and throughout the civilized world, he will gain nothing by it. We must still admire the boldness with which his position on this point is defined.

With obvious reference to the Fugitive Slave law, the Message takes the ground that all laws, however unpopular and obnoxious, must be obeyed; and since their enforcement is devolved by the constitution upon the President, he will endeavor to meet events as they may arise, with firmness, prudence and discretion. The Message says that "when law is trampled under foot tyranny rules"—that "the law is the only protection of the weak, and the only efficient restraint upon the strong."—These apothegms may be true in the main, perhaps, but when applied to the Fugitive Slave law they are monstrously and notoriously untrue. The objection to that law is that it is tyrannical, and it would be the veriest nonsense to pretend that tyranny is in the ascendency merely because a tyrannical law is trampled in the dust. It would be equally absurd, not to say mendacious, to aver that the Fugitive Slave Law either is or was designed as a "sure protection to the weak" and an "efficient restraint upon the strong." Directly the converse of all this is the truth.

The Message represents our Foreign relations as amicable and satisfactory. We have already commended the clearness of the document upon the different subjects of which it treats. This, however, is subject to one qualification. It is well known that there is a misunderstanding between the British Government and our own as to certain stipulations in the Treaty relating to the Nicaragua Canal.—On this point the message is guarded and obscure, throwing no light whatever upon the subject.

OSTON W EKLY MUSEUM.

Old Generals.

KY, who has figured so prominently as der during the last three years, is now , but he is as active as if he had been en- ondrous years from his shoulders. and in, the sweetest period of human life.— imperial generals who showed any contests that came so near resolv- its original elements; and it is been more humane, in spite of ly perpetrated in Italy by ustrian commanders.— peculiar condition of whether he would had he been sent me to the as- to discuss. led with while lern s. of s- s

The Market Value of Gold and Silver.

HUNT'S *Merchant's Magazine* for January has an able article on the relative market value of gold and silver, considered with reference to the discovery of the California gold mines, and the great amounts of the precious metal which has been shipped from them. It is a fact, that every large quantity of the precious metals which has been added to the currency of the different nations, from time to time, has reduced their market value; and it is very evident that the mines of California will have the effect to lessen the market value of gold throughout the world.

This writer estimates that the California mines, together with those of Brazil and Spanish America and Russia, will produce at least seventy millions of dollars this current year, and that, according to the market value of silver and gold, the former is bringing a premium of two and three per cent., and is growing more scarce, while the latter is all the while growing more plenty, and its market value in proportion to its increase, becoming proportionately less.

Gold and silver, like other commodities, have a market value, aside from that affixed by the mint; and where the market value is higher than its legal value they will become scarce. This writer recommends that government affix no legal price to coins; for the reason that the market price will always be in accordance with its real value.

The gold mines of the old and new world produce about one hundred per cent. more than the silver mines, at the present time; and if this difference continues, a great change will take place in the relative value of the two metals. We perceive that silver brings a premium in our city of five per cent., and that great inconvenience is felt by many of our business men in consequence. In England, Holland, the German States, France, and Havana, the demand for silver is very great. Many causes have contributed to this, aside from the great supplies of gold that have come to us, prominent among which, we believe, the foolish habit of presenting every successful sea captain, and every retiring office-holder with a set of silver-plate, has contributed in no small degree.

Perhaps the value affixed by Congress will require a change in a few years, but the market value of the whole world will be the test then as it is now. The legal value of coins cannot differ long, at any one time, from the market value.

SCARCITY OF SILVER COIN.—The Evening Post in connection with this subject, calls attention to the great discrepancy between the coinage of large pieces and small at the Philadelphia Mint during the last year. The coinage of silver during the year has amounted to only $409,600, while that of gold has been $27,756,445. Of this gold $23,405,220 has been made into double eagles and $2,914,510 into eagles, and only $954,752 into quarter eagles and dollars. The cause of this, the Post says, is that the officers of this mint are anxious to show themselves competent to coin *all the gold that comes to them*, and it suggests that as the Philadelphians have been trying to appear to be equal to more than they are, steps should be taken by Congress to relieve them at once, by establishing another mint at New York.

WASHINGTON.

"Liberty and Union, now and forever, one and inseparable."

FRIDAY, JANUARY 17, 1851.

COMMERCE WITH CANADA FOR THE YEAR ENDING JUNE 30, 1850.

The following facts bearing on the importance of the trade between the United States and Canada have been collected from the Report of the Secretary of the Treasury on Commerce and Navigation, which has just been published:

The exports to Canada for the year ending 30th June, 1850, were $5,930,821. The imports, exclusive of specie, $3,859,101, showing a balance in favor of the United States of $2,071,720. The exports to Canada exceed those to any country trading with the United States, except England and France. Those to Cuba were, for 1850, $4,990,297; to Brazil $3,197,114; to Spain $3,987,434; to Mexico $2,012,827; to China $1,605,217; to Holland $2,604,665; to the Hanse Towns $5,206,522 The exports to England and France consist chiefly of raw materials for manufacturing purposes, for the supply of which those countries are dependant on the United States.

Of the exports of domestic manufactures from the United States by far the largest amount is sent to Canada, and a much greater variety of articles than to any other country. *The exports of manufactured goods to Canada were very nearly equal to the aggregate of those to Cuba, Brazil, Mexico,* and China. Canada took, in the year ending 30th June, 1850, $3,964,223, Cuba $1,014,190, Mexico $1,064,193, China $1,257,832, Brazil $773,034. It is, however, important to note that while the balance between the imports from and exports to Canada was $2,071,720 in favor of the United States, the imports from China, Brazil, and Cuba very largely exceeded the exports to those countries.

It will be found that the total exports of manufactured goods from the United States for 1850 exceeded those of 1849 by $3,098,187, and that the exports to Canada for 1850 exceeded those of 1849 by $2,457,915; so that the increase in the exports to Canada exceeded fivefold that to all other countries trading with the United States. Of the manufactured goods sent to Canada a considerable amount is under the head of "manufactured articles not enumerated," under which it is to be presumed are included the various articles of woollen manufactures, satinets, &c., large quantities of which goods are exported to Canada. The amount of exports to Canada under this head for 1850 was $2,676,484, against $516,667 in 1849; they having more than quintupled.

In many of the articles of American manufactures specified in the table, an extraordinary increase in the export to Canada has taken place. The value of castings and other iron manufactures was $311,909 in 1850, against $138,630 in 1849. White cottons $145,891 in 1850, against $74,090 in 1849. Hats $22,771 in 1850, against $14,744 in 1849. Medicinal drugs $62,306 in 1850, against $23,500 in 1849. Manufactures of copper and brass $8,814, against $2,967. Household furniture $36,238, against $16,072. Leather manufactures $66,552, against $51,207. Soap and candles $13,966, against $4,964. Tobacco $180,599, against $159,269. And with regard to manufactures of tobacco it may be remembered that Canada takes a larger amount than any other country, the value of the export to England, which is the next highest, being $126,238.

Such are a few facts gathered from the Treasury Report. The trade with Canada is as yet in its infancy, having sprung up within a few years; so that it may be expected that with due encouragement it will increase in a much greater ratio than that with countries whose trade has been longer established.

RECIPROCITY WITH CANADA.—*The proposition* to establish a system of reciprocity between the United States and Canada, that is to say, a mutual, free interchange of the respective products of the two countries, has been urged with some importunity by the Canadian authorities under the sanction of the British Government, and it is now before Congress in the form of a bill.

The Canadians never urged this proposition while the British Corn Laws were in existence. They were then favored in the British Corn Market and found some compensation for colonial restrictions in the special privileges awarded to colonial produce in its admission into the ports of Great Britain.

The abrogation of the Corn Laws has deprived the Canadians of their special advantages in the British markets; they now stand upon a similar footing with other producers of grain. The policy of England having been long fixed to discourage and suppress the growth of manufactures in her colonies, the Canadians, now that they are cut off from all privileged access to the market of the mother country for their produce, have no home market to serve as a substitute, and their condition is indeed deplorable. In this straitened condition of things they are very anxiously desirous of the privilege of admission for their produce to the markets of the United States.

Canada stands as a striking illustration of that sort of free trade of which we hear so much from certain abstractionists who pretend to philosophise, and from politicians who are not particular about understanding the subjects of their discourse. Canada, an agricultural country, has no manufactures—because she has never been allowed to protect her manufacturing industry. Free trade has given her the manufactured fabrics of British workshops, imported without duties, and at cheaper rates than they could have been supplied, at first and for a considerable time, by protected manufacturing industry at home. Free trade conveys her grain and lumber across the ocean to find a market three thousand miles distant—or not to find it as the case may be. The manufacturing population of Great Britain may consume her grain, or that of the Baltic countries, or that of Southern Russia, or that of the United States, whenever the crop of the island falls short. But if Canada had a manufacturing population of her own to supply her demands in that way she would have a home market of her own, which her own farmers would have possession of without competition.

But she has no such home market; and she looks across the border to a great Republic, which, with more or less consistency, has maintained a system of encouragement to manufacturing home industry, and where there has grown up, consequently, a home market for agricultural produce. She wishes to have admission to this market, and to participate in the benefits of a system which she has had no part in building up and sustaining—having in fact pursued a different system and made her constant sacrifices to the dogmas of free trade.

The protective system, we say, has been maintained in the United States with more or less consistency from the first. From the moment at which our revenue policy began—the policy of deriving the chief supplies of the Treasury from impost duties—from that moment the system of protection to our domestic manufacturing industry began. The two things are inseparable. The difference between parties on this subject has been and continues to be that one party, seeing that protection is a necessary accompaniment of a system of duties upon imports and that great industrial interests have grown up under it, desires a recognition of the principle, that its application may be systematized, made regular, certain and permanent, and so harmonized with the revenue principle that both may stand happily blended together in one and the same system.—Those on the other hand who profess to be the advocates of free trade, forgetful it would seem, that free trade is as much obstructed by duties for revenue merely as by any duties for any other purpose, contend against protection as though it were a hostile foreign interest, and think they have grined a victory whenever they can succeed in raising duties for revenue with discriminations against protection—thus achieving nothing for free trade even as *they* understand it, and limiting their triumph entirely to the injury that they can work upon the domestic labor which may happen to be employed in some other than an agricultural pursuit. By such triumphs from time to time they have brought disaster upon agricultural as well as other kinds of labor; since by impeding the growth of mechanical and manufacturing industry they have lessened the number of the consumers of agricultural produce and increased agricultural production while diminishing and enfeebling its market.

As a *bonus* for the admission which Canada asks to our markets for her produce she proffers the free navigation of the St. Lawrence. Now the Government of the United States has never relinquished its claim, under the laws of nations, to the free navigation of the St. Lawrence without any equivalent whatever; and if the claim had been worth prosecuting; if the free navigation of that river had been of importance to us; if the Lake country had not found access to the Atlantic by means of the New York canals, and if the St. Lawrence constituted the only outlet for that vast and fertile region—in that case the full right of navigation on the St. Lawrence would have been ours before now in the face of all demurrings. But it is a matter of small account. The Canadians use our canals to get to the seaboard to a far greater extent than we should ever use the river—to a greater extent than they use the river themselves. *But without dwelling farther upon the subject we conclude for the present with the subjoined remarks which form a communication in the National Intelligencer of Friday:*

The Reciprocity bill, as it is termed, probably because it establishes nothing like "reciprocity," has been reported in the Senate, and I understand that its friends propose to push it through, if possible at the present session. Such being the case, it may be useful to inquire what it is that Canada asks, and what it is that she proposes to give in Exchange.

Wheat is higher here than in England, and therefore Canada desires to bring her wheat within the Union, that it may be sold at the high prices of the Union. The efficient protection given to iron by the tariff of 1842 extended our product to 800,000 tons; the consequence of which has been great reduction in the price, which has fallen in England to little more than four pounds per ton. Canada desires to sell her wheat in the Union, and buy her iron *out* of the Union, profiting by the high prices of our market and the low prices of the other.

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Wool is higher here than any where in the world, because the tariff of 1842 enabled us to establish extensive woollen factories. The competition thus established has reduced the price of cloth in England. The Canadian desires to sell his wool at the high price of Lowell, and buy his cloth at the low price of Leeds, thus profiting by the protection given to our farmers and wool-growers, by carring out the English principle of selling in the highest market and buying in the lowest one.

It is an admirable scheme, and it consists only in admitting the Canadian to a participation in all *the rights* of a citizen of the Union, without exacting from him in return the performance of *a single duty*. Let us now suppose that Virginia were to make the same request, saying, "We prefer to be in the Union, for the sale of our wheat, but it would suit us better if you would permit us to be out of it for the purchase of our cloth and our iron. We therefore ask that you will repeal the tariff in our favor, leaving us to sell *our* wheat and our wool here, and to purchase our cotton, our woollens, and our railroad iron elsewhere." Were such a request made, what would be its reception? Would it not be at once dismissed? Unquestionably it would. If, then, Virginia could not obtain the grant of such a favor, why should Canada have it?

We are offered the St. Lawrence, because it has become valueless. Canada has no market for the products of her labor or her land, and both are rapidly diminishing in value. Emigration to Canada has almost ceased, because Canadian labor has no protection. The condition of her land-owners is now far, very far, worse than it was ten years since, when Lord DURHAM informed us that the price of land in Vermont and New Hampshire, close to the line, was five dollars, while in the adjoining British townships it was but one dollar; and that, while the former was saleable, the latter was unsaleable.—*Canada desires to attract immigration by giving* value to her labor. She desires to give value to her land by finding a market for its products; and that she may do so, she offers now *to sell us* the navigation of the St. Lawrence, *which she herself is rapidly abandoning*, when we have long since paid for it *by giving her the free use of our canals.*

Should this bill pass, I recommend to its friends to change its title to something like the following, to wit: "An act to promote immigration into Canada; to raise the price of Canadian lands; to increase 'the employment of British shipping; to reduce the 'price of American labor and, land to a level with 'those of Canada; and to diminish the employment 'of the American shipping now employed in the 'transportation of Canadian grain to Europe, and 'of British and Irish emigrants from Europe." Such are the true intent and meaning of the bill now before Congress. Let those who will vote for it.

The New York Tribune states that Handel's "Messiah" is at present in rehearsal by the Harmonic Society of that city, with a view to a public performance in which Jenny Lind will lend her aid.

NEW YORK HERALD.

JAMES GORDON BENNETT,
PROPRIETOR AND EDITOR.

OFFICE N. W. CORNER OF FULTON AND NASSAU STS.

THE DAILY HERALD, 2 cents per copy—$7 per annum.
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ALL LETTERS by mail, for subscriptions, or with advertisements, to be post-paid, or the postage will be deducted from the money remitted.
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ADVERTISEMENTS renewed every morning.
JOB PRINTING executed with neatness, cheapness, and despatch.

Volume XVI.....Number 10.

AMUSEMENTS THIS EVENING.

BOWERY THEATRE, Bowery—DAVID COPPERFIELD—WALLACE.

BURTON'S THEATRE, Chambers street—DAVID COPPERFIELD—BOLD DRAGOONS.

NATIONAL THEATRE, Chatham Square—OLD KING COLE—GOLDEN AXE—MAGIC WELL—FRISKY COBBLER.

BROUGHAM'S LYCEUM, Broadway—DAVID COPPERFIELD—THE WILD INDIAN—ROUGH DIAMOND.

CHRISTY'S MINSTRELS, Mechanics' Hall, 472 Broadway—ETHIOPIAN MINSTRELSY.

BELLOWS' OPERA HOUSE, 441 Broadway—ETHIOPIAN MINSTRELSY.

AMERICAN MUSEUM—AMUSING PERFORMANCES AFTERNOON AND EVENING.

NEW YORK AMPHITHEATRE, 37 Bowery—EQUESTRIAN PERFORMANCES.

WASHINGTON HALL—PANORAMA OF THE PILGRIM'S PROGRESS.

BATTERY'S COSMORAMA, corner of Thirteenth street and Broadway.

STOPPANI HALL—TABLEAUX OF NEW ENGLAND.

New York, Saturday, January 11, 1851.

News from Europe.

The American steamship Atlantic, Capt. West, from Liverpool, with one week's later news from all parts of Europe, will be due at this port to-night.

Telegraphic Summary—The Regeneration of Philadelphia.

We learn by telegraph, that the city of Philadelphia is in a state of great commotion and excitement, on account of the reception dinner, or banquet, which is to be given this evening, in honor of the arrival of the steam propeller City of Glasgow, and of her commander, Capt. Mathews. We are informed that not only the city authorities will be present, but that Governor Johnston, the Canal Commissioners, and the members of the Legislature, were invited, and arrived there last evening, for the purpose of joining in the ceremonies, and of *drinking success* to the City of Glasgow, and to her captain.

Now, the City of Glasgow, we admit, is a very fine vessel, and as for Captain Mathews, he is, in our opinion, not only a skilful commander, but a gentleman, in every sense of the word. He is worthy of his ship, and his ship is worthy of him. But, is not this excitement and agitation in regard to the arrival of that vessel in Philadelphia, a reflection on the people of that city, for their lack of enterprizes, in not having a line of steamships of their own? Would it not look better if they were giving a banquet in honor of the arrival of a steamship of their own, instead of that of a foreign vessel, although owned in part in Philadelphia? According to appearances, the Philadelphians have only waked up to the importance of ocean steam navigation, after a sleep of a dozen years or more. Our enterprising citizens can point with pleasure to a whole fleet of steamships that ply to different parts of Europe, the United States, and Central America, and yet we do not make any hubbub about the arrival or departure of any of them. We should like to see Philadelphia imitating the *energy and enterprise of New York, and giving* a banquet in honor of their own steamships.

The Naval Board, to whom was referred the subject of punishment and discipline, have reported; and we learn that in lieu of flogging, which was abolished during the last session of Congress, they have recommended punishment by confinemen and suspension of pay. To the meritorious they propose to give rewards. We hope this system will be adopted. We venture to say the abolition of the cat will not injure the service.

Congress was engaged, yesterday, with the consideration of miscellaneous business, among which was a bill authorising the State of Wisconsin to select fifty thousand acres of land for internal improvement purposes. After a good deal of debate, it was ordered to be engrossed. In the House, a bill was introduced authorising persons entitled to land under the Bounty Land bill, to receive treasury scrip in lieu. It was referred to the appropriate committee. A bill was also introduced granting to the State of New York, for school and railroad purposes, a quantity of the public lands, equal in proportion to her representation, as that given to Illinois.

The Union Party—Late and Important Disclosures.

The disclosures recently published in the *New York Herald*, respecting the proposed organization of a great Union party, have created a considerable flutter at Washington, among the old hunker politicians. There, the organization, it appears, was to have commenced, in a grand Union Convention, to be holden on the birth-day of the Father of his Country. That convention was to have been followed up by co-operative conventions all over the country, the great object being to combine, amalgamate, and unite into one homogeneous, harmonious party, all the conservative, compromise, and law abiding elements of the late whig and democratic parties, North and South. That, as understood, was to be the first object. The second, was to be a compromise ticket for the Presidency, of some available Union man from each wing of the new party—some such ticket, for example, as Clay and Cass, or Webster and Foote, or Fillmore and Cobb, or Mangum and Douglas, or Crittenden and Dickinson, or King, of Alabama, and Duer, or Cass and Mangum, or some such combination. The *immediate object was a Union party—the ultimate object a Union ticket for the campaign of 1852.*

It is manifest that such a party would be all powerful and irresistible, in both sections of the Union—it is equally manifest that there is no existing party—no other possible party—

ministration and the offices. The office holders, in the organization of the Union party, will, of course, be Union men, every man of them. If the Union democrats, therefore, join the Union whigs, in a Union ticket for 1852, what will they gain in electing their candidates? Their new platform involves a compact with the office holders, by which they will remain in possession of the spoils; and the outside democrats will remain *non est*. This has has been a potential drawback to the old line democracy, especially when they have the possibility before them of electing a man of their own by the House of Representatives. Hence the official announcement by the Washington *Union*, in behalf of the democratic conservatives, of their repudiation of the Union party, a National Union Convention, and a National Union ticket for 1852.

But this does not decide the question. It only postpones the Union organization for the time being. The elements of disaffection to the Union are still active North, and South. The recent vote in Congress, of sixty-eight representatives in favor of a repeal of the Fugitive law—the messages of the Governors of New York and Pennsylvania to their respective legislatures—the free soil and democratic coalition in Massachusetts, and various other movements and signs in the North, sufficiently show that the odds and ends of nullification are strong, and capable of controlling the result between the whigs and democrats, in any general election. On the other hand, the Nashbille Convention and other co-operative movements all over the South, have utterly broken up the old party lines and platforms in that section, and have rendered either whigs or democrats incapable of accomplishing anything, unless combined against the ultras *in a general election. But, again:* A Union party has been formally organized in Georgia. *The* body of the whig party, and many of the democratic, comprise the materials of this organization. Mr. Cobb, Speaker of the House of Representatives, is identified with it. He has been appointed a delegate to the National Union Convention, which Father Ritchie has repudiated. Again General Foote, who has won a wide reputation as a devoted friend of the Union, has boldly committed himself to the prospects and fortunes of this Union party. Where are these gentlemen to go, if the old whig and democratic ricketty platforms are to be maintained? What is to become of Georgia, of Mississippi, and of Alabama? Are they to be abandoned to the ultras? And is Massachusetts, is New York, is Vermont, is Ohio to be turned over to the nullifiers? Something must be done.

The elements for a Union party still exist—there does not, however, appear to be any immediate necessity for it. There is no pressing occasion upon which it could act. Besides, the democrats confidently count upon a large majority in the House in the next Congress, so that if they fail in a scrub race, they have still the odds in their favor. Moreover, a junction with the whigs involves the sacrifice of so many traditions, associations and antipathies, that it is only the most urgent danger that could effect it. We must wait—we must watch and pray, like St. Paul, without ceasing; and all will come out right. The popular mind is sound in the aggregate—the Union is strong. The spring and summer elections will prove it; but they may also prove the necessity of a Union party as the only plan of safety against all the disorganizers, North and South. It is for the politicians to choose between a scrub race and a Union ticket. We count upon the former. The signs are multiolied for a scrub campaign in 1852. Clear the track.

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It is manifest that such a party would be all powerful and irresistible, in both sections of the Union—it is equally manifest that there is no existing party—no other possible party organization—tha could enter into the next general campaign with the slightest prospects of success before the people. Abolition, nullification, and free soil, have broken up both the old parties in the North. Secession has been equally destructive to old party landmarks in the South. Without a Union organization, therefore, the alternative of a scrub race is a foregone conclusion, with the inevitable necessity of an election by the House of Representatives. As a measure of self-preservation—as a plan of undoubted success—the organization of a national Union party suggests itself as the only plan for the conservatives of the late whig and democratic parties, North and South. Without a junction, they are in a minority in both sections; united, they can overwhelm all the elements of agitation, nullification, abolition, and secession, from Canada to the Gulf of Mexico.

How, then, has this project failed? Why is the movement suppressed? The apologies of Father Ritchie—the explanatory letter of Gen. Foote, in the Washington Union—are quite sufficient to satisfy any reader of the smallest discernment, that the movement had commenced—that a convention at Washington was intended to give it shape and organization. Why, then, all this fluttering, this shyness and equivocation of the politicians? Why is the national Union repudiated by Father Ritchie, in behalf the democratic party? The time has not yet come. The occasion is not ripe. It is a ticklish business. The politicians are shy. There is no telling how it is to affect them; or who is to lose or who to win. Besides, the whigs have the advantage of the democrats in accomplishing anything, unless combined against the ultras in a general election. But, again: A Union party has been formally organized in Georgia. The body of the whig party, and many of the democratic, comprise the materials of this organization. Mr. Cobb, Speaker of the House of Representatives, is identified with it. He has been appointed a delegate to the National Union Convention, which Father Ritchie has repudiated. Again General Foote, who has won a wide reputation as a devoted friend of the Union, has boldly committed himself to the prospects and fortunes of this Union party. Where are these gentlemen to go, if the old whig and democratic ricketty platforms are to be maintained? What is to become of Georgia, of Mississippi, and of Alabama? Are they to be abandoned to the ultras? And is Massachusetts, is New York, is Vermont, is Ohio to be turned over to the nullifiers? Something must be done.

The elements for a Union party still exist—there does not, however, appear to be any immediate necessity for it. There is no pressing occasion upon which it could act. Besides, the democrats confidently count upon a large majority in the House in the next Congress, so that if they fail in a scrub race, they have still the odds in their favor. Moreover, a junction with the whigs [illegible] sacrifice of so many traditions, associations and antipathies, that it is only the most urgent danger that could effect it. We must wait—we must watch and pray, like St. Paul, without ceasing; and all will come out right. The popular mind is sound in the aggregate—the Union is strong. The spring and summer elections will prove it; but they may also prove the necessity of a Union party as the only plan of safety against all the disorganizers, North and South. It is for the politicians to choose between a scrub race and a Union ticket. We count upon the former. The signs are multiplied for a scrub campaign in 1852. Clear the track.

A SET OF

FORMS AND INSTRUCTIONS

FOR

BOUNTY LAND CLAIMANTS:

UNDER THE ACT OF SEPTEMBER 28, 1850.

TO WHICH IS APPENDED A SYNOPSIS OF THE MOST IMPORTANT BOUNTY LAND AND PENSION LAWS.

PREPARED BY

THOMAS EWING, JR.,

Attorney and Agent, Washington, D. C.

WASHINGTON:
C. ALEXANDER, PRINTER.
1850.

GENERAL AGENCY.

The undersigned tenders his services to Attorneys for claimants, under the recent act of Congress, as an Agent for procuring BOUNTY LAND WARRANTS, directing their location, and taking out Patents.

He will, moreover, attend to the prosecution of all kinds of claims before the Public Departments; he possesses every facility for obtaining the most *speedy* and *favorable* action on cases entrusted to his charge.

As few are familiar with the precise method of preparing applications for bounty land, and in order to prevent errors and delay, he has prepared this pamphlet of instructions, presenting much necessary information in a very brief and intelligible manner.

His charge for procuring warrants for 160 acres will be $5 each; for 80 acres $4, and for 40 acres $3. Additional charge for making the locations and taking out the Patents, for those of 160 acres $3; of 80 acres $2, and of 40 acres $1.

Attorneys for claimants at a distance, will find it greatly to their advantage to secure the services of an efficient agent at the Seat of Government.

To those with whom he is unacquainted, he would make reference to Members of Congress, and to the officers of the Government, generally.

Address, *post paid*,

THOMAS EWING, JR.,
Washington D. C.

Form of a Declaration to be made by the Officer or Soldier.

State of 1_____ } *ss.*
County of 2_____ }

On this 3_____ day of 4_____ A. D. one thousand eight hundred and 5_____, personally appeared before me, 6_____ a 7_____ within and for the County and State aforesaid, 8_____ aged 9_____ years, a resident of 10_____ in the State of 11_____, who being duly sworn according to law, declares, that he is the identical 12_____ who was a 13_____ in the Company commanded by Captain 14_____ in the 15_____ Regiment of 16_____ commanded by 17_____ in the war with 18_____ that he 19_____ at 20_____ on or about the

21_____ day of 22_____ A. D. 23_____ for the term of 24_____ and continued in actual service in said war for the term of 25_____ and was honorably discharged at 26_____ on the 27_____ day of 28_____ A. D. 29_____ on account of 30_____ *as will appear by* 31_____ the muster rolls of said company. 32_____

He makes this declaration for the purpose of obtaining the bounty land to which he may be entitled under the "act granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States," passed September 28th, 1850.

(Signature of the Claimant.)

Sworn to and subscribed before me the day and year above written. And I hereby certify, that I believe the said_____ to be the identical man who served as aforesaid, and that he is of the age above stated.

(Signature of the Magistrate or other Officer.)

Guide to filling up the Form for Officer's or Soldier's declaration.

Blanks, No. 1, name of State; No. 2, name of County; No. 3, date of month; No. 4, name of month; No. 5, year; No. 6, name of magistrate (or *other officer authorized* to administer oaths;) No. 7, what kind of officer; No. 8, name (again) of soldier; No. 9, age of soldier; No. 10, place of residence; No. 11, name of State; No. 12, *name of soldier again;* No. 13 what *kind, or grade of soldier;* No. 14, name of Captain; No. 15, *number* of Regiment; No. 16, what *kind* of Regiment; No. 17, *name* of person who command the Regiment; No. 18, *what war*; No. 19, *enlisted,* or *volunteered,* or *drafted,* (state which;) No. 20, where entered the service; No. 21, on or about what day; No. 22, what month; No. 23, in what year; No. 24, for what period; No. 25, how long *continued* in service; No. 26, where discharged; No. 27, on what day; No. 28, what month; No. 29, what year; No. 30, If on account of *disability,* state so, if *mustered out of service,* state so, if on account of *expiration of term of service,* state so; No. 31, as will appear by *my original certificate of discharge herewith presented, and* by the muster rolls; No. 32, state if you have *lost* your certificate, or if you *never* had any; If you have a certificate of discharge state so in No. 31, and also wafer your certificate to the paper you sign your name to; but if you have no certificate, leave blank No. 31 just as it is, as the muster rolls will show your service.

Form of a Declaration for Widow of an Officer or Soldier.

State of 1_____ } *ss.*
County of 2_____ }

On this (3)_____ day of (4)_____ A. D. one thousand eight hundred and (5)_____ personally appeared before me (6) _____ a (7)_____ within and for the county and State aforesaid, (8)_____ aged (9)_____ years, a resident of (10) _____ in the State of (11)_____, who being duly sworn according to law, declares, that she is the widow of (12)_____ deceased, who was a (13)_____ in the company commanded by

Captain (14)_____in the (15)_____Regiment of (16)_____ commanded by (17)_____in the war with (18)_____ That her said husband (19)_____at (20)_____on or about the (21)_____day of (22)_____A. D., (23)_____for the term of (24)_____and continued in actual service in said war for the term of (25)_____and was honorably discharged (26) _____at (27)_____on the (28)_____day of (29)_____ A. D., (30)_____as will appear by (31)_____She further states that she was married to the said (32)_____in (33)_____ on the (34)_____day of (35)_____A. D., (36)_____ by one (37)_____a (38)_____and that her name before her said marriage was (39)_____that her said husband died at (40) _____on the (41)_____day of (42)_____A. D., (43) _____and that she is still a widow.

She makes this declaration for the purpose of obtaining the bounty land to which she may be entitled under the act passed September 28th, 1850.

Claimant's Signature.

Sworn to and subscribed before me the day and year above written.

Officer's Signature.

Guide to the filling up of the Forms for Widows' Claims for Bounty Land.

*Blanks, No. 1, name of State; No. 2, County; No. 3, day of month; No. 4, month; No. 5, year; No. 6, name of magistrate, (or other person administering oaths;) No. 7, what *kind* of official; No. 8, name of widow; No. 9, her age; No. 10, place of residence; No. 11, name of State; No. 12, name of her deceased *husband*; No. 13, what kind of soldier or grade; No. 14, name of Captain; No. 15, number of Regiment; No. 16, what kind of Regiment; No. 17, name of officer commanding the Regiment; No. 18, name of war; No. 19, if enlisted, volunteered, or drafted; No. 20, at what place; No. 21, on what date of month; No. 22, name of month; No. 23, the year when entering the service; No. 24, for how long; No. 25, how long in actual service; No. 26,† discharged, *mustered out of service*, or on

*In some cases, it will perhaps, be impossible for the widow to state the facts, in relation to her husband's services, with the particularity as to dates, &c., indicated by the above form. In such case she must set forth the facts with as much accuracy as possible. It will be *indispensable* for her to state the Company and Regiment in which he served. If her husband was killed in battle, that fact must be set forth in the declaration.

This declaration must be accompanied by satisfactory proof of the marriage, and of the husband's death. If there is any public record of the marriage, a duly certified copy of such record should be forwarded if possible. If there is no public record of the marriage, but a private or family record, such family record, or a certified copy of the same, should be forwarded, with the affidavit of some disinterested person, proving the genuineness of the original, and that the copy certified is a true and correct copy of it. If no public or private record of the marriage exists, or can be procured, that fact should be set forth in the declaration; and in such case, other evidence, such as the testimony of persons who knew the parties in the life-time of the husband, and knew them to live together as husband and wife, and to be so reputed, will be admissible.

In no case, however, will the mere statement of witnesses, that the claimant *is the widow* of the deceased, be taken as evidence of the marriage; but the witnesses must state the *facts* and *circumstances* from which they derive their knowledge or opinion that she is the widow of the deceased.

A certificate from the clergyman or magistrate, who solemnized the marriage is not competent evidence, unless the genuineness of the certificate be proved, and the person who gave it, be shewn to have been authorized to solemnize the marriage.

†State according to the nature of the case, or the circumstances.

account of *disability* or *expiration* of service; No. 27, at what place discharged, or mustered out of service, or otherwise; No. 28, day of month; No. 29, name of month; No. 30, the year; No. 31, if by certificate, of discharge, or muster rolls of his company, state so; No. 32, name of husband; No. 33, place where married; No. 34, what *day of month*; No. 35, name of month; No. 36, the year; No. 37, by whom married; No. 38, (minister or magistrate) No. 39, name of widow before her marriage; No. 40, place where her husband died; No. 41, day of month; No. 42, name of month; No. 43, year.

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*Affidavit of Witnesses.

State of_____ } ss.
County of_____ }

On this_____day of_____A. D. one thousand eight hundred and_____personally appeared before me, a Justice of the Peace, within and for the State and county aforesaid_____and_____ residents of the State of_____and county of_____who being duly sworn according to law, declare, that_____is the widow of _____deceased, who was a_____in the company commanded by Captain_____in the_____regiment of_____commanded by_____in the_____that the said_____was married to the said_____deceased, at_____in the State of_____ on the_____day of_____A. D.,_____by one_____ a_____, that the name of the said_____before her marriage aforesaid was_____, that her husband, the said_____died at _____on the_____day of_____A. D.,_____and that she is still a widow. That_____

And they swear that they are disinterested witnesses.

_____

_____

Subscribed and sworn to before me this_____day of_____ A. D._____. And I hereby certify, that_____and_____ are credible witnesses.

L. S.

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† *Form of Declaration for guardian of minor children, which any attorney can readily fill up.*

State of_____ } ss.
County of_____ }

On this_____day of_____A. D. one thousand eight

*Affidavit of witnesses can be filled up by any competent magistrate or other officer.

†Applications by Minor Children.

If any officer or soldier (who would have been entitled to bounty land under said act,) has died, leaving no widow who still survives him, but leaving a child or children

hundred and_____personally appeared before me,_____a _____within and for the County and State aforesaid_____a resident of_____in the State of_____who being duly sworn according to law, declares, as appears from the records, that he is the guardian of_____whose age_____and who_____minor child _____of_____who died on or about_____A. D.,_____leaving no widow now surviving him, and who was a_____in the company commanded by Captain_____in the_____Regiment of_____ commanded by_____in the war with_____that he believes the said_____at_____on or about the_____day of _____for the term of_____and was honorably discharged at _____on account of_____on the_____day of_____ A. D._____as will appear by_____the muster rolls of said company.

The said_____as guardian makes this declaration for the purpose of obtaining from the Department of the Interior; (for the benefit of said minor child_____) The certificate or warrant for bounty land to which the said_____may be entitled under the act of Congress passed September 28th, 1850.

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under the age of majority, at the time of the passage of said act, such minor child or children are entitled to the same quantity of land that the father would be entitled to if living.

In such case the *guardian* of such minor child or children must make a declaration as nearly corresponding with the foregoing forms as the nature of the case will admit. He must state the time of the father's death; the fact that no widow survives him; and must state the *name* or *names*, and *exact age*, or *ages*, of the surviving minor child or children.

This declaration must be accompanied by *satisfactory proof* of the father's death, that no widow survives him, of the ages of the minor child or children, and of his own appointment, by competent authority, as guardian. If there is any *family record* showing the ages of the children, it, or a certified copy of the same, should be forwarded, with the affidavit of some disinterested person, proving the genuineness of the original, and that the copy certified is a true and correct copy of it.

OBSERVATIONS.

The Bill grants bounty lands to all those who served in the WAR OF 1812, *in the* SEMINOLE OR CREEK WARS, *or in* ANY OF THE INDIAN WARS SINCE 1790. *And to all Commissioned Officers in the war with Mexico. It embraces Officers, Musicians and Privates, whether of the Volunteers, Rangers, Regulars or Militia.*

Those who engaged to serve twelve months, or during the war, and *actually served nine months*, will receive one hundred and sixty acres; and those who engaged to serve six months, and *actually served four months*, will receive eighty acres; and those who engaged to serve for any, or an indefinite period, and *actually served one month*, will receive forty acres.

Observe; the soldier or warrantee, is *not allowed* to *sell his claim or transfer, or assign away* his *certificate*, but will be compelled to locate or have his certificate located for him; *after* which, however, sale or transfer of the patent or land can be made.

Soldiers will also bear in mind that this Law, is not for *additional* Bounty to those who have received or are entitled to receive under any former act of Congress.

Claimants have been led to believe, that copies of the muster rolls of their respective companies will be found at the different *Clerks Offices* throughout the United States; such a thing is utterly impracticable, and was never contemplated by the Government.

Any soldier discharged on account of disability, before the expiration of his period of service, will be allowed the same as if he had served out the whole term.

A soldier taken prisoner, before the end of his period of service, and *held in captivity or discharged on parol of honor* not to serve during the war, will receive the amount he

would have been entitled to, if he had served out the full period for which he entered the service.

It has been recently decided, that where the same person has performed several tours of service, he will be entitled to bounty for the *aggregate* of the several tours. But no one person will be allowed more than 160 acres under this act.

Where a person has been drafted, and has employed a substitute, *the latter* will be entitled to bounty, and *the former* will not.

Those who were received into the service as soldiers, and were detailed for the performance of any duty whatsoever, are entitled under this act.

Marines who performed *land service* in any war, except in that with Mexico, are entitled under this act. Where the soldier applies, for service in the war of 1812, or in any war since that, no proof is wanted over and above the simple declaration of the applicant. But when the service was performed between 1790 and 1812, and the certificate of discharge is lost, he must prove his service by credible witnesses.

Where the soldier is dead, his widow is entitled, provided she was a widow on the 28th September, 1850; although she may have been married several times. But if not a widow at that time, the benefit of the act can *only* inure to the *minor* child or children.

When an oath is administered by a NOTARY PUBLIC with his seal affixed, no certificate from the Clerk, as to his official character and signature is necessary. Provided his seal has a device or inscription, which will distinguish it from any other.

SYNOPSIS OF THE PROVISIONS OF THE MOST IMPORTANT BOUNTY LAND AND PENSION LAWS.

(*It does not embrace, however, the Bounty Land act of September* 28, 1850.)

REVOLUTIONARY PENSIONS.

1st. All *officers* of the continental line, who served in the war of the Revolution until its close, or who were discharged by Congress on or after the 1st of January, 1781, who lived until the 15th of May, 1828, became entitled to a pension equal to the amount of their full pay in the line, from the 4th of March, 1826, during life. Any such officer having died since the 15th of May, 1828, without receiving his pension, the amount of said pension from the 4th of March, 1826, to the time of his death, may be recovered by his widow, children, executor, or administrator, according to the circumstances of the case.

2d. All officers and soldiers, whether of the regular Army, Navy, State troops, Militia, or Indian spies, who served in the war of the Revolution for a period or periods, amounting in all to six months, if living on the 7th of June, 1832, became entitled to a pension for life from the 4th of March, 1831. If they served *two years*, the pension will be equal to their *full pay* per annum; if for any time less than two years, but not less than six months, the pension is less, in proportion as the time of service falls short of two years. No pension, however, can exceed the highest pay of a captain, or $600 per annum. Any officer or soldier who served as aforesaid, having died since the 7th of June, 1832, without receiving a pension, the amount due from the 4th of March, 1831, to the time of his death, may be recovered by his widow, children, or personal representative, according to the circumstances of the case.

3d. The widow of any officer or soldier who served as last aforesaid, who was married prior to the termination of her husband's services, if she were living on the 4th of July, 1836, became entitled to a pension from the 4th of March, 1831. If such widow was married after her husband left the service, but before the 1st of January, 1794, and if she lived until the 4th of July, 1838, she became entitled to a pension from the 4th of March, 1836. If married after January 1st, 1794, and before 1800, and if she lived to the 29th of July, 1848, she became entitled to a pension for life from the 4th of March, 1848. In all cases where a widow is entitled to a pension, the amount per annum is the same that her husband would have been entitled to receive if living—depending upon his rank and the length of his service. Any widow, of either class above described, having lived long enough to become entitled to a pension, and died without receiving it, the amount due up to the time of her death may be recovered by her children, if she left any, and, if not, by her executor or administrator.

NAVY PENSIONS.

There have been a great variety of acts passed from time to time on the subject of Navy Pensions, and it would be impracticable to give a synopsis of their provisions in this brief circular. As a general rule, however, it may be stated, that, in all cases where any officer, seaman, marine, engineer, fireman, or coal-heaver belonging to the U. S. Navy, has died in the naval service of a wound received, or disease contracted in the line of duty, leaving a widow or minor children, there is more or less pension due; the amount depending upon the circumstances of each particular case.

MEXICAN WAR.

In case of any officer or soldier, either of the regular army or volunteers, who died in the service during the late war with Mexico, or after leaving the service, of wounds received, or disease contracted, in said service, leaving a widow, or children under 16 years of age, there is a pension due to such widow or children.

It may be further stated, as a general rule, that in all cases where any officer of the regular army, or any officer or private soldier of the militia, including rangers, seafencibles, or volunteers, either in the war of 1812, or at any subsequent time, has died of wounds received in actual service, leaving a widow, or children under 16 years of age, there is a pension due to such widow or children, or widow and children, as the case may be, if it has never been received.

INVALID PENSIONS.

All officers and privates, whether of the army, navy, militia, or volunteers, who have been at any time disabled in the service by wounds received, or disease contracted, while in the line of duty, are entitled to pensions; the amount depending upon the rank of the invalid and the degree of disability.

BOUNTY LANDS.

REVOLUTIONARY WAR.—All commissioned officers who served in the Revolutionary war until its close, or until discharged by Congress, and all non-commissioned officers and privates who enlisted for the war and served to its close, are entitled to bounty land as follows: A major general 1100 acres; brigadier general 850 acres; colonel 500 acres; lieut. col. 450 acres; major 450 acres; captain 300 acres; lieutenant 200 acres; ensign 150 acres, and non-commissioned officers and privates 100 acres. The heirs of those who served as aforesaid, and have since died, and of all those who engaged to serve as aforesaid, and were killed in battle, are entitled to the land.

WAR OF 1812.—All non-commissioned officers and privates of the regular army, who enlisted for five years, or during the war, after the 25th of December, 1811, and before the 10th of December, 1814, and who served out their time, or until discharged on account of wounds or sickness, are entitled to 160 acres each. All who enlisted and served as above, after the 11th December, 1814, are entitled to 320 acres each; they are also entitled to three months' extra pay and $16 bounty, if the same has never been received. All who enlisted under act of 8th April, 1812, for 18 months, or under act of 29th January, 1813, for one year, are entitled to extra pay and bounty, but not to land. If any who enlisted as aforesaid, died while in service, or have died since, without receiving said land or money, the same may be recovered by their heirs, as follows: 1st. The widow and children, if any living; if none, the father; if no father, the mother; and if neither widow, child, father or mother be living, the brothers and sisters are entitled.

WAR WITH MEXICO.—All non-commissioned officers, musicians, and privates, whether of the regular army, State troops, or volunteers, who served during the war with Mexico, are entitled to 160 acres each, if they engaged for one year or more, and served out their time, or until discharged by reason of wounds or sickness; and those who engaged for a less time than one year, are entitled to 40 acres each. All who served in the war with Mexico, including commissioned officers, are entitled to three months' extra pay, and to many there is back pay, &c., due. In case the soldier is dead, the land and money is due to the widow and children, father, mother, or brothers and sisters, according to the circumstances of the case.

In many of the public offices, and in the Pension office particularly, there is a great number of suspended and rejected claims, many of which could be established, if put into the hands of an efficient agent at the Seat of Government, who is thoroughly acquainted with that branch of business.

All letters addressed to THOMAS EWING, Jr., Washington, D. C., (the postage being paid,) making inquiries in regard to claims, will be promptly attended to. Claims for *Pension*, *Back Pay*, and *Extra Pay*, will be attended to *without charge*, unless they are successfully prosecuted, in which case he will charge a reasonable per centage upon the sum recovered.

Persons writing to him in regard to claims, should communicate all the facts of the case, in *as full a manner as possible*. Especially, in all claims for pension, extra or back pay, or bounty lands, the name of the officer or soldier, the time and place of his enlistment, the company and regiment in which he served, the length of time he served, &c., should be fully stated.

He will send forms and instructions, when sufficient facts are communicated, to enable him to determine what laws are applicable to the case.

CITY ORDINANCES.

AN ACT supplementary to and amendatory of an act supplementary to "An act concerning free negroes, mulattoes, and slaves," approved May the thirty-first, eighteen hundred and twenty seven.

Be it enacted by the Board of Aldermen and Board of Common Council of the city of Washington, That from and after the passage of this act every free negro or mulatto, whether male or female, who may come within the city of Washington, or who may be manumitted, or be made or declared to be free in any other manner or form whatsoever in said city, shall, within five days thereafter, exhibit to the Mayor satisfactory evidence of his or her title to freedom, to be recorded by the Register, as directed by the second section of the act entitled "An act concerning free negroes, mulattoes, and slaves," approved May the thirty-first, eighteen hundred and twenty-seven, and shall enter into bond to the Mayor, Board of Aldermen, and Board of Common Council of the city of Washington, with one good and sufficient white freehold surety; which said surety shall, before executing said bond, exhibit satisfactory evidence to some police magistrate of this Corporation of his sufficiency in the premises, and which said bond shall also be approved by the Mayor, in the penalty of fifty dollars, conditioned for his or her good and orderly conduct, and a like bond and security for each and every member of his or her family, to be executed in the same manner, conditioned for the good and orderly conduct of the person named therein that he or she does not become chargeable to or commit any offence against this Corporation, or against the laws of the United States: *Provided*, Such free negro or mulatto child or ward be between the ages of twelve and twenty-one years; but such children or wards shall, upon becoming twelve years of age, be subject to all the provisions of this act; which bonds shall be renewed every year, on the tenth day of December, and on the failure to comply with each and every provision of this section, he, she, or they, so failing shall forfeit and pay a sum not exceeding twenty dollars, and he, she, or they, and also the persons for whom such failure shall occur being minors, shall be ordered by the Mayor to depart forthwith from the city; and on failure to do so shall be committed to the work-house, and be employed, at the discretion of the Mayor, until such conditions shall be complied with, not exceeding six months in any one commitment.

Sec. 2. *And be it enacted*, That any free person or persons of color, who may be imprisoned under the provisions of this act, may be discharged from such imprisonment by order of the Mayor, upon his or her being able to satisfy the Mayor that he or she will, with his or her family and dependants, forthwith depart from this city; but if he or she shall fail to depart, or departing shall return to and be found within the same at any time within twelve months thereafter, he or she shall be again committed, as if no such discharge had taken place: *Provided*, That nothing in this section shall be so construed as to release the child or children of such person or persons of color who may have been bound out to servitude by the Commissioners of the Asylum under existing laws, until the expiration of their term of service.

Sec. 3. *And be it enacted*, That from and after the passage of this act every free negro or mulatto, whether male or female, shall, within five days after their arrival in this city, and on the tenth day of December thereafter annually, record his or her name, and the name or names of every member of his or her family on the books of this Corporation, and at the same time pay into the treasury of said Corporation for himself, herself, and each and every member of his or her family so registered the sum of fifty dollars, upon which registration and payment of the sum aforesaid the Mayor is hereby authorized and directed to grant a permit of residence to such registered free negro or mulatto, which shall entitle him or her to a residence within said Corporation; and on failure to comply with each and every provision of this section, he, she, or they so failing, shall forfeit and pay to this Corporation a sum not less than ten dollars, nor exceeding twenty dollars, and shall be ordered by the Mayor to depart forthwith from this city; and failing to depart therefrom, shall be subject to the conditions and penalties prescribed in the first section of this act: *Provided*, Nothing in this act contained shall be so construed as to apply to or affect the condition of any free negro or mulatto who may come into the city in the service of any transient person or member of Congress while in such employment, or who may have been sent to the city by his or her employer on temporary business.

Sec. 4. *And be it enacted*, That all and every section and provision of the act entitled "An act concerning free negroes, mulattoes, and slaves," approved May the thirty-first, eighteen hundred and twenty-seven, and of the act supplementary thereto, approved October the twenty-ninth, eighteen hundred and thirty-six, as well as of any and all previous or subsequent act or acts relating to the same subject and not heretofore repealed, and except such as apply to free negroes and mulattoes now residing in this city, and having acquired rights under said act or acts, so far as they conflict with the provisions of this act, be and the same are hereby repealed.

SILAS H. HILL,
President of the Board of Common Council.
B. B FRENCH,
President of the Board of Aldermen.

Approved, December 7, 1850.
dec 12—d5t WALTER LENOX, *Mayor.*

THE EVENING MIRROR

Monday Evening November 18, 1850.

For The Evening Mirror.

Republican Whig Union.

The fact is so apparent, that it seems almost unnecessary to assert it, that political parties, as they have hitherto been constituted, are totally broken up and destroyed forever. Local questions, not of general or national importance, personal aspirations, and ambitious leaders, destitute of common honesty and patriotism, have for a long time agitated and disturbed the public mind. And latterly, a spirit of ultraism, North and South, upon one single subject, apart from all others, has assumed a spirit of daring, insolent and criminal action which, in our judgment, should be met immediately by the stern and patriotic rebuke of every friend of the Union in the United States. That a large and influential body of men at the South have seriously and resolutely determined upon the traitorous attempt to dissolve the Union, there cannot be the shadow of a doubt. When traitors to their common country, boldly unfurl the flag of disunion, it is time that all other questions should be laid aside, until the enemies of the Union are made to feel that patriotism is not forgotten, nor justice unheeded.

No person can be so destitute of common sagacity as to suppose that the subject of slavery is the cause of those ultra movements to which we have referred. Southern people, no doubt, feel deeply the unnecessary agitation of the question of Slavery in the Northern States. And it is equally certain that a large proportion of Northern men are strongly impressed with the impolicy and injustice of Slavery, viewed in the abstract. It is also very certain that the South has not the least ground to fear that Northern fanaticism can ever effect the constitutional rights of the Southern States. Nor has the Northern Abolition fanatic any ground to hope, or any right to suppose, that his peculiar notions upon the subject of Slavery can ever break down the Constitutional protection of the Southern men to their undoubted legal rights to Slave property. The subject of Slavery among the Pro-Slavery men of the South is only a "pretext" to cover their "traitorous" schemes of disunion. That it is nothing but a pretext is abundantly proven by the notorious fact, that the leaders of the disunion party were equally and even more resolutely determined upon dissolving the Union, upon the miserable and contemptible pretext, that the tariff of duties, adopted by Congress many years ago, was a little too high upon Iron and Wool.

If further evidence of the utter insincerity of the Slavery pretext, as a sufficient cause for disunion, were needed, we might refer to the complete change of political action assumed by these ultra politicians of the South. For more than a quarter of a century the nullifying party of the Southern States, headed by Mr. Calhoun, contended with apparent earnestness for the fundamental principle of "non-interference" upon the subject of Slavery. When that doctrine was fully recognized and adopted, by that illustrious soldier and patriot, General Taplor, and finally became the settled policy of the government, these men who had always been so clamorous for the doctrine of non-intervention, turned shortly around, and denied the right of the sovereign people of California, and the territories, to form such constitutions and laws as they thought right and proper. They thus proclaimed to the whole world, that all they had hitherto said in favor of the doctrine of State's rights, was false and treacherous. Northern men may therefore plainly see, that any sympathizing public meetings, such as was called at Castle Garden, to protect—what stood in no need of protection—are idle and vain, and will only meet with the ridicule and contempt of Southern nullifiers.

When the Hartford Convention assembled in secret conclave and with closed doors, the bare idea that they were hostile to the Union, was received with the execration of every patriot in the land. Now, what do we see in another quarter? Large bodies of men meet at the South in open day, and proclaim their fixed determination to dissolve the Union. In one of the Southern States, a Governor who has acquired some military renown, and is now clothed with the civil government of the State, is ambitious to be considered the leader of the disunion party, and is evidently aiming to be a military dictator in a Southern Republic.

When traitors to the Union and to their country thus boldly take the field, it becomes the solemn and imperative duty of the people, at the South and at the North, to organize forthwith to protect the integrity of the Union and the Constitution. "The Union must and shall be preserved," should be the great platform upon which all good and true men should unite; and that other recognized and fundamental principle of nonintervention, both by the South and the North, upon the subject of slavery and other State rights, should constitute the only necessary bond of party action for the great Republican Whig Union of the whole country.

Upon this platform the honor and patriotism of every State could act in amity and concord. The Southern slaveholders, protected by the constitution and laws of the United States; and the anti-slavery men of the North, who from principle and policy are opposed to the institution of slavery, but yet recognize in the fullest manner the constitutionality and legality of slave property in the Southern States;—could unite on this basis to protect the honor and perpetuity of the United States.

But in this movement the people should take the lead. Politicians of all shades and descriptions should stand back, and hide their hideous names and deformities; and allow the unshackled and independent freemen of the Republic to organize ther irresistable forces. All who unite upon this platform should meet upon equal terms; and no disparaging reference to former corrupt and miserable parties should be allowed to mar the harmony of the party of the people. Assembled under the Flag of the Union, and sitting under their own vine and under their own fig-tree, none could make them afraid.

In order to form a complete union, and to prevent future collision upon the subject of the Presidency, it would be well for the people immediately to select their candidate. We need scarcely observe that the man who should be selected for this high honor, should be well known to every citizen of the United States. His lofty patriotism and unsullied name and fame should be a sure guarantee that the Flag of our glorious Union should wave its ample folds over our whole country in triumph, whether it should be assailed by domestic or foreign foes. It should be a man, whose very name would strike terror into the hearts of traitors, whether they be found at the North or the South. Such a man we firmly believe would be found in General Winfield Scott.

We would therefore respectfully suggest, that the people at the North and at the South, in the East and in the West, should forthwith place the banner of our country in the hands of General Scott, who has on a hundred bloody fields, carried it aloft in glory and triumph.

B.

NATIONAL INTELLIGENCER.

FROM OUR EUROPEAN CORRESPONDENT.

LONDON, JANUARY 8, 1850.

The year 1848 may fitly be called the year of *revolutionary action;* and the title of the year of *conservative reaction* belongs as justly to its successor 1849. What may be the character and historical designation of the year upon which we have just entered, cannot be determined until it has run its race. We are now at the commencement of the latter half of the nineteenth century: the changes which have taken place in the relative positions of nations and the condition of their people, and the progress of civilization, arts, science, and commerce, during the last fifty years, may well "give us pause" ere we venture to form even a conjecture as to the result of the next similar portion of time. Two great principles have been at work among mankind since the commencement of the first revolution in France. The one, a desire to correct abuses in forms of government and religion, without any very definite idea, so far as the mass of the advocates of this principle are concerned, what should be substituted in the place of that which was removed. The other, a resistance to all change, without any very strong feeling towards or any particular knowledge of existing institutions, beyond what usage, time, tradition, and a desire to abide by old things simply because they were old, could infuse into the minds and feelings of their advocates. The last two years have fully exemplified the nature and the workings of these antagonistic principles, and the political, moral, and social world has swayed backwards and forwards, now inclining towards revolution and change, and frightfully torn by contentions and strife; and next exhibiting the reactionary principle in full success, restoring old institutions, replacing old dynasties, rebuilding old systems, and reconstructing old controlling influences. The last year has undone much that the former year had done; but we hope and believe that the best interests of mankind, social, moral, religious, and political, will be found to have advanced materially and permanently during the contest. The true business of the friends of human progress is to take care that the changes which the advocates of reform and revolution are attempting do not advance *too fast;* and that the restrictions which the lovers of things as they are would place upon all improvement do not cause them to advance *too slow.* In the due apportionment of these two opposing principles consists the wisdom of the legislator, the patriot, and the philosopher.

The heavy heel of power has no doubt crushed many an aspiring shoot of what is popularly called liberty during the past year; but we feel assured that whatever really deserved that holy *name* has been only trodden down for a *time*, until it shall acquire that degree of elasticity and vitality which [illegible] enable it to throw off the restr[illegible] with stren[illegible]

PALMERSTON; yet, if we look at the present condition of Europe, we shall find that the three nations which have been most connected with that policy, have materially advanced in their political condition during the past year, and we are of opinion that they are the only nations which have done so. We allude to FRANCE, PRUSSIA, and SARDINIA, as exhibiting more evidences of vitality than we can discover any where else. In January, 1849, LOUIS NAPOLEON had just been elected to the supreme office in the State; his conduct was suspected and uncertain, his Ministry unpopular, the Constituent Assembly hostile and contemptuous; the revolutionary faction evidently preparing for another outbreak; the language of the clubs and the press violent and incendiary; the Republic was vibrating between anarchy or kingly and imperial sway. Nor was the army without a considerable suspicion of disaffection. What does January, 1850, present as the condition of France? The nephew of NAPOLEON the GREAT has proved himself not altogether unworthy the name he bears and the position he occupies. There has been an apparent singleness of purpose about him, and a sincerity of demeanor, which have done much to tranquillize and satisfy France; and, regarding France as the centre of impulsion to the civilized world, the repose and well-being of Europe have been thereby promoted. Anarchy has been crushed in its birthplace, and the visions of the Socialists driven from the imaginations of the populace. A constitutional National Parliament has superseded the Constituent Assembly of the revolution, and has proved itself, in general, friendly to all the best interests of France. The present Ministry appears to be winning favor, and gaining the confidence of the representatives of the people. France may, and most probably does, oscillate between a republic and an imperial government, and the chances are much, we think, in favor of the latter; but we do not anticipate any violent outbreaks, or any extensive or prolonged exhibitions of disorders, whenever a change from republicanism to kingly or imperial rule shall take place; because it will only take place when the people are convinced that the good of France will be promoted by such a change. The language of the press is free and forcible, but not violent or anarchical; the loyalty of the army is unquestioned, and the commerce of the nation is gradually, although slowly, recovering. There is much in the state of France which is consolatory and promising, and we venture to hope for her peace, prosperity, and happiness. So far as England is politically and socially connected with France, there is room for satisfaction, although it is suspected that what is called the conservative party in the National Assembly is rather more opposed than friendly to the close connexion which has subsisted since the revolution between the two countries. Lord PALMERSTON and Lord NORMANBY are supposed to stand better with the President than with the Legislature. It is said that a majority of that body are as eager to act without us in reference to the affairs of Montevideo and the West, as there is reason to believe they were with respect to the dispute between Russia and Turkey in the East. We should draw no gloomy conclusions from this circumstance, admitting that it could be proved; but, on the contrary, hold that we should be quite as un[illegible] a transmitting or controlling al-

liance with France, as that nation can be to have one with us. Peaceable and friendly relations we hope to continue to maintain, as well as similarity of opinion and a union of action in advocating and supporting all the vital interests of mankind.

The French Government is entitled to a great share of praise for the promptitude with which it has abolished that great nuisance of travellers, the Passport system. The proper authorities at Boulogne have announced that this system is at an end. This removal of the great drawback upon our intercourse must lead to a much freer and more constant communication between the French and English people. Of such a communication we trust we shall soon reap the fruits in an abundance of warm and kindly feelings. May the result ensure the continuance of that peace which now exists between the two nations! Railroad arrangements have lately been made which will very much facilitate this intercourse. Travellers may now obtain "through tickets" from London to Paris, Brussels, Aix la Chapelle or Cologne, without being subject to any annoyance in the examination of baggage, &c., from the time of leaving London Bridge until they arrive at their destination in any of the above cities. Travellers may reach Paris from London at an expense of only £1. 17s.; Brussels, for £1. 13s. 6d.; Aix la Chapelle, for £2.; and Cologne, for £2. 5s. The time between London and Paris is calculated at ten hours. This is certainly a proof of progress, and we trust that it is a progress that can neither be revolutionized nor reacted upon. Contrast our present relations with France with what they were respectively in 1800, 1750, 1700 and 1650, and then sigh after the "good old times" if you can. It is grievous to reflect upon the amount of mischief which the two countries inflicted upon each other between 1650 and 1850, and we may thankfully exclaim "*tempora mutantur!*" and we hope we may add, "*et nos mutamur in illis.*"

A few words respecting PRUSSIA. We are glad to say respecting her that she has passed successfully through her novitiate in Parliamentary Government. Trade and the state of society have both materially improved in Berlin during 1849. The administration of COUNT BRANDENBURG has been tranquillizing, and his bold and resolute persistence, notwithstanding the remonstrance of Austria, in convoking the Parliament at Erfurth, has secured to him no small share of the popularity which was enjoyed by M. DE GAGERN last year. We fear that the question of fusing GERMANY into unity, and of consolidating an Empire out of nearly forty independent states, is as far from a settlement as ever. We have not much hope that the Parliament at Erfurth will be able to accomplish a measure which was a failure in the hands of the Frankfort Assembly. We cheefully admit, however, that the internal government of FREDERICK WILLIAM seems to give satisfaction to the Prussian people. The King appears disposed to rule in the spirit of a constitutional form of government. He does not this year, as he did last, address his thanks to the army as the true conservator of social order. Anarchy has been extinguished in Prussia to make room for the fair forms of order and liberty, which cannot exist unless side by side. The revolutionists have been overawed, but the lovers of real freedom are the better confirmed in the hopes of the firm establishment of a constitutional monarchy, such as Prussia has been sighing for for thirty years.

An AUSTRIAN journal asserts that an alliance is about being formed between FRANCE, ENGLAND, and PRUSSIA, and that Prussia hopes to accomplish her designs respecting Germany by such an alliance. We do not think that any closer alliance than what exists at present is likely to be concocted between these three Powers. Every friend to constitutional liberty in Europe would have cause to mourn over such an alliance, for it could only serve to strengthen the already too strong ties existing between Austria and Russia, be subversive of the peace of Europe, and undo every good thing which the last fifty years has produced.

The young King of Sardinia, VICTOR EMANUEL, has just opened his Parliament with dignity and earnest simplicity. He is unquestionably the first national monarch in Italy, being the only Prince from the Alps to Naples that can trust himself without a foreign guard, or encounter the criticism of a free press, or risk the debates of a free parliament. The ministerial or constitutional majority in the Chamber of Deputies at Turin will consist of 136 members; the opposition of 68. In ITALY the only gleam of present hope is the constitutional march of SARDINIA, under the enlightened government of the son of the brave but unfortunate CHARLES ALBERT. It is melancholy to reflect upon the unmistakeable evidence which the result of the late revolution in Italy affords, that the establishment of either civil or religious liberty or political independence in that beautiful peninsula is, at present, hopeless. The *Times*, in its conservative zeal, thus depicts the state of Italy at the commencement of 1849. Its present condition is, of course, matter of congratulation with that journal:

"Italy lay altogether prostrate at the feet of the Revolution, save only where the King of Naples found energy and strength to oppose the delusions of his subjects, the ruin of his neighbors, and the perfidy of his allies. The Pope was a fugitive from Rome, and that city was in the hands of a band of armed adventurers, who rendered themselves, partly by force and partly by impudence, absolute masters of the terrified or misguided population. Sicily also was occupied by a horde of those rambling soldiers of anarchy who every where hoisted what they called the standard of national independence, and even obtained the disgraceful connivance of some regular Governments. Florence, Parma, Bologna, and Leghorn were in the possession of the mob, tyrannizing over the people, tyrannizing over itself, and celebrating with disgusting extravagance the expulsion and defeat of all government. Venice alone presented the dignified aspect of a composed and heroic defence, sustained by the sacrifices of her own citizens, governed by the namesake of her last Doge, and prepared to adorn again the pages of her antique renown. Not so in Genoa, for there the spirit of independence had allied itself to the worst passions, and the strength of her vast fortifications served to cover the retreat of conspiracy and violence."

We cannot subscribe to *all* the assertions contained in this extract. Nor do we find enough matter for congratulation in the present state of "beautiful Italy." The King of NAPLES has regained the dominion of Sicily to rule it with a rod of iron. The arms of France have recaptured Rome for the POPE; yet, by a strange mingling of circumstances, the Holy Father appears afraid [illegible] the Eternal City so long as the sold[illegible] [illegible] Napoleon remain there, although [illegible] one [illegible] opinion that he could not [illegible] the people of Rome [illegible]

W(4) YORK H

EDITION----MONDAY, DECEMBER 16, 1850.----ONE

The Great Disturbance in the Silver Markets of the World.

[From the London Times, Nov. 26.]

A singular rise which has been going on for some time in the price of silver has created much inquiry. The idea that it may be owing to the influx of California gold naturally occurs to every one, and gives the subject its chief interest. In ordinary times the question might be easily settled; but, from the peculiar state of the continent, together with the change recently made in the Dutch currency, a definite conclusion at present is rendered impossible.

The three causes now in operation, namely, the Californian influx, the requirements for the pay and maintenance of the German armies, and the substitution of silver for gold in Holland, have come into active operation almost simultaneously. They all have the same tendency; and the task, therefore, simply is, to discover the proportionate influence of each. For this, however, the materials are wanting. We do not know with certainty the total increase which has taken place in the supply of gold, or, as regards silver, the quuantity absorbed in Germany, or on the continent generally, either by the armies or from hoarding, or other causes; and, even if this information were before us, we should still be ignorant of the total stock of bullion in the world, upon the amount of which alone could any accurate calculations be founded.

Although, however, we must thus wait until some of the perplexing elements of the question shall have been removed—for if the war mania were to terminate, and the effect of the Dutch legislation had passed away, we should then have no difficulty in looking to California for its solution—there are many considerations that may, even now, throw some light upon the matter, and which may be usefully borne in mind in watching the future.

We have remarked that all the influences now existing operate in one way. The only direct mode in which any effect from the Californian gold could first be observed, would be by looking at the relative price of silver. We must measure the state of the market for gold by the purchasing power of that metal; and silver is the best commodity wherewith to test this purchasing power, as it is less liable to fluctuation than any other. In proportion, therefore, as the supply of gold increases, silver will steadily become dearer—that is to say, a £5 note, representing a certain weight of gold, will buy less silver than previously. At the same time the purchases of silver by Germany and Holland, must, of course, have a similar effect. They are made by means, either of gold coin transmitted to us direct, or of gold due from us for credits allowed or shipments received; our merchants, in the latter case, being instructed, instead of sending the gold that is owing, to send as much silver as it will procure.

In the combined action thus going forward, enough is consequently presented to remove all surprise that remarkable results should already have been observed. There are, however, some minor circumstances to be noticed which modify these general operations, although, as it is impossible to estimate their aggregate bearing, it cannot be ascertained whether, on the whole, they have tended to mitigate or to increase the change that has been in progress. Among these, on the one hand, is the demand for silver in California, and on the other, the alleged increase of production in the silver mines of South America, the extensive issue of small paper currency, by which silver has been displaced in Austria, and finally, a gradual displacement of silver by gold, which is observable in the United States.

Supposing it to be a question, whether the effect of the demand for silver in Germany has not been counteracted to a very great extent by the issue of Austrian paper, and also if the supplies of silver required at San Francisco have not been met by the more abundant yield of the South American mines, we should then be driven to attribute the late rise in this country mainly to the Dutch operations or to California, or to both. The step adopted by Holland, of calling in her 5 and 10 guilder pieces, took place on the 22d of June, and the amount of gold disengaged by it has been about four millions sterling. As yet, however, not more than about £500,000 is believed to have been replaced by silver, the remainder being represented by notes, which will continue in circulation until the requisite amount of silver can be obtained. Whether this or the possible fact that £10,000,000 of gold (being nearly double the total estimated annual yield of all the South-American mines in 1840) has been suddenly added to the stock of bullion in the world, which some have conjectured not to exceed £380,000,000 in all, and of which gold constitutes by far the smallest proportion, may have had the greatest force, is a point which must be left for speculation.

But, whatever view may be adopted by each individual as to the influence which has been predominant in producing the effect that has occurred, there can be no question that that effect has been of a most decided and important character. At this period last year the price of silver was 4s. 11½d. per ounce, and it is now 5s. 1½d., the rise being within a fraction of 3 per cent; a difference which (apart from other considerations) is considerable, as affecting the seignorage on our own silver coinage. This coinage based on the forming of 66 shillings out of every pound weight of standard silver, leaving a gross profit to the government, when silver was at its usual price of 4s. 11½d. per ounce, of nearly 11 per cent, and which profit is now reduced to about 7¾ per cent. In France the premium on gold has fallen within the same period from 13¾ per mille to 2¾ per mille; so that it is now reduced to only about ¼ per cent. Should any further important decline take place, the silver coins of that country will then gradually be displaced by gold; for they change. And we have not at hand any measure applicable to either metal that will solve the difficulty, even by approximation. Both metals change in value so much less than any other commodity in general demand, that a search for any other by which their variations in value may be tested, must needs be fruitless. We before noticed the existence of several causes operating simultaneously in the same direction, and tending both to lower the value of gold and to raise that of silver. The supply of new gold now being poured from California into the United States and into England may be supposed to have lowered the value of that metal; but this we consider, as yet, the least effective of the disturbing causes referred to. There is good reason to believe that before the Californian supply came into the market the consumption of gold, even in the face of the supply from Russia, was reducing the stock in Europe at a rate that must, at no distant period, have raised its value perceptibly, in spite of the continued extension of banking facilities, reducing the quantity of gold coin requisite to the transaction of a given amount of business. We are strongly inclined to think that little more has yet been done than to restore the equilibrium of supply and demand, though the comparitive suddenness of the operation—the making good of the gradual waste of twenty or thirty years by a new supply, poured in during one or two years—has apparently thrown the balance the other way. What we cannot but think of more importance in relation to the present topic, are the variations incident to the effective value of such an enormous mass of silver as that known to be circulating on the continent in the shape of coin, under any influence that may act upon a considerable proportion of the persons in whose hands it is chiefly accumulated. When revolutions shake down governments, or hostile armies prepare for conflict, traders in the neighborhood grasp at every coin they can lay hold of, to meet the engagements they have contracted in the hope of continued tranquility, and must meet in any event. Action of this kind communicates itself rapidly to all who, though not in the immediate circle of apprehended danger, have been made cautious by past mishaps and experience of the rapid transition of such disturbances from one part of the continent to another. The busy trading communities along the Rhine, and in the north-eastern departments of France, for instance, have now been for some months in such dread. They have grown to wealth in a generation of peace, and have lately been warned how quickly and how completely all their affairs may be thrown into disorder by a revolutionary movement. They see a heavy storm brewing, and they know that there is no safety for individual traders, apart from a good stock of the current coin of the country. Add to these the smaller boards of private persons, whose recent experience has given them a like tendency, and the boards made in 1848, and still held, and what must be required for the large armies now on foot, or in process of equipment, and it seems anything but improbable that a proportion of the current coin of Germany and France has lately been withdrawn from circulation, large enough to create nearly the whole of the extra demand now apparent in that direction. We have also to allow for the change being made, during the present year, by the Dutch government, in substituting a silver for a gold standard, and withdrawing its gold coin from circulation. This operation will probably throw an addition of from three to four millions sterling of gold into the London market in exchange for so much silver. In comparing the present juncture with past instances of the disturbance of peace on the continent by rumors of war, we have to go a long way back—some sixty years, at least. We find the population less, and the trade much less. Indeed, there can be no comparison between the extent and importance of the commercial transactions served by the coinage of the continent, as they are now, and as they were in 1790, or at any previous period—nor, consequently, any just parallel between the effect of such a disturbance as the apprehension of war is creating at this moment (backed by the bitter lesson of 1848) and any similar conjunction of circumstances in time past—so far as the probable demand for extra supplies of silver is concerned. The movements in both directions—the lowering of the value of gold westward, and the raising of that of silver eastward—as both come of events hardly two years old, probably owe much of their apparent effect to the sudd[illegible] have already uncovered a compensating process not hitherto sufficiently regarded, by which each metal tends to render the value of the other more steady than it would be alone. As each rises in value materially, from any cause whatever, the other tends to take its place. While Holland, in fear of the Californian supply, is seeking safety in a silver standard, the United States are bringing their gold coinage into use, and the eagle is pushing out the dollar. So in France, if the alteration in the relative value of the two metals goes but a little further, the napoleon will become more commonly current, and the confessedly inconvenient five-franc piece will, in the same proportion, retire. In this way, the extended use of gold coin may, within a narrow range of fall in value, open a new demand for the metal, sufficient to take off even the enormous quantity our American friends promise to dig for us out of the sands of California.

have tended to mitigate or to increase the change that has been in progress. Among these, on the one hand, is the demand for silver in California, and on the other, the alleged increase of production in the silver mines of South America, the extensive issue of small paper currency, by which silver has been displaced in Austria, and finally, a gradual displacement of silver by gold, which is observable in the United States.

Supposing it to be a question, whether the effect of the demand for silver in Germany has not been counteracted to a very great extent by the issue of Austrian paper, and also if the supplies of silver required at San Francisco have not been met by the more abundant yield of the South American mines, we should then be driven to attribute the late rise in this country mainly to the Dutch operations or to California, or to both. The step adopted by Holland, of calling in her 5 and 10 guilder pieces, took place on the 22d of June, and the amount of gold disengaged by it has been about four millions sterling. As yet, however, not more than about £500,000 is believed to have been replaced by silver, the remainder being represented by notes, which will continue in circulation until the requisite amount of silver can be obtained. Whether this or the possible fact that £10,000,000 of gold (being nearly double the total estimated annual yield of all the South-American mines in 1840) has been suddenly added to the stock of bullion in the world, which some have conjectured not to exceed £360,000,000 in all, and of which gold constitutes by far the smallest proportion, may have had the greatest force, is a point which must be left for speculation.

But, whatever view may be adopted by each individual as to the influence which has been predominant in producing the effect that has occurred, there can be no question that that effect has been of a most decided and important character. At this period last year the price of silver was 4s. 11¼d. per ounce, and it is now 5s. 1½d., the rise being within a fraction of 3 per cent; a difference which (apart from other considerations) is considerable, as affecting the seignorage on our own silver coinage. This coinage based on the forming of 66 shillings out of every pound weight of standard silver, leaving a gross profit to the government, when silver was at its usual price of 4s. 11½d. per ounce, of nearly 11 per-cent, and which profit is now reduced to about 7¾ per cent. In France the premium on gold has fallen within the same period from 13¾ per mille to 2¾ per mille; so that it is now reduced to only about ¼ per cent. Should any further important decline take place, the silver coins of that country will then gradually be displaced by gold; for they will intrinsically be worth more than their nominal value. Again, in the United States the same effect is observable. Last year the half-dollar silver coinage was at par. It is now quoted 2½ premium. This will cause silver to be exported, and its place to be supplied by an increased coinage of gold dollars, half-eagles, and eagles.

At the same time it is to be remarked, that in proportion as silver thus comes to be displaced by gold in countries where it has hitherto been in extensive circulation, its further relative rise will be checked, because its uses, and the consequent demand for it, will be diminished. A decrease in the intrinsic value of each metal may then be looked for, although not in equal proportions; and the only way in which it will be possible that this fall can be traced thereafter will be by ascertaining from time to time the general exchangeable relation between them and other commodities, so as to compare the purchasing power of both with what it was at former periods.

[From the London Globe, Nov. 26.]

That silver has, during the last twelve months, risen in value from 4s. 11¼d. to 5s. 1½d. an ounce, is not only an interesting but a puzzling fact. And coming immediately after, and in apparent connection with, the new supply of gold from California, it is calculated strongly to confirm the apprehensions of a material disturbance of the standard of value already indulged in some quarters. Experience has repeatedly proved that the first requisite to the profitable consideration of a subject of this kind, is a clear understanding of the fact exciting doubt. In this instance we have first to get rid of an ambiguity involved in the common mercantile phrase. When we say that silver is 4s. 11¼d. an ounce, we do not mean that an ounce of standard silver is equivalent, in intrinsic value, to five of the English coins known as shillings, less the 1 24th part of a shilling (represented by a half penny). If it were so, the price thus expressed could have no variations. For, as five shillings, less 1-24th part of a shilling, will always, according to our present mint standard for the silver coin, contain about four hundred and thirty-two grains and seven-tenths of a grain of standard silver, so much of our English coin can never be intrinsically worth either more or less of that substance. An ounce (Troy) has 480 grains; and this is the quantity of silver coined at the mint into five shillings and sixpence. It is apparent, then, that in declaring 4s. 11¼d., or any sum under 5s. 6d. to be the value of an ounce of standard silver, we have reference to some other standard of value. In truth, we mean that so much silver, of 11 oz. 2 dwts. fine, is worth that fraction of the pound sterling which is correctly represented by 4s. 11¼d. Or, more clearly, it may be expressed as follows:—The pound sterling contains 123.274 grains of gold, of 22 carats fine. Five shillings are, by law, a legal tender for one-fourth of a pound sterling, and so, in mercantile phrase, are equivalent to 30,818 grains of standard gold. Then 4s. 11¼d. is equivalent to 30,569 grains of such gold; and this latter it is that is the real measure of the value of an ounce of standard silver, when quoted at that price. All this is very well known, and very simple. And, if a more clear and constant remembrance of it than is at all usual were not palpably essential to any profitable discussion of the present subject, we should most willingly avoid the task of reiteration. To say, then, that the current price of silver has risen from 4s. 11¼d. to 5s. 1½d. an ounce, means that its market value has risen from about 30 55 to about 31.45 grains of gold—each metal being of the English mint standard. This rise is rather less than three per cent. It will at once be observed that the fact of silver having risen in value is, upon such evidence, merely assumed. It may be the gold that has fallen; or one may have fallen and the other risen; so as to share the effect between them. All that is really proved is that the relative value of the two metals has undergone a

also to allow for the change being made, during the present year, by the Dutch government, in substituting a silver for a gold standard, and withdrawing its gold coin from circulation. This operation will probably throw an addition of from three to four millions sterling of gold into the London market in exchange for so much silver. In comparing the present juncture with past instances of the disturbance of peace on the continent by rumors of war, we have to go a long way back—some sixty years, at least. We find the population less, and the trade much less. Indeed, there can be no comparison between the extent and importance of the commercial transactions served by the coinage of the continent, as they are now, and as they were in 1790, or at any previous period—nor, consequently, any just parallel between the effect of such a disturbance as the apprehension of war is creating at this moment (backed by the bitter lesson of 1848) and any similar conjunction of circumstances in time past—so far as the probable demand for extra supplies of silver is concerned. The movements in both directions—the lowering of the value of gold westward, and the raising of that of silver eastward—as both come of events hardly two years old, probably owe much of their apparent effect to the suddenness and rapidity of their action. But they have already uncovered a compensating process, not hitherto sufficiently regarded, by which each metal tends to render the value of the other more steady than it would be alone. As each rises in value materially, from any cause whatever, the other tends to take its place. While Holland, in fear of the Californian supply, is seeking safety in a silver standard, the United States are bringing their gold coinage into use, and the eagle is pushing out the dollar. So in France, if the alteration in the relative value of the two metals goes but a little further, the napoleon will become more commonly current, and the confessedly inconvenient five-franc piece will, in the same proportion, retire. In this way, the extended use of gold coin may, within a narrow range of fall in value, open a new demand for the metal, sufficient to take off even the enormous quantity our American friends promise to dig for us out of the sands of California.

(5)

History Bothered by Bowen and Brownson.

One would suppose that by this time the nature and general facts of the Hungarian War of Independence ought to be tolerably well established, at least in this country. It is true that in Europe they have for obvious reasons been subjects of controversy; and, although the great body of civilized people there have already pronounced judgment in the case, the organs of the party declared guilty industriously continue to promulgate those libels on their antagonists which are their own sole defense. On this side the Atlantic the same libels were long since widely brought to the notice of the public, and, on cause shown, decidedly scouted. Nevertheless they have just been revived by the *Editors* of the North American Review, (what wonder that the North American should *revive* anything!) and Brownson's Quarterly, both Boston publications. We are not much surprised at this; every man has his work and does, or tries to do, what suits his talents and temper; and this time, as it seems, these two distinguished writers, ordinarily far apart, pursue a common end and enjoy a common satisfaction. This is a thing hitherto unknown in the annals of Yankee literature, rich as they are in queer notions.

Mr. Bowen has said his say through fifty odd pages of his review after having delivered the substance of his ideas as a public lecture; Mr. Brownson has not yet got beyond the lecture stage with his, but they will probably accomplish their due period and soon appear in their final shape. Meanwhile, as each of these eminent authorities in historical matters has, with extreme flatness, contradicted and gainsayed certain statements to which *The Tribune* has given some currency, they will permit us a passing notice of their labors.

It may be provoking to see the truth of history perverted by writers whom strong faith, strong stupidity, stronger venality, or party spirit, strongest of all, engages on the side of despotism; but yet there is encouragement to be extracted from their assaults. It is a cheering mark that the human family is getting better of some bad ailments when these concentrated Royalties, Emperors and Kings, by grace of God, not to speak of bayonet and cannon, with their ermined minions and Ministers, must come down to the public prints, and get themselves defended at that tribunal of the world. What if they do so by assailing ideas the most vital and persons whom we revere for the tenor of their lives and the depth of their misfortunes? It is no more than should be expected. Any pensioned *Staats-Anzeiger* or *London Times* may proclaim the Paris Blouses to be nothing but ferocious bandits, call Kossuth a scoundrelly robber or denounce the movement of which he was the soul as a godless riot, and any American by accident but Austrian, Russian or Jesuit by nature, in whom a tyrannous disposition or a muddled mind renders bribes needless, may take up and repeat the lie. They do no serious or permanent harm to the parties they calumniate, still less to the sacred cause of truth and freedom. The just instinct of the people rejects that lie, and the next keen shock of that prelusive electricity which remolds the world and heralds in the new era will pitch its authors and their patrons into oblivion.

It is no purpose of ours to go through the *North American's* essay and deal with its many points in succession or otherwise. Heaven forbid that even an abstract of that dull and floundering narrative should be inflicted on our readers without some dire necessity, which luckily does not exist. Not knowing anything about the subject on which he writes except what he borrows from a good book by Degerando, published before the War, and a series of articles in the *Revue des Deux Mondes*, a work which Mr. Robert Walsh has of late zealously endeavored to puff into repute in this country, and which is worse than worthless on all questions connected with revolutionary politics, he blunders variously, as no uninformed special pleader could help doing, especially if he were not more than half awake. The positions he labors to make out are two, namely:

I. The War was not a struggle for independence against despotic encroachment, but a feud of hostile races; indeed the title of the article is "The War of Races in Hungary."

II. It was an attempt of the Magyar untitled nobility to preserve their aristocratic privileges and the dominion of their race against the liberal Constitution of Austria, whereby equal representation, equal suffrage, individual liberty and the freedom of the press were established.

This being the case, the sympathy felt for the Hungarians by the people of this country is altogether mistaken.

—Such is the substance of Mr. Bowen's article:

According to our reviewer the population of Hungary consists of 4,200,000 Magyars; 2,200,000 Slowacks, a Slavonian tribe residing in the north; 300,000 Russniaks, 700,000 Croatians and 700,000 Servians, also Slavonic tribes, the two last residing in the south. Besides there are a million of Germans

for *The Tribune* by one of his personal friends, he holds that the war grew out of the steady effort of the Austrian Government to curb the power of the nobles and protect the peasantry! For the present this is amusing, and needs no confutation. When its author comes to develop it at length in his Review we may perhaps make some remarks in reply, if it should seem worth while.

the Slowacks served the Magyar cause, and in private conversations with the leading refugees now in this country we have had the previous testimony decisively confirmed.

Now if this were mainly a "war of races," the Magyars and Slavons being the principal antagonists, how happens it that the Slavonic tribe whose numbers equal all the others put together, was thus found upon the Magyar side against its own race? When Mr. Bowen can explain this we shall be ready to take up some other prominent point of his argument; but until he can, he must or ought to admit that the war had a great general purpose to which all clannish feuds were subordinate. That purpose was on one side the complete independence, on the other the complete subjugation of Hungary.

But what our reviewer most belabors is the charge that the Hungarians were fighting for their feudal privileges against the Liberalism or Republicanism of the Austrian Constitution! Considering how hard he works to achieve this end, one cannot help sympathizing with him at the contrary evidence which stares at the reader throughout his article. Thus on page 95 he says, in speaking of the removal of feudal burdens from the peasantry which had for some time been agitated in the Diet;

"Kossuth and his party hastily cut the knot *by decreeing the abolition of the feudal burdens, making over the entire ownership of the lands to the peasants*, and promising to indemnify the landlords out of a fund to be created by confiscating the property of the clergy. This was simply robbing Peter to pay Paul, because the assistance of Paul was needed to carry out the revolution. Nobody, it was supposed, would care about the plunder of the Church."

As for this, it may be remarked, that no robbery of the Church was contemplated by the bill passed by Kossuth and his party. This is proved by the fact that Kossuth and the revolution were throughout zealously supported by the Clergy, some of whom have since paid for their patriotism with their lives.

In another place the reviewer says that Count Szechèny, the Hungarian Conservative reformer, saw, in 1848, "his popularity overcast, his place usurped by demagogues and radicals of the lowest stamp."

These demagogues and radicals of the lowest stamp were, nevertheless, according to Bowen, toiling with all their might to maintain "their antiquated feudal institutions, and their unjust and excessive privileges as an order and a race, against the incursion of the liberal ideas and the reformatory spirit of the nineteenth century"—truly, a new function for demagogues and radicals!

Our readers will pardon us a few brief extracts on this head; they are remarkable, and are all from the pen of the reviewer:

"In fact, Kossuth's party, ever since it was organized, has been endeavoring to effect a complete separation of Hungary from Austria; the preservation of feudal privileges and the domination of the Magyar race being of more importance in their eyes than the promotion of the commercial and other material interests of the country and the intellectual cultivation of its people." * * *

"It was not a republican movement, or the rising of the lower classes in the state against the higher, with a view of securing a more equal distribution of political rights and social advantages. Republicanism was never pretended by the Magyars, and is not even mentioned in their Declaration of Independence. It was an attempt on the part of the Magyar untitled nobility, 600,000 in number, to preserve the ancient feudal constitution of the state, which guaranteed their aristocratic privileges and the dominion of their race, against the liberal constitution granted by the emperor of Austria, which destroyed all distinctions of rank and race and established the modern ideas of equal representation, equal suffrage, the freedom of the press, and the liberty of individuals, on the ruins of feudalism." * * *

"The Magyars, aristocrats in a double sense, both as an order and a race, and now in arms to preserve their obsolete feudal institutions, made common cause with the Red Republicans of Vienna, who, like their brethren throughout Europe, aimed simply at the inversion of the old order of things, and the utter destruction of all existing forms of society and government." * * *

"The Magyars have fallen, and there are few to lament their fate but the Red Republicans of France and Germany, and the refugee Poles, who were their only foreign allies.—They have fallen in an unwise attempt to preserve their ancient feudal institutions, their supremacy as a race, and their national independence against the reforms demanded by the spirit of the age, against the equality of political rights which could no longer be refused to their ancient subjects, and against the union with Austria which is a necessity of their geographical position."

It strikes us that this is about as queer a jumble of ideas as a Boston reviewer could well exhibit.—Demagogues making war to maintain their own feudal privileges; opposing the spirit of the age, and yet granting to the peasantry the land they tilled, as their own property, without indemnity—a stretch of radicalism which even a Yankee National Reformer could not wish surpassed; against the freedom of the press, and yet led by a man whose first distinction was gained by a bold defiance of the censorship of the press, punished by a long and painful imprisonment! But there is no need of words on this head. The reviewer makes himself absurd enough without further exposition.

As the republicanism of Kossuth and his friends, confessedly the dominant party among the Magyars, has been called in question by others as well as by Mr. Bowen, we introduce here the declaration of the venerable Ujhazy, which will be conclusive with all who have had the opportunity of knowing that clear-headed and straight-forward man. He says, in his pamphlet on the surrender of Comorn, just published in this city:

"As in all revolutions, so in ours, there were several parties. There were some who intended to wage this contest simply for the recovery of the Constitution of 1848, who wished to keep open a way of retreat, so that they might, in case of an unsuccessful issue, fall back under Austrian rule.

"Others, of whom I was one, wished to sacrifice their property and their blood for a grander, more worthy object, namely, for a separation from Austria and the founding of a Republic.

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Now what are the facts?

The war was begun by the Servians and Croatians, in all 1,400,000 souls; these tribes live in the South, under the organization of the "Military Frontiers" by which every man is made a soldier commanded by Austrian officers, and directly subject to orders issuing from the Imperial Government at Vienna. Intimate personal relations or much intercourse with the Magyars they had never had; the law passed many years before by the Hungarian diet, whereby the Magyar was made the "diplomatic language" or medium for official intercourse between the general authorities and the special tribes as well as for the discussions of the Diet, had been exaggerated among them into a requisition that it should be the only tongue taught in schools or allowed even in the smallest judicial proceedings, and an attempt to extinguish their own nationality and absorb it in that of the Magyars. The feeling of hostility hence arising had all along been carefully fomented by Metternich's agents for the express purpose of keeping the Magyars busy and furnishing the means to manage any extreme demands which they might afterward make. The Panslavonic agitation had also had its stronghold among them, and had contributed to their preparation for the use to which they were designed. Accordingly, no sooner had the Hungarians obtained from the Emperor, under all the solemnities of the highest official sanction, the concessions of March 1848, than these tribes were set in motion, and commenced a war, for what? Why avowedly to restore things to their original position and to release the Emperor from the concessions he had granted. It was a war of loyalty against innovation, stimulated by all the animosity whose origin we have just described. During the whole contest these tribes remained faithful to the Imperial side, though many prominent men among them, as Damianich for instance, regarding the Magyar cause as that of justice and freedom, embraced and adhered to it till the last.

On the other hand the Slowacks or Northern Slavons, numbering near twice as many souls as both the tribes above mentioned, being an agricultural and not a warlike people, having long been on intimate terms with the Magyars, and knowing them personally as laborers know their employers, were as a body utterly insensible to the machinations of the Austrian agents, and refused to rise against the Government of Kossuth. And more than this, they were from first to last its true and steady supporters, furnished to the armies of Hungary some of their best soldiers, and lent them constant assistance in the many intricate manœuvers of which their country was the scene. We defy Mr. Bowen or any body else to controvert this. He says vaguely, in one place, "the Slowacks were in arms in the North," but he does not and cannot mention a single battle or skirmish they fought against the Hungarians, while the fights with the Southern tribes were as many and as well known as the days in the year. All the authorities testify to the fidelity with which

Austria, which destroyed all distinctions of rank and race and established the modern ideas of equal representation, equal suffrage, the freedom of the press, and the liberty of individuals, on the ruins of feudalism." * * *

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"As in all revolutions, so in ours, there were several parties. There were some who intended to wage this contest simply for the recovery of the Constitution of 1848, who wished to keep open a way of retreat, so that they might, in case of an unsuccessful issue, fall back under Austrian rule.

"Others, of whom I was one, wished to sacrifice their property and their blood for a grander, more worthy object, namely: for a separation from Austria and the founding of a Republic.

"In pursuance of this ardent wish, there was formed in March, at first in the bosom of the diet, a Democratic Republican Club, which, holding public sessions and honoring me with the Presidency, had for its object the hastening of the declaration of independence, and consultation upon all subjects of interest that might occur.

"The members of this Society *very soon composed a majority, both in the upper house and the house of representatives*, so that the then existing government, the so called Committee of national defense, under the Presidency of Louis Kossuth, felt itself incited to a declaration of independence."

* * * "When, shortly after, the Governor having named his new Ministry, its President, Bartholomew Szemere, brought forward, with distinguished energy and decision, his Republican programme, there followed such a lively expression of applause as I had never before heard, and which sufficiently indicated how well he met the views of the National Assembly, and to what maturity, even at that time, those principles had attained.

"From this decisive epoch onward, the main care of the Hungarian Government was to place the administration of the country in the hands of men of purely Republican sentiments, who fully approved the Declaration of Independence."

* * * "I mention all this only to designate the truly revolutionary moment at which I commenced my administration in Comorn. The nature of my duties may be discovered from the spirit of the period. It was to confirm the principles of Independence and of the Republic that had been declared." * * * "On the fourteenth of April, we had solemnly sworn to our independence, and forever renounced and condemned royalty as the scourge of humanity. We would have been faithless to our sacred oath had we longer remained under the dominion of Austria. We regarded our republican principles more than the material interests we were to sacrifice, and, with such views, our choice could not be doubtful."

* * * "Yes, we have come here in poverty, and have sacrificed our all in the cause of the Revolution: but by the abolition of Feudalism we have secured to seven millions of men, once serfs, a right to the soil, of which Austria's dynasty cannot deprive them. If we have not been so fortunate as to lay the foundations of Republican Freedom, we have at least given a death-blow to the material power of the aristocracy, and without the support of an aristocracy, dynasties cannot long maintain themselves. We have then still gained a triumph by our struggles: there are no longer any serfs in Hungary, but each man cultivates his own land. The consciousness of this benefit bestowed on seven millions of men shall requite us for our losses."

—Mr. Bowen speaks with a sort of indignation of the Hungarian refusal to accept the Constitution *granted* on March 4, 1849, for the Austrian E[illegible] and even seems to think it a [illegible] that they did not open their arms to receive it. We believe he was once teacher of moral philosophy in a respectable college, but trust that he did not there imbibe or teach the political morality he thus propounds. For him it is nothing that an independent nation, governed by its own Constitution some ten centuries, should be required to lay that aside for another, at the mere arbitrary pleasure of the monarch, without ever having been consulted as to the change. In his eyes "geographical position," is more sacred than the faith of treaties or the sanction of oaths. Why this doctrine would justify the most outrageous villainies recorded in history, and authorize tyranny and cupidity to plunder the weak forever! No matter what the nature of the Constitution of March 4, the Hungarians would have been contemptible poltroons had they not resisted it to the last. To have admitted the right of the Emperor thus to dispose of them, would have been to proclaim themselves slaves in his hands. Mr. Bowen has just as good a right to grant a Constitution for Hungarians, as had Francis Joseph, and we have no doubt might grant about as good a one; and, if he could hire men enough to force it upon them, might do so with as much legality; but we should applaud them if they resisted, and despise if they did not, and so would any man possessing the soul of a freeman.

—Mr. Browson's perversion of history in this matter has, as we said, not yet got beyond the lecture state, though he has already printed that Kossuth is a whimpering sentimentalist. According to a report of his recent lecture in this City, furnished

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ANNUAL REVIEW
Of the Trade and Commerce of Chicago for the year 1850.

The year just closing has been characterized neither by any extraordinary degree of prosperity nor by any very great commercial depression. The experience of the past has led to a commendable degree of prudence on the part of our business men. We doubt whether there is another city in the West, of an equal extent of commerce, among whose business men occur so few instances of over-trading. If a smaller business be the result, the fact of it being a safer one is ample compensation. We do not mean to say there has been falling off in the aggregate business of the city during the year; on the contrary in many departments there has been a marked increase. While individuals have cautiously confined their operations within the limits of their means, an addition to the number of dealers has resulted in a corresponding augmentation of the aggregate business of the city.

The internal commerce of the City of Chicago is conducted through the agency of six Exchange dealers and Bankers—Thirty two Forwarding and Commission Merchants and Produce dealers—fourteen wholesale Groceries—fifty Lumber dealers—besides a large number of wholesale and retail dealers in dry goods, groceries, hardware, queensware, boots and shoes, harness and leather, drugs, books, etc. etc.

The three great sources and avenues of its commerce abroad are the Lakes, the Illinois and Michigan Canal, and the Galena and Chicago Railroad.

The following tables, compiled with a great deal of care, will show in what proportion each of these great thoroughfares contributes to swell the tide of our city's commerce. The table for the Lakes and Canal comprehend the period of navigation for the year 1850—that for the Railroad comprises from Dec. 1st 1849 to Dec. 1st. 1850:

Imports by Lake.

Lumber, ft.	100,364,797	Marble	152½
Shingles,	55,423,750	Merchandise,	1,432
Lath,	19,890,700	Nails	10
Square Timber, c. ft	63,579	Salt,	192
Pickets,	100,393	Stone,	83
Cedar Posts,	64,564	Stoves,	117
Shingle Bolts, cds.	3,132	Barrels, No.	6,440
Staves and Headings, estimated,	3,000,000	Brick,	27,024
Apples, bbls,	2,781	Fruit Trees,	2,500
Cider,	353	Horses,	23
Cranberries,	20	Iron Safes,	30
Fish,	3,972	Iron Pumps,	102
Flour,	20,282	Locomotives,	2
Lard,	11	Platform Scales,	100
Lime and Plaster,	1,783	R. R. Cars,	10
Liquors,	1,282	Reapers,	[illegible]
Molasses,	95	Sheep,	362
Oysters,	218	Stoves,	14
Peaches,	62	Threshing Machines,	75
Pork,	119	Wagons,	4,897
Rosin,	121	Nails, kegs	4,761
Salt,	47,142	Powder,	1,3
Tar,	75	White Lead,	215
Turpentine,	40	Cheese, boxes	244
Barley, bu	15,043	Fruit,	5,570
Beans,	176	Glass,	303
Corn,	294	Gas Pipe, ps.	6,143
Oats,	8,258	Iron, bdls and ps.	430
Potatoes,	8,179	Pails, doz.	150
Rye,	2,000	Rakes,	6,058
Wheat,	18,503	Wood, cords	667
Castings, lbs,	47,742	Tanbark,	400.897
Leather,	251,603	Merchandize, pkgs.	508
Starch,	500	Paper, reams	9,060
Cheese. tons	15	Peaches, baskets	820
Coal,	20,624	Saleratus, casks	35,995
Gas Pipe,	90	Salt, bags,	8,700
Grind Stones,	70	Salt, minots,	75
Iron,	2,142	Sugar, hhds	27,000
		Stone Ware, galls.	

Exports by Lake.

			17
Beans, bbls	35	Corn Meal,	165
Beef bbls and tcs	39,247	Hay,	113
Fish,	565	Hemp,	125
Flour,	66,432	Iron,	19
Grease,	945	Lead,	25
Hams and Shoulders,	2,306	Mill Stuff,	8
Lard,	2,415	Stoves,	33.000
Liquors,	374	Brick, No	221
Molasses,	235	Cattle,	17,245
Oil,	33	Hides,	655
Paints,	69	Hogs,	312
Pork,	12,307	McCormick's Reapers,	2
Provisions,	85	Steam Engines	29
Salt,	1,930	Wagons,	3,962
Starch,	191	Merchandize, pkgs	567
Sugar,	1,765	Furs and Pelts	190
Tallow,	2,397	Candles, boxes	75
Timothy Seed,	230	Candy,	20
Tongues,	46	Garden Seeds,	13
Tripe,	137	Soap,	13
Barley, bu	960	Tobacco,	247
Corn,	262,013	Bacon bxs and casks	67
Oats,	136,334	Sugar, hhds	46
Potatoes,	276	Tobacco,	100

Provisions,	266,791	Hides,	8,017
Sundries,	817,291	Brooms, doz	704
Tallow,	3,805	Eggs,	40,341
Wool,	53,973	Broom Brush, bales,	300
Flour, bbls	42,918	Paper, reams	10,178
Pork,	614	Wood, cords	75

Forwarded by Railroad.

Lumber, ft.	8,801,310	Barrels No.	3,964
Shingle ,	5,054,500	Hoop Poles,	90,000
Lath,	1,728,830	Stoves,	2,560
Iron, lbs	2,602,180	Threshing Machines	15
Merchandize,	9,847,709	Posts, &c., cords	641
Molasses, bbls,	862	Staves,	87
Salt,	3,749	Salt, bags,	4,599
Sugar,	3,579	Furniture, cubic ft.	21,053

The tables for the Canal and Railroad are believed to be strictly correct, exhibiting neither more nor less than the actual business transactions over each. The table of Lake Commerce, with the exception of Lumber, Grain, Flour and Wool, which we compiled directly from the books of the dealers and shippers, is far from being accurate, and we make use of it merely for the purpose of showing as near an approximation to the actual imports and exports as we were able to procure. These figures, with the foregoing exception, were obtained from the books of the Collector of this port. We have repeatedly had occasion to express our regret, that, owing to the carelessness and culpable negligence of masters of vessels, no entry is made of a large portion both of the goods received and forwarded from this port. A most striking proof that there has been no reform in this matter is to be found in the fact that the registered clearances from this port for the year 1850 were 1,066, and the registered arrivals during the same time 1,668. This state of the books indicates the presence, in our port, of 602 vessels more than wintered here last year. The fact, however, is, there are 26 less. This much was necessary to be said, to place our readers right as to what reliance should be placed in the table of Lake Commerce. In some instances the figures are full 25 per cent. below the actual imports and exports; in others, they are not 25 per cent. of the actual amount. Take, for example, among the imports, the articles of Sugar and Molasses. According to our table, above, there were 75 hhds. of the former, and 95 bbls. of the latter. On inquiry, we found that a single house in this city had received during the season, via the Lakes, 465 hhds. of Sugar and 200 bbls. of Molasses! Doubtless a similar discrepancy exists in other articles.

THE GRAIN AND FLOUR TRADE of the city exhibits a considerable decrease from that of 1849. An anomaly occurred in this trade during the year. Heretofore our ultimate market had always been reached by way of the Lakes. The Wheat crop of 1849 was unusually light throughout the entire West. Especially was this the fact in those regions of country from whence St. Louis had always obtained her supply. On the opening of navigation in the spring of 1850, that city found herself short of her usual stock, and prices at once commenced going up. The fact soon became apparent that there was not sufficient surplus in the country on which she depended, to make up the extraordinary deficiency, and dealers there turned their attention to Chicago, as the only source of supply.

The canal opened 15th March, and during the remainder of that month, 1,012 bushels wheat, and 2,310 barrels flour were shipped from this place to St. Louis. In April, 8,305 barrels flour, and 59,508 bushels wheat were shipped to the same place, and up to the 10th of July, some 34,439 barrels of flour, and 95,193 bushels wheat—or reducing the flour to wheat, 267,388 bushels had been taken from the warehouses of this city and placed upon the levee at St. Louis. At the date mentioned above, the new crop of wheat commenced making its appearance in the St. Louis market, and shipments from this place in that direction were suspended

During the period of shipment to St. Louis, a great deal of speculative feeling existed in the principal markets in the east. The short crop of Ohio, one of the principal sources of supply to those markets, added to the unprecedented fact of large shipments of breadstuffs from the lakes to the Mississippi, led to an apprehension there of a general scarcity. Prices in consequence advanced, and in our own market there was an active competition between eastern and St. Louis operators.

ern market turned it in that direction, and the entire receipts of corn by canal the present year are scarcely more than a third of what they were in 1849.

Oats, early in the season, were shipped from this port to St. Louis, and of course, when prices there were such as to justify shipments from here, our receipts from canal were merely nominal. Later in the season the price advanced here, and the amount which came forward by canal was nearly equal to that of last year.

The following figures will show the entire receipts and shipments of Grain and Flour from Dec. 1st, 1849, to Dec. 1st, 1850:

	Receipts	Shipments
Wheat, bu	1,165,481	873,644
Corn,	251,314	242,285
Oats,	162,536	158,054
Barley	24,869	22,[illegible]
Rye,	2,400	2,000
Flour, bbls.	70,099	100,872

The above figures are accurate, with the exception of so much of them as comprise receipts by teams. We have made an earnest and continued effort through the whole year to keep an account of the quantity reaching the city by this means. Unquestionably, however, we have, now and then, failed to get an account of every wagon load, and this will account for any seeming discrepancy between receipts and shipments, when the consumption of the city is taken into account.

The shipments of Grain and Flour the present year, compared with those of 1849, are as follows:

	1849.	1850.
Wheat, bu	1,936,264	873,644
Corn,	644,848	242,285
Oats,	26,849	158,054
Flour, bbls	51 309	100.872

Reducing the flour of each year to wheat the shipment of 1849, amounts to 2,192,809 bu.—that of 1850 to 1,378,0004—making the excess of shipments in 1849 over those of 1850, 814,805 bu.

This falling off has been produced by several causes. In the first place a much larger proportion of the crop of 1849 was thrown into market before the close of navigation of that year, than was of the crop of 1850. In the next place the extraordinary state of the Southern Market prior to harvest prevented shipments from canal and river to this place until a reaction had taken place there. What we have received from this quarter was mostly during the months of September and October. Comparatively high prices have obtained during the whole of the fall in St. Louis, diverting from us the trade of the river. The following table will show the receipts by canal and river for 1849 and 1850:

	1849	1850
Wheat, bu	560,181	308,714
Oats	58,253	51,766
Corn,	717,936	249,210
Flour, bbls	7,267	5,509

It will be seen that there was a very large falling off in corn and wheat, and a small decrease in flour and oats. Another cause of the falling off is to be found in the fact that *the crop of 1850 was very materially injured by the bug, before harvest, resulting in a loss of perhaps one fourth of the crop in the northern portion of the State.* Still another cause exists in the fact that a partial failure of the wheat crop for several successive years has tended to discourage that branch of agricultural industry, and a smaller breadth was sown than would otherwise have been the case. Whether this fact is permanently to exercise such an effect, by directing attention to other pursuits, is a matter of considerable interest, and future events, bearing upon the subject, will be closely watched.

The stock of grain and flour held in this city on the 18th inst., was as follows:

	Flour.	Wheat.	Oats.	Corn.
In store and for sale	2,345	37,780	11,645	9,418
Held by the Mills	2,150	34,000	——	1,000

Other articles of produce do not exhibit any very great difference from last year's business, as will be seen by the annexed comparative tables of shipments by Lake and, receipts by Railroad and Canal, of certain articles:

Shipments by Lake.

	1849.	1850.
Pork, bbls	17,940	12,307
Beef,	48,436	39 247
Hams,	2,140	2,206
Lard,	2,282	2,415
Hay, tons	62	165

NOTE—The shipments of hams and beef for 1850, comprise both bb's and tierces.

latter part of August, precisely at the time when shipments from the east were being made for the fall business, the receiving and forwarding business and the shipping interest of both Lake and Canal, were materially injured. Heavy stocks of goods, originally intended to be shipped *via* the Lakes and Illinois and Michigan Canal, were ordered by another route, and the direction of a number of cargoes changed *in transitu.* Notwithstanding this drawback, however, our tables show a small increase this year over the amount of goods shipped by canal in '49—the former being 8,804,557 lbs—the latter 8,322,677 lbs. The same cause also very *materially affected* the amount of receipts by *canal.*

THE SALT TRADE of the year compared *with* that of the last exhibits the *following* results:

Imports.

	bbls.	bags.	tons	minots.
1849	97,140	17,100	460	——
1850	47,142	35,995	192	8,700

Receipts by Canal.

1849	2,002 sacks.
1850,	181,920 lbs.

These tables show a very remarkable falling off in the amount received the present year. The deficiency is greater than it otherwise would have been in consequence of a series of disasters which befel vessels frieghted with salt destined for this port, very late in the season. The Schooner Columbia was wrecked with 1300 bbls. Schooner North-Western wrecked with 1680 bbls. The Joe Ward with 1200 bb's. failed to get farther than Saginaw Bay where she was compelled by hard weather to put about for St. Clair river. A fourth vessel with 1000 bbls. was frozen in at Milwaukee. The consequence o all of which is, the stock on hand does not exceed 500 bbls. and prices have reached the astonishing height of $4, per bbl.

THE COAL TRADE —of 1850 compared with 1849, shows as follows:

	1849	1850
Received by Lake, tons,	22,500	20,624
" " Canal,	5,151	2,395
Totel,	27,651	23,019

Which shows a falling off of 4,632 tons, the *present year.* The present supply will be *short of the wants for city consumption during the winter—the stock in the hands of dealers, on the 18th inst. being only* 2,102 *tons. Prices are high, but are kept somewhat within bounds by the quantity of wood daily in the market.*

THE LUMBER TRADE has become one of the great features of the commerce of Chicago. The following tables exhibit very briefly the operations in this department for the present year, contrasted with that of 1849:

Receipts.

	1849	1850
Lumber, ft.	73,259,133	100,364,797
Shingles	50,579,750	77,347,750
Lath,	19,281,733	19,890,700

The amount of sales the present year, and the stock on hand, are as follows:

	Sales.	Stock on hand.	Stock on hand 1849.
Lumber. ft	78,581,675	22, 82,567	13,435 6'8
Shingles,	50,512 000	11,908,250	2,621 000
Lath,	20,508,500	1, 149,257	3,740,000

The following are the statistics of the Lumber trade with the points on the Canal and the Illinois river:

Shipments by Canal.

	1849	1850
Lumber, ft.	23,7[illegible],000	38,388,313
Shingles,	27,130,000	42,682,750
Lath,	7,984,000	11,208,17

Lumber Trade Along Canal.

Lockport.

Lumber, ft.	1,563,566
Shingles,	676,000
Lath,	309,550

Joliet.

Lumber, ft.	678,782
Shingles,	772,000
Lath,	175,400

Morris.

Lumber, ft,	723.508
Shingles.	562,000
Lath,	285.000

Ottawa.

Lumber, ft.	1,942,786
Shingles,	1,392,00
Lath,	311,950

All Other Places

Lumber, ft.	733 968
Shingles,	535,000
Lath:	92,900

Aggregate of Lumber Trade along Canal.

Lumber, feet,	5,642 610
Shingles	3,937,000
Lath,	1,174,800

Aggregate of Lumber that reached the Ill. River

Lumber, ft.	32,745,703
Shingles,	38,271,170
Lath,	10,033,370

NOTE—In all the above tables, shingle bolts have been reduced to shingles.

Of the Lumber brought to this port, 1,500,000 was for planking the streets of the city

The following table shows the amount of tolls collected at all the offices of the canal for three years.

	1848.	1849.	1850.
March,	——	——	
April,	——		4,986 99
May,		4,694 69	17,114 08
June,	6,227 84	13,112 87	15,986 15
July,	10,889 10	19,263 42	14,521 64
August,	14,258 37	11,954 68	11,9 8 69
Septembr,	10,480 21	14,913 76	8,446 78
October,	21,150 49	18,177 67	14,655 57
November,	16,961 26	18,480 41	22,235 56
December,	6,597 21	16,546 58	15,267 61
	109 42	1,643 24	370 31
Total,	86,673 80	118,787 32	124,974 11

NOTE—Of the tolls for 1850, $87,856 65 were received at the Chicago Office.

The first clearance of the season for La Salle, was on the 15th of March, and the last on Dec. 4th. The number of clearances was 2,211—of arrivals, 1,954. Number of passengers that cleared, 22,774; No. of passengers arrived, 17,349.

RAILROAD—Our readers have been so frequently treated to railroad articles through the columns of the Tribune, that we shall not feel it incumbent upon us to speak at length with reference to the Railroad now. The total earnings of the road from its commencement of business, in January, 1849, to Dec 1st, 1849, was $23,763 74—from Dec. 1st, 1849, to Dec. 1st, 1850, total earnings of main road, $104,359 62. In Dec. 1849, the St Charles branch went into operation, since when its earnings up to Dec. 1850, exclusive of mail service, have been $2,994 94. The Aurora Branch went into operation in September last, and had earned, exclusive of mail service, up to December 1st, $1,917 79.

The stock of the Company at present is as follows:

3 Locomotives of 15 tons, 4 drivers.
1 " 10 " 2 "
4 eight wheeled passenger cars, 198 seats.
2 " " accommodation " 60 "
26 " " covered freight "
4 four " " " "
40 eight " platform " "
6 four " " " "

Aurora Branch:—
1 Locomotive, 15 tons, 2 drivers.
2 passenger cars, 8 wheels, 120 seats.
4 covered freight cars, 8 " } Own'd j'ntly with
10 platform " " 4 " } G. & C.U. RR. Co

St. Charles Branch.—1 Locomotive, 10 tons 2 drivers; 1 passenger car, 8 wheels, 48 seats 1 accommodation and baggage car.

The business of the Road and branches has thus far exceeded the expectations of the most sanguine of its friends.

LAKE.—Here we have "free trade and sailors rights" and have no strictures to make respecting injudicious management, high tolls, etc. etc. We cannot refrain however, from reiterating our regret that the registration of cargoes is not better attended to. The law requiring Masters of Vessels to file manifests should be enforced. We hope another season will witness a reform of this abuse.

The following tables will show the character of our Lake commerce.

Coastwise Exports.

Beef bbls	242	Castings, tons	13
Corn Meal,	140	Coal,	15
Fish,	15	Hay,	1[illegible]
Flour,	2,290	Iron,	1[illegible]
Grass Seed,	12	Merchandise,	3[illegible]
Lard,	80	Shorts	167
Lime,	20	Bricks, No	46,000
Molasses,	17	Hogs,	93
Pork,	1,757	Steam Engines,	2
Provisions,	85	Butter, kegs,	30
Salt,	1,564	Nails,	100
Sugar,	653	Candles, boxes,	59
Tallow,	36	Tobacco,	13
Whisky,	144	Sugar, hhds,	24
Beans, bu	200	Hemp, bales,	17
Corn,	18 802	Bacon, lbs,	7,000
Oats,	15,372	Merchandise, pkgs	3,377
Wheat,	24,200	Coffee, bags,	111

Exports to Oswego.

Beef, bbls	1,788	Corn, bu	26,042
Flour,	50	Wheat,	167,609
Lard,	171	Hides, No	825
Pork	81	McCormick's Reapers,	25
Tongues,	4	Wagons,	14
Tallow	88	Bacon, boxes	110
Lead, lbs	6,000		

Exports to Ogdensburgh.

Beef, bbls	1,551	Wheat, bu	6,415
Pork,	480	Butter, lbs,	1,000
Flour,	4,156		

Exports to Canada.

Pork bbls	4,291	Hams and Shoulders, lbs	
Lard,	789		
Tallow,	1,551	Wheat, bu	125 815
Grease,	88	Buffalo Robes, bales	1,072
Beef,	5	Hemp, tons	12
Linseed Oil	25	Candles, bxs	15
			147

The value of exports to Canada is $82,203,95.—of imports $1,117,22,1 on which duties, to the amount of $3,472,75 have been collected. The value of ex[...]

...e and retail besides a large num... groceries, hardware, queensware, boots and shoes, harness and leather, drugs, books, etc. etc.

The three great sources and avenues of its commerce abroad are the Lakes, the Illinois and Michigan Canal, and the Galena and Chicago Railroad.

The following tables, compiled with a great deal of care, will show in what proportion each of these great thoroughfares contributes to swell the tide of our city's commerce. The table for the Lakes and Canal comprehend the period of navigation for the year 1850—that for the Railroad comprises from Dec. 1st 1849 to Dec. 1st. 1850:

Imports by Lake.

Lumber, ft.	100,364,797	Marble	152½
Shingles	55,423,750	Merchandise	1,432
Lath	19,890,700	Nails	10
Square Timber, c. ft	63,579	Salt	192
Pickets	100,393	Stone	83
Cedar Posts	64,564	Stoves	117
Shingle Bolts, cds	3,132	Barrels, No	6,440
Staves and Headings, estimated	3,000,000	Brick	27,024
Apples, bbls	2,781	Fruit Trees	2,500
Cider	353	Horses	23
Cranberries	20	Iron Safes	30
Fish	3,972	Iron Pumps	102
Flour	20,282	Locomotives	2
Lard	11	Platform Scales	100
Lime and Plaster	1,782	R. R. Cars	[illegible]
Liquors	[illegible]	Reapers	10
Molasses	95	Stoves	562
Oysters	218	Threshing Machines	14
Peaches	62	Wagons	75
Pork	119	Nails, kegs	4,897
Rosin	121	Powder	4,761
Salt	47,142	White Lead	1,3[illegible]
Tar	75	Cheese, boxes	2,5[illegible]
Turpentine	40	Fruit	244
Barley, bu	15,043	Glass	5,570
Beans	176	Gas Pipe, ps	303
Corn	294	Iron, bdls and ps	6,143
Oats	8,258	Pails, doz	430
Potatoes	8,179	Rakes	150
Rye	2,000	Wood, cords	6,058
Wheat	18,503	Tanbark	667
Castings, lbs	47,742	Merchandize, pkgs	400,897
Leather	251,603	Paper, reams	508
Starch	500	Peaches, baskets	9,060
Cheese, tons	15	Saleratus, casks	820
Coal	20,624	Salt, bags	35,995
Gas Pipe	90	Salt, minots	8,700
Grind Stones	70	Sugar, hhds	75
Iron	2,142	Stone Ware, galls	27,000

Exports by Lake.

Beans, bbls	35	Corn Meal	17
Beef bbls and tcs	39,247	Hay	165
Fish	565	Hemp	113
Flour	66,432	Iron	125
Grease	945	Lead	19
Hams and Shoulders	2,306	Mill Stuff	25
Lard	2,415	Stoves	8
Liquors	374	Brick, No	33,000
Molasses	235	Cattle	221
Oil	33	Hides	17,245
Paints	60	Hogs	655
Pork	12,307	McCormick's Reapers	312
Provisions	65	Steam Engines	2
Salt	1,930	Wagons	29
Starch	191	Merchandize, pkgs	3,962
Sugar	1,765	Furs and Pelts	567
Tallow	2,397	Candles, boxes	199
Timothy Seed	230	Candy	75
Tongues	46	Garden Seeds	20
Tripe	137	Soap	13
Barley, bu	960	Tobacco	13
Corn	262,013	Biscuits and casks	347
Oats	136,334	Sugar, hhds	67
Potatoes	276	Tobacco	46
Wheat	788,451	Coffee, bags	100
Bacon, lbs	105,200	Flax Seed	400
Butter	2,300	Nails, kegs	100
Wool	913,862	Shot	15
Broom Brush, tns	22	Paper, reams	30
Coal	184	Lead, pigs	2,004

Receipts by Canal.

Apples, bbls	140	Nuts	9,352
Beans	44	Oil Cake	9,240
Beef	773	Pork, lbs	146,508
Cider	46	Powder	2,500
Fish	243	Rice	9,478
Flour	5,509	Salt	181,920
Lime and Cement	380	Seeds	1,850
[illegible]rs	290	Shot	171,593
[illegible]es	2,883	Soap	110,374
[illegible]	394	Shrubs and Plants	2,750
[illegible]	10,38	Starch	1,400
[illegible]	80	Stoves	4,600
[illegible]	888	Sugar	4,171,463
[illegible] lbs	2,108,524	Sundries	7,382
[illegible]	19,368	Tallow	66,175
[illegible]	1,847	Tar, Pitch & Rosin	179,085
[illegible]	181,710	Tobacco	158,633
[illegible]	54,310	White Lead	44,744
[illegible]	8,225	Wool	575,914
[illegible]	[illegible]772	Barley, bu	102
[illegible]	[illegible]	Buckwheat	60
[illegible]	[illegible]	Corn	249,210
[illegible]	[illegible]	[illegible]	51,766
[illegible]	[illegible]	[illegible]ns	4
[illegible]	[illegible]	Potatoes	2,161
[illegible]	[illegible]441	Wheat	308,714
[illegible]	378,750	Barrels, No	2,743
[illegible]	175,302	Hoop Poles	81,711
[illegible]	225,659	Coal, tons	2,395
[illegible]	97,980	Hay	160
[illegible]	20,061	Brooms, doz	3,9
[illegible]	684,219	Hard Wood and Lumber, feet	279,899
[illegible]	393,806	Timber, c. feet	55,135
[illegible] Pipe	95,578	Stone, c. yards	7,759
[Me]rchandise	273,767	Potters' Ware, gals	12,359
[M]ill Stuff	72,950	Wood, cords	8,261
Moss	3,276		

Shipments by Canal.

Lumber, ft	38,388,313	Sugar	162,892
Shingles	40,453,250	Sundries	166,075
Lath	11,208,170	Tar, Pitch and Rosin	2,432
Agricultural Implements lbs	794,166	Tobacco	60,161
Bacon	2,929	White Lead	20,340
Bones	80,000	Wood Ware	34,731
Candles	11,039	Fish, bbls	2,158
Carpenters' Work	168,756	Flour	34,439
Cheese	71,804	Liquor	1,001
Clocks	76,879	Lime and Cement	250
Coffee	75,455	Molasses	200
Cordage	1,322	Oil	206
Fruit	77,793	Salt	23,041
Furniture	1,586,526	Barley, bu	21,912
Grind Stones	94,290	Beans	316
Hair	37,199	Corn	212
Hard Bread	4,189	Flax Seed	32
Hops	60,263	Grass Seed	172
Hollow Ware	117,461	Oats	21,720
Iron and Steel	369,199	Potatoes	3,433
Lead Pipe	2,414	Rye	1,693
Leather	274,056	Wheat	95,193
Machinery	257,465	Barrels, No	3,254
Marble	710,220	Bricks	9,675
Merchandise	8,894,557	Hoop Poles	33,510
Nails	295,205	Plows	20
Nuts	7,651	Posts	5,243
Plants and Shrubs	15,665	Staves	178,733
Powder	86,744	Wagons and Carriages	254
Provisions	1,539	Buckwheat Flour, tons	12
Saleratus	143,893	Coal	429
Shot	550	Hay	70
Soap	2,281	Tanbark	85
Star h[illegible]	2,765	Brooms, doz	100
Stoves and Castings	831,622	Salt, bags	14,580
		Shingle Bolts, cords	318½

Received by Railroad.

B. W. Flour, lbs	25,171	Whisky	284
Butter	88,012	Barley, bu	9,825
Corn Meal	5,464	Corn	4,810
Hogs	701,813	Fruit	18
Lard	1,372	Oats	29,60[illegible]
Millstuffs	3,3291	Potatoes	6,557
Oil Cake	26,195	Wheat	262,968
Poultry	15,171	Animals, No	55

...merce. In some instances the figures are full 25 per cent. below the actual imports and exports; in others, they are not 25 per cent. of the actual amount. Take, for example, among the imports, the articles of Sugar and Molasses. According to our table, above, there were 75 hhds. of the former, and 95 bbls. of the latter. On inquiry, we found that a single house in this city had received during the season, via the Lakes, 465 hhds. of Sugar and 200 bbls. of Molasses! Doubtless a similar discrepancy exists in other articles.

THE GRAIN AND FLOUR TRADE of the city exhibits a considerable decrease from that of 1849. An anomaly occurred in this trade during the year. Heretofore our ultimate market had always been reached by way of the Lakes. The Wheat crop of 1849 was unusually light throughout the entire West. Especially was this the fact in those regions of country from whence St. Louis had always obtained her supply. On the opening of navigation in the spring of 1850, that city found herself short of her usual stock, and prices at once commenced going up. The fact soon became apparent that there was not sufficient surplus in the country [illegible] to make up the extraordinary deficiency, and dealers there turned their attention to Chicago, as the only source of supply.

The canal opened 15th March, and during the remainder of that month, 1,012 bushels wheat, and 2,310 barrels flour were shipped from this place to St. Louis. In April, 8,305 barrels flour, and 59,508 bushels wheat were shipped to the same place, and up to the 10th of July, some 34,439 barrels of flour, and 95,193 bushels wheat—or reducing the flour to wheat, 267,388 bushels had been taken from the warehouses of this city and placed upon the levee at St. Louis. At the date mentioned above, the new crop of wheat commenced making its appearance in the St. Louis market, and shipments from this place in that direction were suspended.

During the period of shipment to St. Louis, a great deal of speculative feeling existed in the principal markets in the east. The short crop of Ohio, one of the principal sources of supply to those markets, added to the unprecedented fact of large shipments of breadstuffs from the lakes to the Mississippi, led to an apprehension there of a general scarcity. Prices in consequence advanced, and in our own market there was an active competition between eastern and St. Louis operators.

The following shipments to the lower lakes, made at the time of those to St. Louis, will show how near an approach was made to an equilibrium of prices between the eastern and southern markets. In April, 20,665 bushels wheat, 2,399 barrels flour; May, 139,024 bushels wheat, 3,771 barrels flour; June, 74,065 bushels wheat, 8,501 barrels flour; July, 23,414 bushels wheat, 5,635 barrels flour; August, (a reaction had then taken place,) 1,682 bushels wheat, 450 barrels flour. It is proper to remark that a considerable proportion of the above shipments had passed into the hands of owners at Oswego and Buffalo, prior to the advent of St. Louis dealers in this market.

The market for wheat opened here on *March 16th, at 50 a 62½ for spring, and* 70 a 85 for winter. By the *first of April* large lots of spring were changing hands at 73 a 78 cents. Prices continued advancing, with now and then slight fluctuations. On the 13th May, spring was firm at 90, and winter at 110. At the same time flour ranged at $3 75 to $6.00, from inferior country to extra city brands. In June the culminating point was reached at 100 a 105 for spring, and 115 a 120 for winter, and $4 50 a $7 00 for flour. At this period the crops at the South gave indications both of an early and abundant harvest. Stocks were computed at St. Louis, and found to be large enough to supply the demand until first receipts of the new crop. Our market was simultaneously deserted by southern and eastern buyers. Prices fell down more rapidly than they had gone up, and some of our dealers, who had held on to their stocks a few days longer than they should, found their expectations of handsome profits, suddenly vanishing.

The first wheat of the new crop reached our market on the 20th of July. At that date spring was worth 54a60, and winter 62a70. Since then prices have fluctuated from 38a45 for spring, and 50a65 for winter, to 60a65 for spring, and 70a83 for winter—choice lots for milling going higher. At the present time 47a60 for spring, and 65a78 for winter, are *ruling rates.*

Corn, in the early part of the season, came forward freely by canal, during which time prices ranged in this market at 40a50c.—Since then, however, an advance in the South-

...that ... excess of ... bu. 1850, 814 ... off has been produced by This [illegible] In the first place a much several ca[illegible]n of the crop of 1849 was larger pro[illegible]rket before the close of navigation [illegible] year, than was of the crop of 1850 [illegible] the next place the extraordinary [illegible] Southern Market prior to harvest [illegible] shipments from canal and river [illegible] until a reaction had taken place to this pl[ace] [illegible] we have received from this there. [illegible] mostly during the months of [illegible] and October. Comparatively [illegible] we obtained during the whole of September [illegible] high price [illegible] Louis, diverting from us the [illegible] the fall in [illegible] river. The following table will [illegible] trade of the [illegible] receipts by canal and river for 1849 and 1850:

	1849	1850
Wheat, bu	560,181	308,714
Oats	58,253	51,766
Corn	717,936	249,210
Flour, bbls	7,267	5,509

It will [be] seen that there was a very large falling of[f in] corn and wheat, and a small decrease [in fl]our and oats. Another cause of *the falling* [off] is to be found in the fact that the c[rop of] 1850 was *very materially injured* by the bug, before harvest, resulting in a loss of perhaps one fourth of the crop in the northern portion of the State. Still another cause exists in the fact that a partial failure of the wheat crop for several successive years has tended to discourage that branch of agricultural industry, and a smaller breadth was sown than would otherwise have been the case. Whether this fact is permanently to exercise such an effect, by directing attention to other pursuits, is a matter of considerable interest, and future events, bearing upon the subject, will be closely watched.

The stock of grain and flour held in this city on the 18th inst., was as follows:

	Flour.	Wheat.	Oats.	Corn.
In store and for sale	2,345	37,750	11,645	9,418
Held by the Mills	2,150	34,000	——	1,000

Other articles of produce do not exhibit any very great difference from last year's business, as will be seen by the annexed comparative tables of shipments by Lake and, receipts by Railroad and Canal, of certain articles:

Shipments by Lake.

	1849.	1850.
Pork, bbls	17,940	12,307
Beef	48,436	39,247
Hams	2,140	2,206
Lard	2,282	2,415
Hay, tons	62	165

NOTE—The shipments of hams and beef for 1850, comprise both bb's and tierces.

Receipts by Canal.

	1849.	1850.
Pork, bbls	6,334	10,138
Beef	246	773
Molasses	2,382	3,383
Grass Seed	395	888
Sugar, lbs	2,797,309	4,171,463
Bacon and Hams	705,285	2,108,524
Tallow	6,273	66,175
Lard	640,874	684,219
Wool	325,848	575,944

Receipts by Railroad.

	1849	1850
Wheat, bu	171,365	262,968
Flour, bbls	17,687	42,918
Pork	185	614
Dressed Hogs, lbs	100,902	701,813
Wool	9,025	53,973
Butter	9,898	88,012

WOOL.—Our figures show a marked increase in the arrivals and shipments of wool over those of 1849. Prices ruled high during the whole season, and we presume the entire stock in first hands was drawn out. Manufacturing companies at the east adopted the *policy of sending out agents, who traversed* the country in *every direction, and who could* afford to pay better *prices than those purchas*ing to buy again. This is an important feature in this trade. Dispensing as it does with middle men, it insures to the producer better prices whenever there is a *fair* competition. The shipments of wool by Lake in 1849 amounted to 520,202 lbs.—in 1850 to 913,862—being an increase of 393,660 lbs.

THE SLAUGHTERING BUSINESS has been more extensively engaged in during the year than ever before in Chicago. There is no other western city that slaughters half the number of cattle Chicago does. Some weeks since we took occasion to notice, at length, this branch of our business, to which the reader is referred. The whole number of cattle slaughtered was 27,500, and the amount of capital invested about three-fourths of a million of dollars. In addition to the above about 10,000 sheep have been slaughtered within a month or two. The hams are cured—the remainder of the carcase is rendered into tallow. The season for slaughtering and packing hogs is in progress. It is too early yet to hazard an opinion as to what the extent of the business will be. It is highly probable that the present high prices will bring out a larger quantity than has been anticipated.

THE GR[OCE]RY BUSINESS of the year, as our tables [will] conclusively show, by far exceeds that of 1849. The same may be said of the dry goods, hardware, and we believe of other departments of trade.

By an extensive break in the canal, in the ... astonishing height of $4, per ...

THE COAL TRADE—of 1850 compared with 1849, shows as follows:

	1849	1850
Received by Lake, tons	22,500	20,624
" " Canal	5,151	2,395
Total	27,651	23,019

Which shows a falling off of 4,632 tons, the present year. The present supply will be short of the wants for city consumption during the winter—the stock in the hands of dealers, on the 18th inst. being only 2,102 tons. Prices are high, but are kept somewhat within bounds by the quantity of wood daily in the market.

THE LUMBER TRADE has become one of the great features of the commerce of Chicago. The following tables exhibit very briefly the operations in this department for the present year, contrasted with that of 1849:

Receipts.

	1849	1850
Lumber, ft	73,259,533	100,364,797
Shingles	50,579,750	77,347,750
Lath	19,281,733	19,890,700

The amount of sales the present year, and the stock on hand, are as follows:

	Sales.	Stock on hand.	Stock on hand 1849.
Lumber, ft	78,581,675	22,82,567	13,435 6?8
Shingles	50,519,000	[illegible]	[illegible]
Lath	20,568,500	1,149,250	3,740,000

The following are the statistics of the Lumber trade with the points on the Canal and the Illinois river:

Shipments by Canal.

	1849	1850
Lumber, ft	25,772,000	38,388,313
Shingles	27,330,000	42,682,750
Lath	7,984,000	11,208,17

Lumber Trade Along Canal.

Lockport.

Lumber, ft	
Shingles	1,563,566
Lath	676,000
	309,550

Joliet.

Lumber, ft	
Shingles	678,782
Lath	772,000
	175,400

Morris.

Lumber, ft	723,508
Shingles	562,000
Lath	285,000

Ottawa.

Lumber, ft	1,942,786
Shingles	1,392,00
Lath	311,950

All Other Places

Lumber, ft	733,968
Shingles	535,000
Lath	92,900

Aggregate of Lumber Trade along Canal.

Lumber, feet	5,642,610
Shingles	3,937,000
Lath	1,174,800

Aggregate of Lumber that reached the Ill. River

Lumber, ft	32,745,703
Shingles	38,271,170
Lath	10,033,370

NOTE—In all the above tables, shingle bolts have been reduced to shingles.

Of the Lumber brought to this port, 1,500,000 was for planking the streets of the city, and 1,200,000 for plank roads.

There are three accredited Inspectors of lumber in the city, viz: P. Edward Dugal, R. H. Tinkham, and James P. Allen. Mr. Harper is Inspector of Lumber for the city. Mr. Dugal inspected during the year 7,897,594 feet, and Mr. Tinkham inspected 3,754,566 feet.—We were not able to obtain the figures of Mr. Allen.

CANAL.—We have had occasion, indirectly, to speak a number times in the course of this article, upon this avenue of an important part of our commerce. We wish more specifically to call attention to the subject of a reduction of the present rate of tolls. The aggregate business of the year 1850 shows but a very slight increase over that of 1849. The Trustees, at their last annual meeting, made a very slight reduction on some half dozen articles. *The* change was neither *sufficiently* large nor comprised so great a range of articles as to render the experiment a satisfactory one. It strikes us, that, in arranging their tariff of rates, the Trustees committed the blunder of forgetting there was a rival route competing with the Canal for almost every pound and bushel of freight arriving here from the Illinois river. The route does not run parallel, it is true, with the canal, but its effect upon the business of the canal is precisely the same as though it did. The route we refer to is the Illinois river, furnishing an easy access to the southern markets for all the productions of that river.—Were there a parallel railroad, or canal, to our present canal, which drew off from it as much of the freighting business as the southern markets are enabled to do, in consequence of high tolls, the Trustees would not hesitate a moment to make very great reductions. Yet it would take a financier of remarkably sharp optics to discover why the same reasons that would lead to this action in the case supposed, do not apply with equal force to the case as it is. We close our remarks upon this subject by again urging our business men to look closely after the trade of the Illinois river.—The annual products of that country are immense, furnishing St. Louis with more than a fourth of her commerce, and there is nothing wanting to prevent our city from controlling it, under all ordinary circumstances, but a wise and liberal reduction of tolls on the canal. Our business men should not cease in their exertions to accomplish this object.

26 " " covered freight " 60 "
4 four " " " "
40 eight " platform " "
6 four " " " "

Aurora Branch:—

1 Locomotive, 15 tons, 2 drivers.
2 passenger cars, 8 wheels, 120 seats.
4 covered freight cars, 8 " } Own'd j'ntly with
10 platform " " 4 " } G. & C.U. RR.Co

St. Charles Branch.—1 Locomotive, 10 tons 2 drivers; 1 passenger car, 8 wheels, 48 seats 1 accommodation and baggage car.

The business of the Road and branches has thus far exceeded the expectations of the most sanguine of its friends.

LAKE.—Here we have "free trade and sailors rights" and have no strictures to make respecting injudicious management, high tolls etc. etc. We cannot refrain however, from reiterating our regret that the registration [of] cargoes is not better attended to. The l[aw] requiring Masters of Vessels to file manif[ests] should be enforced. We hope another season will witness a reform of this abuse.

The following tables will show the character of our Lake commerce.

Coastwise Exports.

Beef bbls	242	Castings, tons	13
Corn Meal	140	Coal	15
Fish	15	Hay	127
Flour	2,290	Iron	30
Grass Seed	12	Merchandise	167
Lard	80	Shorts	25
Lime	20	Bricks, No	46,000
Molasses	17	Hogs	93
Pork	1,757	Steam Engines	2
Provisions	85	Butter, kegs	30
Salt	1,564	Nails	100
Sugar	653	Candles, boxes	59
Tallow	36	Tobacco	13
Whisky	144	Sugar, hhds	24
Beans, bu	200	Hemp, bales	17
Corn	18,802	Bacon, lbs	7,000
Oats	15,372	Merchandise, pkgs	3,377
Wheat	24,200	Coffee, bags	111

Exports to Oswego.

Beef, bbls	1,788	Corn, bu	26,042
Flour	50	Wheat	167,609
Lard	171	Hides, No	825
Pork	81	McCormick's Reapers	25
Tongues	4	Wagons	14
Tallow	88	Bacon, boxes	110
Lead, lbs	6,000		

Exports to Ogdensburgh.

Beef, bbls	1,551	Wheat, bu	6,415
Pork	480	Butter, lbs	1,000
Flour	4,156		

Exports to Canada.

Pork bbls	4,291	Hams and Shoulders, lbs	125,815
Lard	789	Wheat, bu	1,072
Tallow	1,551	Buffalo Robes, bales	12
Grease	88	Hemp, tons	15
Beef	5	Candles, bxs	147
Linseed Oil	25		

The value of exports to Canada is $82,203,95.—of imports $1,117,22,] on which duties, to the amount of $3,472,75 have been collected. The value of exports for 1849 were [$34,541,90—and of imports $16,607,77 on which 4,345,76 duties were collected.

By obtaining the aggregate of the above table and subtracting it from the general Lake table at the commencement of this article, it will be seen how great a proportion of our shipments are for Buffalo.

The whole number of registered clearances for 1850 is 1066
" " " Arrivals 1668

Of these there were 354 clearances for and 346 arrivals from Buffalo, 34 clearances for and 38 arrivals from Oswego, 6 clearances for and 2 arrivals from Canadian ports, 4 clearances for and 1 arrival from Ogdensburgh, 661 clearances for and 1279 arrivals from coasting ports, and 4 clearances for New Orleans via the canal.

Date of first clearance for Lower Lakes,	April 4th.
" last " "	Nov. 27th
" first arrival from "	April 6th
" last " "	Dec. 17th

We cannot close our annual review without congratulating the people of Chicago upon the brilliant prospect of its future greatness. The numerous railroads projected, most of which will undoubtedly be constructed, will give to it an importance, in a commercial point of view, second to no city of the west. Within two years time we shall command the trade of both the Illinois and upper Mississippi Rivers. A little later, the Chicago and Cairo road will pour the teeming products of central Illinois into our market. In the mean time we shall have secured railroad connection with the Eastern Cities by some two or three different lines of road, and the right of a free egress and ingress through the St. Lawrence to the markets of the world. These improvements will result in drawing to Illinois a large addition to her present population and productive industry—her immense resources, agricultural and mineral, will be developed at an early day, and Chicago will be made the commercial centre of a numerous, wealthy and prosperous people. As one evidence that she is already becoming aware of the greatness of her coming destiny, and girding herself for it, the reader is referred to the following chapter of improvements of 1850. It must be borne in mind too, that during the summer our city were visited by the cholera, and that the depressing influences incident to such visitation, was not without an effect upon both our commerce and improvements

MOVEMENT IN BEHALF OF THE POOR.

We are glad to hear that a well considered and efficient plan of organization has been suggested, and is likely to be adopted, similar o that which, for the last six or seven years as been in successful operation in the city of New York, and of the details of which an intelligent and benevolent gentleman of this city informed himself on a recent visit to the East. The general features of the system are these:

The great object aimed at was to provide substantial and timely assistance to all those who were suffering from unavoidable misfortune, and at the same time to discourage professional beggary. To attain this object, the whole city was divided into districts, to each of which one or more inspectors were appointed, whose duty it should be to visit and inquire particularly into the circumstances of every family in the district who might be supposed to need assistance. Where the need is real, and the objects worthy, judicious help is at once extended, to meet their most pressing wants; but it is deemed of primary importance to furnish employment, so far as possible, to all who are able to labor, and by friendly advice and countenance to keep alive a feeling of manly independence and proper self-respect. It was found necessary to refuse all applications for money by beggars in the street, such mistaken charity being properly regarded as tending to increase the misery it has intended to relieve, without any real benefit to its immediate objects. Cases of this kind, however, are always inquired into by the inspector of the district, to whom applicants are referred.

The advantages of this system over the general custom of indiscriminate charity are so obvious that it is hardly necessary to state them. The great aim of its benevolent projectors was to *diminish pauperism*, at the same time that provision was made to meet the pressing demands of charity.

In this age of the world, no charity is worthy of the name that does not seek to remove the *causes* of the misfortunes which excite its commiseration. We need to be considerate as well as benevolent. Indeed, it is not too much to say, that the person who follows the promptings of benevolence without regard to the character of the object of his charity, or the consequences to which it may lead, is not charitable in any proper sense. He indulges a sentimental luxury, which sometimes is hardly less selfish than those who coldly 'pass by on the other side.' The day of mere almsgiving has gone by. We now look for the elevation of the unfortunate, as well as a temporary amelioration of their condition. And a proper discrimination should be made between individuals. The whole class of professional beggars ought to be discouraged, not only as the truest charity to them, but in justice to those who ask nothing but the helping hand and the kindly word to place them in the position of independence from which they have fallen through misfortune.

We hope much from the effort now being made in behalf of the poor. Those who have the matter in hand are among our best citizens, and we hope they will be seconded in their noble efforts by the entire community.

COUNCIL PROCEEDINGS.--Dec. 27.

PROPOSED AMENDMENTS TO THE CITY CHARTER.—The Council met specially to hear and consider the report of the committee previously appointed to submit such amendments as were deemed necessary to remedy the defects in the present City Charter. The amendments and additions proposed are substantially as follows:

1. *Public Grounds.*—The Council shall have power to purchase grounds for public purposes, to be paid for by a general tax on the natural divisions of the city in which it is situated. To lay out Public Grounds; to take private property for public purposes, as at present provided for, to be paid for by assessments on the real estate in the division in which such property may be situated; to orament, fence, protect and improve Public Grounds, and to cause the whole expense, or a part, (not less than one-half,) to be assessed upon the real estate of persons benefited thereby.

—

SEWERS AND SIDEWALKS.—The Council shall have power to construct and repair sewers, and to assess and collect taxes on property benefited by the same—the same being a lien on such property; to compel owners of real estate to construct side drains, with penalties for refusing to construct, repair, or purify the same, and in case of refusal, the Council may construct, cleanse, or purify, the expense to be charged to property benefited, and be a lien on it.

—

TAXES.—The Council shall have power to assess and collect a sufficient tax to pay all interest on the bonded debt of the city; also, a tax sufficient to defray the expenses of the Fire and Police Departments, to be called a tax to defray

After some discussion, the Council determined not to ask for amendments to the present charter, but to draft a new one, embracing so much of the old as is necessary, and making such additions as the necessities of the city seem to demand, embracing in it the powers and duties contained in the report of the committee of which we have given a synopsis above. And when the work is completed, it is proposed to ask the Legislature to abrogate the old one, and adopt the new one.

The present charter has been amended so frequently, that, with the amendments it has become cumbersome, and is frequently so misapprehended as to induce litigation. The object is to express every power, and duty succinctly, and clearly, so that there can be no misapprehension, and we trust they may succeed.

BANK MEETING.

In pursuance of public notice a meeting o the citizens of Chicago was held at the Court House, Dec. 26th, to hear the report of the Committee appointed at a former meeting in relation to memorializing the Legislature to submit a general Banking Law to the decision of the people.

General STEWART was appointed Chairman. and THOS. HALE Secretary.

CHARLES WALKER, Esq., on behalf of the Committee, presented the following memorial, which was accepted; and on motion the following named gentlemen were appointed to procure signatures and forward the same to the Legislature;

JOEL C. WALTERS,
F. C. SHERMAN,
W. A. BALDWIN,
WILLIAM JONES,
H. L. STEWART,
} Committee.

To the Honorable the Legislature of the State of Illinois, in Senate and Assembly convened:

We your memorialists, citizens of the State of Illinois, respectfully represent, that in our opinion the time has arrived when Banks properly formed and conducted would be of immense benefit to all the interests of the State. We believe so because our agricultural, manufacturing and commercial transactions have become larger and rapidly increasing, requiring a circulating medium convenient and convertible at home into gold or silver at the option of the holder.

We believe so because by withholding Bank charters the circulation of paper currency is not checked, but on the contrary we are flooded with paper from all parts of the Union and Canada, and in many instances defrauding our citizens by passing worthless paper upon them for their labor or their products.

We believe so because we are paying large sums of interest to foreign institutions, reaping none of the benefits of Banking and giving us none but the bad effects of the system, and we look with alarm upon the many kinds of paper put in circulation in various parts of our State purporting to be Bank notes, and likely to be increased to an unlimited amount.

We also believe that a large majority of the people who have chosen you their representatives desire a safe system of Banking.

We therefore would respectfully ask you, as the guardians of the growing interests of the State, to give us at the earliest moment such a general Banking Law as you in your wisdom may determine, placing such safeguards and restrictions in its provisions as will amply secure the bill-holder from loss making it open for all to engage in who conform to its requirements, and your petitioners as in duty bound, will ever pray.

On motion of THOS. RICHMOND, Esq., the following resolution was adopted:

Resolved, That this meeting invite the co operation of the citizens of the towns and villages and people generally through the county, in circulating petitions to the Legislature for the enactment of some General Bank Law for the State of Illinois, to be submitted to the voters of the State for their action thereon, and that all the city papers, as also those in the county be requested to publish the proceedings.

THOMAS HALE, Secretary.

THE LATE PETER L. UPDIKE.

At the meeting of the Common Council on Monday evening, Alderman Page announced the death of our late esteemed and lamented fellow-citizen PETER L. UPDIKE, as follows:

"Mr. President, having learned with much regret of the death of one of our oldest citizens, and an ex-member of this Board, I can not let the present occasion pass without expressing in some feeble manner my respect for our worthy and esteemed fellow-citizen, whose death we are now called upon to mourn. I shall not attempt, at the present time, to pronounce an eulogium on the character and virtues of our departed friend. In fact it needs none at any hands; it is already written in language more eloquent and more forcible than any that I could make use of, and fixed indelibly upon your hearts. The deceased was [illegible] to you all but

repaired, in the death of one of our oldest and most respected inhabitants.

Rosolved, That we sincerely condole with l is afflicted family in this their sad bereavement; and that the Mayor and Clerk be requested to convey to them in fitting terms the assurance of the heart-felt sympathy of this Council.

Resolved, That, as a testimony of our high regard for the character of our lamented brother and friend, that, upon the arrival of the body of the deceased in this city, this Council do attend his funeral in a body, and that the Clerk be requested to enter these Resolutions at large on the Records of the city, and that this Council do now adjourn.

Christmas Festivities.

CHRISTMAS, we believe, passed off to the general satisfaction. Santa Claus was mindful as usual of the little people, and their bright eyes shone with unusual lustre while turning out the contents of the diminutive stockings hung up over night to receive the bounty of the philoprogenitive saint. The fathers and mothers were, of course, happy in beholding their innocent and bounding joy. Tokens of friendship and of deeper affection passed from hand to hand among older people, which, though trifling in themselves, serve to keep alive the social charities, and without which heavenly charity could not exist.

The exhibition at the Clark street Methodist Church on Christmas Eve., in which a large number of the Sunday School children, of both sexes, participated, was one of the most pleasant entertainments of the kind it was ever our pleasure to witness. The pieces prepared for the occasion possessed considerable literary *as well as ethical merit, and the* youthful speakers exhibited no little *histrionic* and oratorical capabilities One little girl spoke with surprising truth of tone, emphasis and gesture.

The exhibition by the children of the Universalist Sunday School last evening was a very agreeable entertainment and creditable alike to the scholars and the teachers who were engaged in preparing them with various exercises. Their church was crowded to its fullest capacity. Some of the dialogues and recitations were peculiarly appropriate and well performed, and the music and singing were really very fine. The Oratorio of THE LIFE OF CHRIST, a collection of beautiful pieces set to various pleasant old tunes, was executed in a manner of which older performers might have been proud. The object of the exhibition was to raise funds for the purchase of new books for their library. We are pleased to see such evidences of interest in the welfare of the little ones, and of good taste in its display, and hope it may be encouraged and emulated.

We understand that in consequence of the inability of many to attend on the evening, or to obtain seats, the entertainment is to be repeated on to-morrow (Friday) evening. The charge for admission is only 12½ cents Give them another benefit.

Altogether, it was a 'Merry Christmas' to everybody, old and young; and we were glad to see that the day was generally observed.

For the Tribune.

BLACK LAWS.—No. 2.

To the People of Illinois:—

Ought not the black laws of our State to be repealed? The question arises, what are they? Well then, here they are:

Revised Statutes of Illinois, in 1850; Chapter LXXIV., Page 388, Sec. 3. "It shall be the duty of all negroes and mulattoes who shall come to reside in this State, having a family of his or her own, and having a certificate, as mentioned in the first section of this chapter, to give to the Clerk of the County Commissioners' Court, at the time of making an entry of his certificate, a description with the name and ages of his, her or their family, which shall be stated by the Clerk in the entry made by him, of such certificate, and the Clerk shall also state the same on the original certificate; provided, however, that [illegible] contained in this or the preceding section of this chapter, shall be construed to prevent the Overseers of the Poor in any towns from causing any such free negro or mulatto to be removed who shall come into the State contrary to the provisions of the law concerning the poor."

This section of our charter needs no commentator to explain its provisions. Let us therefore proceed to the fourth section.

"Every black or mulatto person (slaves and persons held to slavery excepted,) residing in this State, shall enter his or her name, (unless they have heretofore entered the same,) together with the names of his or her family, with the Clerk of the County Commissioners' Court of the county in which they reside, together with the evidence of his or her freedom, which shall be entered on record by the said Clerk, together with a description of all such persons, and thereafter the Clerk's certificate of such record shall be sufficient evidence of his or her freedom; provided that nothing in this chapter contained shall be construed to bar the lawful claim of any person or persons to any such negro or mulatto."

By this section you see, fellow citizens, that though we may have been born free, and our free papers given to us by our parents, or even from some slave State, which is the case with myself, we are [illegible]

authorizes the seizure of any colored citizen without complaint or process, by any white man cruel enough to do it, and imprison us without any trial whatever? Gentlemen, I appeal to you in the name of common sense, and common humanity, to repeal these enactments. Will the city papers please copy?

Yours, for Repeal,

JOHN JONES.

REDUCTION OF POSTAGE.

There are a few Eastern papers void of selfishness upon the *reduction on newspaper postage.* Among these are the New York Tribune and the Albany Evening Journal, which take strong ground in its favor. We extract the following from the Tribune, which is fair and practicable:

"It is not just and equal to charge as much for carrying a small newspaper twenty miles as for carrying a large one two thousand miles. One cent per printed sheet not weighing more than two ounces when mailed, is probably a very fair general rate; but there should be a much lower rate for County Newspapers—that is, for all periodicals conveyed less than forty miles. We think ten cents per annum as the postage of a Weekly, twenty cents for a Semi-weekly, thirty for a Tri-weekly, and sixty for a Daily—to be paid for a full year in advance—would be fair rates for all journals conveyed not more than forty miles from their respective places of publication. We believe such rates would be most advantageous, yet but justly so, to the Country Press, which is now unduly crowded by the city journals. The Weekly Tribune, for instance, now pays seventy-eight cents in Michigan, Illinois, Wisconsin, Iowa, &c., while the journals printed in the very counties where taken, pay fifty two; this is too little difference; but to reduce ours to fifty-two and leave the local journals subject to the same rate, would aggravate the injustice. One cent per copy, payable quarterly in advance, for every Weekly transmitted less than forty miles, with corresponding rates for papers printed oftener than once a week, would be just about right."

We are glad to see this exhibition of liberality on the part of our leading Eastern cotemporaries, as it contrasts very favorably with the course pursued by other journals in that quarter, and also with that of some of the Cheap Postage Associations, which have either had narrow views on the subject of Newspaper Postage, or have failed to give it proper consideration. It is important that the county papers of the West should give their views on this matter, so that our Representatives in Congress may have full information on the subject before they come to final action on a Cheap Postage bill. A bill of this kind is already under discussion, and no time should be lost by Western journals in speaking out upon the subject. Happily, the Postage Reform will have no obstacles of a partisan character to encounter, and the representatives of the people only need proper instruction to enable them to give us a liberal and judicious law upon the subject.

UNFORTUNATE.—George Kerne, the German, who fractured a limb by falling upon one of our dilapidated side-walks a few days since, in a fit of delirium on Sunday morning, attacked one of his attendants with a knife, severely wounding him in the hand. Notwithstanding his broken limb, he succeeded in dressing himself, and in a frenzy violently assaulted other persons who were present. The exertion was too much for him, and he died yesterday from its effects. Mr. Kerne was a veterinary surgeon.

☞ The *Tribune* family are getting to be almost as numerous as the Smiths. We have received No. 1. of the *Daily Tribune* from Sacramento City, in which flourishing mart of the diggers, it commenced its existence on the 30th of October. It is a medium sheet *and as neat in appearance as any paper this side of the Rocky Mountains.* Louis M. Booth & Co., publishers. Terms $25 per year, in advance; six months, $16. Long life and prosperity to the new-born member of our family!

THE PEORIA MURDERERS.—Gov. French, in a letter to Washington Cockle, Esq., of Peoria, says:

"I feel it my duty to refuse to interfere in the matter further than to postpone the execution till the 15th January, to give them a little longer time to prepare for their final doom. Here I must leave the law to take its course. I take this early occasion to inform you of my decision, that those who are disposed to give them friendly advice may convey to them the assurance that there is *no hope* of further executive interference in their behalf."

They are described as intelligent youths, and one of them is said to be remarkably handsome.

Application has been made to the Governor for a requisition upon the Governor of Louisiana for the person who planned the murder and robbery of Mr. Hewitt.

NEW HAMPSHIRE CONVENTION. — The question of Representation which has for some time occupied the attention of the Con-

Society for the Relief of the Poor

At the suggestion of a few individuals a respectable number of citizens convened in the office of N. S. Davis and A. B. Palmer, 65 Lake street, on the evening of the 25th inst., to devise measures for effecting a systematic and permanent organization for the efficient and economical dispensation of charity, and the consequent prevention both of suffering and vagrancy.

The meeting was organized by calling Ex-Mayor Woodworth to the Chair, assisted by S. C. Higginson, Esq., Vice President, and Dr. N. S. Davis Secretary.

After a few interchange of views, the following preamble and resolutions were presented by Dr. N. S. Davis and unanimously adopted, viz:

Whereas, to assist the needy and unfortunate, to aid and direct the widow and the fatherless, and to relieve the suffering, are among the first and most important duties incumbent on all good citizens—and whereas, these duties cannot be fully, efficiently, and economically performed, so as to help the deserving and avoid the impositions of the unworthy, without such a systematic organization as will ensure a careful inquiry into each case, and cause the products of charity to be judiciously expended:

1st. Resolved, That a Society shall therefore be organized, to be called the "Chicago Relief Society," the object of which should be to systemize charity, extended to the needy, and prevent the necessity of common begging.

2d. Resolved, That a Committee of three be appointed to draw up a plan of organization, including a Constitution and Bye-Laws, and to divide the city into convenient districts with a view to the appointment of a visitor in each, whose duty it shall be to visit and examine carefully the condition of each applicant for charity, and to direct the expenditures and application of whatever aid is bestowed, &c., and that the committee make a report to a subsequent meeting.

3d. Resolved, That this meeting adjourn to Saturday evening, the 28th inst., at 7 o'clock in the Common Council Rooms (North end of City Hall,) and that the Secretary cause notices to be given through the daily papers, inviting all friends of the enterprise to meet with those now present, at the time and place just named, and aid in completing the organization of a society, and the election of permanent officers.

J. H. WOODWORTH, Pres.
N. S. DAVIS, Sec.

The Committee appointed under the second resolution, consisting of Messrs. N. S. Davis, S. J. Sherwood, and A. S. Sherman, will be ready to report on Saturday evening.

In accordance with the requirements of the above third resolution, the Secretary would respectfully request the editors of our city papers to call the attention of their readers to the meeting on Saturday evening, and urge all who feel an interest in the relief of human suffering, to attend the meeting, and lend the cause their influence and efficient support.

We have many, very many poor among us, and enough is given by our citizens, in one way or another, if it were properly and economically applied, to save all from severe suffering. But without some systematic organization, the bold and vicious vagrant often gets far more than the more timid victim of misfortune, who generally suffers long before appealing promiscuously to the public charity.

Come, then, fellow citizens, and let us not only be charitable, but let us devise some means for securing a just and proper appropriation of our charity. N. S. DAVIS, Sec.

Arrival of the Steamer Africa.

NEW YORK, Dec. 24.

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The mail steamer Washington, Capt Floyd, arrived at Southampton at 8 P. M. on the 5th inst. She left New York on the 20th Nov — She sent her mails for England and France to Southampton the next morning.

The threatened war in Germany, from current reports, seems to have been staid for the present, and, as a matter of course, the influence of amicable news almost immediately affected the markets.

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1st. It was the design of the testator to convert all his personal property into real estate, and to render it inalienable; to create a perpetually increasing capital, which would ultimately swallow up all the landed property in the country; to establish a fund so large as to be ruinous to commerce and dangerous to the State.

2d. The intention of the testator was to convey his property to be held by a title unknown to the law.

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...harity, or ...ble in any proper sense. He indulges ...sentimental luxury, which sometimes is ...ardly less selfish than those who coldly 'pass ...y on the other side.' The day of mere alms-...iving has gone by. We now look for the ...elevation of the unfortunate, as well as a tem-...orary amelioration of their condition. And ...proper discrimination should be made be-...veen individuals. The whole class of pro-...essional beggars ought to be discouraged, ...ot only as the truest charity to them, but in ...stice to those who ask nothing but the ...elping hand and the kindly word to place ...hem in the position of independence from ...hich they have fallen through misfortune.

We hope much from the effort now being ...de in behalf of the poor. Those who have ...matter in hand are among our best citi-...s, and we hope they will be seconded in ...r noble efforts by the entire community.

COUNCIL PROCEEDINGS--Dec. 27.

...ROPOSED AMENDMENTS TO THE CITY ...RTER.—The Council met specially to ...and consider the report of the committee ...ously appointed to submit such amend-...s as were deemed necessary to remedy ...efects in the present City Charter. The ...ments and additions proposed are sub-...lly as follows:

...Public Grounds.—The Council shall ...e power to purchase grounds for public ...rposes, to be paid for by a general tax on ...natural divisions of the city in which it is ...ted. To lay out Public Grounds; to take ...ate property for public purposes, as at pre-... provided for, to be paid for by assess-...ts on the real estate in the division in ...h such property may be situated; to or-...ent, fence, protect and improve Public ...unds, and to cause the whole expense, or a ... (not less than one-half,) to be assessed ...n the real estate of persons benefited ...eby.

—

...SEWERS AND SIDEWALKS.—The Council ...ll have power to construct and repair ...vers, and to assess and collect taxes on pro-...ty benefited by the same—the same being ...en on such property; to compel owners of ... estate to construct side drains, with pen-...s for refusing to construct, repair, or ...fy the same, and in case of refusal, the ...ncil may construct, cleanse, or purify, the ...ense to be charged to property benefited, ... be a lien on it.

—

...TAXES.—The Council shall have power to ...ess and collect a sufficient tax to pay all ...rest on the bonded debt of the city; also, a ... sufficient to defray the expenses of the ...e and Police Departments, to be called ...ire and Police Tax;" also, a tax to defray ... expense of common schools, to be called ...chool Tax." The clerk to keep a book ...h separate columns for each of these taxes, ...as to show the rate and amount of each.

—

...CITY HALL.—The Council shall have power ... build a City Hall, and to enter into an ...reement with the county Board for that ...ject, if deemed advisable.

—

...HYDRAULIC WORKS.—The Council shall ...wer to construct Water Works and for that ...rpose to borrow a sum not exceeding $100,-...0—provided the same shall first be approved ... a majority of voters at a general election—...h works to be under the control of the ...uncil and its officers appointed for that ...rpose.

—

...HARBOR AND WHARFING.—Both branches ... the Chicago river, as far as navigable, to ...nstitute a part of the Chicago harbor, and to ...e under the jurisdiction of the Council; also, ...he Council to have power to lease wharfing ...privileges.

—

...FIRE DEPARTMENT.—Members of the Fire ...Department shall be exempt from jury duty ...s also those who have served regularly as ...remen for ten years in this city.

—

...SPECIAL ASSESSMENTS.—The Council shall ...ve power to make assessments on real estate ... special purposes, and such assessments ...all remain a lien on the same for two years; ...t no such special improvements shall be ...de and all contracts for the same shall be ...d, until the money therefor is collected.

...The proposition to keep separate accounts ... interest on Public Debt, Fire and Police, ...d Schools, must strike every one as very ...sirable. With such a regulation in regard ...taxes, the expenses of each of the various ...artments of the city government would be ...ifest at all times. Such must also be the ...in regard to sewerage, and the power of ...uncil to compel real estate owners to ...eir lots. Without this latter provision, ...uncil cannot effect much in preserving ... from pestilential effluvium and epi-

...a circulating medium... convertible at home into gold or silver at the option of the holder.

We believe so because by withholding Bank charters the circulation of paper currency is not checked, but on the contrary we are flooded with paper from all parts of the Union and Canada, and in many instances defrauding our citizens by passing worthless paper upon them for their labor or their products.

We believe so because we are paying large sums of interest to foreign institutions, reaping none of the benefits of Banking and giving us none but the bad effects of the system, and we look with alarm upon the many kinds of paper put in circulation in various parts of our State purpoting to be Bank notes, and likely to be increased to an unlimited amount.

We also believe that a large majority of the people who have chosen you their representatives desire a safe system of Banking.

We therefore would respectfully ask you, as the guardians of the growing interests of the State, to give us at the earliest moment such a general Banking Law as you in your wisdom may determine, placing such safeguards and restrictions in its provisions as will amply secure the bill-holder from loss making it open for all to engage in who conform to its requirements, and your petitioners as in duty bound, will ever pray.

On motion of THOS. RICHMOND, Esq., the following resolution was adopted:

Resolved, That this meeting invite the co operation of the citizens of the towns and villages and people generally through the county, in circulating petitions to the Legislature for the enactment of some General Bank Law for the State of Illinois, to be submitted to the voters of the State for their action thereon, and that all the city papers, as also those in the county be requested to publish the proceedings.

THOMAS HALE, Secretary.

THE LATE PETER L. UPDIKE.

At the meeting of the Common Council on Monday evening, Alderman Page announced the death of our late esteemed and lamented fellow-citizen PETER L. UPDIKE, as follows:

"Mr. President, having learned with much regret of the death of one of our oldest citizens, and an ex-member of this Board, I can not let the present occasion pass without expressing in some feeble manner my respect for our worthy and esteemed fellow-citizen, whose death we are now called upon to mourn. I shall not attempt, at the present time, to pronounce an eulogium on the character and virtues of our departed friend. In fact it needs none at any hands; it is already written in language more eloquent and more forcible than any that I could make use of, and fixed indelibly upon your hearts. The deceased was well known to you all, but particularly so to myself; an intimate connection with him in business for nearly fourteen years has served to acquaint me well with the character of our departed and highly esteemed fellow-citizen. To say that he had not faults would be to say that he was not human; but if he had faults they were of the head and not of the heart. But a few short days since, and he who now sleeps the sleep that knows no waking was amongst us in the full enjoyment of health, with every prospect before him of living to a good old age. Yes, he who has so often met, consulted and advised with us in the management of our city affairs upon this floor, has been suddenly called to render a final report to that Being before whom all earthly tribunals sink into utter insignificance; *proving clearly the prediction in Holy Writ* that two men shall be in the field, the one shall be taken and the other left, and speaking to us who are left in language that cannot be misunderstood, Be ye also ready. But while we deeply deplore the loss of our estimable, upright, virtuous, honorable and worthy citizen, let me ask you to follow me for a moment while I lift the veil that hides from our view the domestic circle of our departed friend, and behold there the lovely and bereaved wife, the fatherless children, and the many near and dear friends who are never more to hear the voice, or see the face of the kind husband, the affectionate father, or the faithful friend

But I feel myself inadequate to the task I have assumed, and will leave it to better and abler hands than mine, not without, however, dropping the sympathizing tear, and extending the warm hand of friendship to the wife and children of our respected brother. In conclusion, I beg leave to submit the following resolutions, and move that they be entered at large upon the Records of the city, and that the Clerk be requested to furnish a copy of the resolutions to the family of the deceased:

Resolved, That the sudden and lamented death of our late worthy and respected friend, Peter L. Updike, has awakened in our hearts emotions of the deepest sympathy.

Resolved, That by this afflictive dispensation of Providence this entire community has sustained a loss which cannot be readily

...of Christ, a collection of pieces set to various pleasant old tunes, was executed in a manner of which older performers might have been proud. The object of the exhibition was to raise funds for the purchase of new books for their library. We are pleased to see such evidences of interest in the welfare of the little ones, and of good taste in its display, and hope it may be encouraged and emulated.

We understand that in consequence of the inability of many to attend on the evening, or to obtain seats, the entertainment is to be repeated on to-morrow (Friday) evening. The charge for admission is only 12½ cents Give them another benefit.

Altogether, it was a 'Merry Christmas' to everybody, old and young; and we were glad to see that the day was generally observed.

For the Tribune.

BLACK LAWS---No. 2.

To the People of Illinois:—

Ought not the black laws of our State to be repealed? The question arises, what are they? Well then, here they are:

Revised Statutes of Illinois, in 18[illegible] Chapter LXXIV., Page 388, Sec. 3. "It shall be the duty of all negroes and mulattoes who shall come to reside in this State, bringing a family of his or her own, and having a certificate, as mentioned in the first section of this chapter, to give to the Clerk of the County Commissioners' Court, at the time of making an entry of his certificate, a description with the name and ages of his, her or their family, which shall be stated by the Clerk in the entry made by him, of such certificate, and the Clerk shall also state the same on the original certificate; provided, however, that nothing *contained in this or the preceding section of this chapter, shall be construed to prevent the Overseers of the Poor in any township,* from causing any such free negro or mulatto to be removed who shall come into this State contrary to the provisions of the laws concerning the poor."

This section of our charter needs no commentator to explain its provisions. I therefore proceed to the fourth section.

"Every black or mulatto person, (slaves *and persons held to slavery excepted,) residing in this State,* shall enter his or her name, (unless they have heretofore entered the same,) together with the names of his or her family, with the Clerk of the County Commissioners' Court of the county in which they reside, together with the evidence of his or her freedom, which shall be entered on record by the said Clerk, together with a description of all such persons, and thereafter the Clerk's certificate of such record shall be sufficient evidence of his or her freedom; provided that nothing in this chapter contained shall be construed to bar the lawful claim of any person or persons to any such negro or mulatto."

By this section you see, fellow citizens, that though we may have been born free, and our free papers given to us by our parents, or even from some slave State, which is the case with myself, we are not free in this State unless we have given the security required by this law. So you see we are all slaves by your statutes. And, indeed, the fifth section declares it in fact. But here it is, read it for yourselves:

"SEC. 5. Every black or mulatto person who shall be found in this State, and not having such a certificate as is required by this chapter, SHALL BE DEEMED A RUNAWAY SLAVE OR SERVANT, and it shall be lawful for any individual of this State to take such black or mulatto person before some *Justice of Peace*, and should such black or mulatto person not produce such certificate as aforesaid, it shall be the duty of such Justice to cause such black or mulatto to be committed to the custody of the Sheriff of the county, who shall keep such black or *mulatto* person, and in three days after *receiving* him, shall advertise him at the Court House door, and shall transmit a notice, and cause the same to be *advertised for six weeks in some* public newspaper, printed nearest to the place of apprehending such black person or mulatto, stating a description of the most remarkable features of the supposed runaway, and if such person so committed shall not produce a certificate or other evidence of his freedom within the time aforesaid, it shall be the duty of the Sheriff to hire him out for the best price he can get, after having given five days' previous notice thereof, from month to month, for the space of one year; and if no owner shall appear and substantiate his claim before the expiration of the year, the sheriff shall give a certificate to such black or mulatto person, who on producing the same to the next Circuit Court of the County, may obtain a certificate from the Court, stating the facts, and the person shall be deemed a free person, unless he shall be lawfully claimed by his proper owners thereafter. And as a reward to the taker of any such negro there shall be paid by the owner, if any there be, who shall receive him from the sheriff, ten dollars, and the owner shall pay to the sheriff [illegible] justice, two dollars, and reasonable [illegible] for taking such runaway to the sheriff, and shall pay the sheriff all fees for keeping such runaway as other prisoners; provided, [illegible] that the proper owner, if any there be, shall be entitled to the hire of any such [illegible] from the sheriff, after deducting the [illegible] fo the same. And, provided, also, [illegible] taker up shall have a right to claim the reward which the owner shall have offered for the apprehension of such runaway, [illegible] any taker up claim any such offered reward, he shall not be entitled to the allowance [illegible] by this section."

What shall we say about this section

...proper consideration. It is important that the county papers of the West should give their views on this matter, so that our Representatives in Congress may have full information on the subject before they come to final action on a Cheap Postage bill. A bill of this kind is already under discussion, and no time should be lost by Western journals in speaking out upon the subject. Happily, the Postage Reform will have no obstacles of a partisan character to encounter, and the representatives of the people only need proper instruction to enable them to give us a liberal and judicious law upon the subject.

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NEW HAMPSHIRE CONVENTION. — The question of Representation which has for some time occupied the attention of the Convention has been settled by a vote of 147 to 105, that towns of 150 voters may elect one representative; 750, two; 1550, three; 2550, four; and every 1000 beyond that one.

This, says the Patriot, will reduce the House to about 255 members, which is probably as low as a majority of people would wish it to be reduced.

The only other question of interest that has been settled is that the Secretary of State and Treasurer shall be elected by the people, and the Commissary General be appointed by the Governor and Senate.

The Judiciary Department is now the most important matter to be acted upon.

It is supposed that it will require two or three weeks longer for the Convention to complete its labors.

GENEROUS.—Mayor Ladue, of Detroit, has written to the Tribune of that city, stating that, in reply to his inquiry on the subject, Captain C. M. Reed, the great steamboat owner, had just informed him that all articles designed for the relief of the fugitives lately escaped into Canada, would be carried free on board the steamer Queen City. He lately remitted forty dollars' freight on three hundred dollars' worth of clothes and provisions sent from Sandusky.

THE CHEROKEE SCHOOLS.—John Ross, chief of the Cherokees, in a special message to the Council, reports that there are twenty-two schools in the several districts of the nation, in which more than one thousand male and female scholars are under instruction. Of these, one hundred and twenty are orphans, who are clothed and boarded at the expense of the orphan fund. The number taught in the alphabet class is 35; spelling, 168; reading, 553; history, 50; writing, 314; arithmetic 478; grammar 210; geography, 294.

CANADA MONEY.—We understand that the Canadian Banks have made arrangements for the redemption of their bills in New York city, at three fourths per cent. discount. In consequence of this errangement Canada money, on and after to day, will be received at the counters of the Brokers of this city as currency.

It is in contemplation in Edinburgh, to employ paupers in the cultivation of waste lands

...ready to ... with the requirements...

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3d. The legacies are substitutions and *fidei commissia* which are expressly forbidden by law.

4th. The legacies are made upon impossible conditions.—[Lonisiana Rep., 7th

Bullfight Extraordinary.

A bullfight, worthy of the arena at Madrid or Seville, took place a short time ago near the Gruyere mountains, and is thus described by a Swiss journal:

"Two fine herds, one of which belonged to the rich commune of Montreux, (Vaud,) grazed upon neighboring pastures. For a long time the utmost harmony reigned between these two companies, which were only seperated from each other by a low, weak wall; when, one day, being nearer together than usual, the two bulls, whic[h] played the part of sultans to the femin[ine] followers, exhibited their jealously of [each] other by foaming mouths and bell[owing] sounds bellicose. The herdsmen dro[ve the] cows to their stalls, and their lo[rds] followed. The next morning, ho[wever, they] turned out again to graze, no [sooner did the] bulls perceive each other [than] the wall was cleared, and with a roar of defiance they rushed together. So great was the shock of their meeting that they both staggered and mutually paused; but for a moment, and they were engaged in a combat more fierce than the Alps had ever witnessed. The affrighted cows, uttering piteous cries, formed a capacious circle around the combatants. The herdsmen having sought in vain to separate them, stood spectators of the fight, and, growing excited with the view of the fight, encouraged by their cries their favorites to renewed exertions. Blood flowed on both sides, and the sight but served to add greater fierceness to attack and repulse. For a long time the issue appeared doubtful, when the fight promised to come to a more terrible termination than had been anticipated. During the whole contest the animals had been momentarily approaching the edge of a precipice, and that they must be dashed to pieces seemed to be their inevitable fate. At length the bull of Montreux was dragged to the edge of the rock, and by a desperate effort on the part of his adversary, hurled over the side into the depth below: borne along by the violence of his effort, the latter likewise fell over, but succeeded in getting a footing upon a ledge which jutted out a few feet down. By great efforts on the part of the herdsmen he was extricated from his novel position; but his opponent lay a mingled mass below."

FIRE AT RUSHVILLE.—On the 18th instant, a brick building, occupied as a drug store, grocery, Masonic Lodge, &c., was destroyed by fire Loss about $11,000; insured about **$4,467.** Messrs. Taylor and Rose were the principal sufferers. The loss of the Masonic Lodge in furniture was about $600.

...ng has gone by. The day of mere alms- ...evation of the unfortunate, as well as a tem- ...orary amelioration of their condition. And ...proper discrimination should be made be- ...ween individuals. The whole class of pro- ...essional beggars ought to be discouraged, ...ot only as the truest charity to them, but in ...stice to those who ask nothing but the ...lping hand and the kindly word to place ...em in the position of independence from ...hich they have fallen through misfortune.

We hope much from the effort now being ...de in behalf of the poor. Those who have ... matter in hand are among our best citi- ...s, and we hope they will be seconded in ...r noble efforts by the entire community.

COUNCIL PROCEEDINGS--Dec. 27.

...ROPOSED AMENDMENTS TO THE CITY ...RTER.—The Council met specially to ...and consider the report of the committee ...usly appointed to submit such amend- ...s as were deemed necessary to remedy ...efects in the present City Charter. The ...ments and additions proposed are sub- ...lly as follows:

...*Public Grounds*.—The Council shall ... power to purchase grounds for public ...rposes, to be paid for by a general tax on ...natural divisions of the city in which it is ...ited. To lay out Public Grounds; to take ...ate property for public purposes, as at pre- ... provided for, to be paid for by assess- ...ts on the real estate in the division in ...h such property may be situated; to or- ...ent, fence, protect and improve Public ...unds, and to cause the whole expense, or a ... (not less than one-half,) to be assessed ...n the real estate of persons benefited ...eby.

—

...SEWERS AND SIDEWALKS.—The Council ...ll have power to construct and repair ...vers, and to assess and collect taxes on pro- ...ty benefited by the same—the same being ...en on such property; to compel owners of ... estate to construct side drains, with pen- ...s for refusing to construct, repair, or ...fy the same, and in case of refusal, the ...ncil may construct, cleanse, or purify, the ...ense to be charged to property benefited, ... be a lien on it.

—

...TAXES.—The Council shall have power to ...ss and collect a sufficient tax to pay all ...rest on the bonded debt of the city; also, a ... sufficient to defray the expenses of the ...e and Police Departments, to be called ...ire and Police Tax;" also, a tax to defray ... expense of common schools, to be called ...chool Tax." The clerk to keep a book ...h separate columns for each of these taxes, ... as to show the rate and amount of each.

—

...CITY HALL.—The Council shall have power ... build a City Hall, and to enter into an ...reement with the county Board for that ...ject, if deemed advisable.

—

...HYDRAULIC WORKS.—The Council shall ...wer to construct Water Works and for that ...rpose to borrow a sum not exceeding $100,- ...0—provided the same shall first be approved ... a majority of voters at a general election— ...h works to be under the control of the ...uncil and its officers appointed for that ...rpose.

—

...HARBOR AND WHARFING.—Both branches ... the Chicago river, as far as navigable, to ...nstitute a part of the Chicago harbor, and to ...e under the jurisdiction of the Council; also, ...he Council to have power to lease wharfing ...privileges.

—

FIRE DEPARTMENT.—Members of the Fire Department shall be exempt from jury duty ...s also those who have served regularly as ...remen for ten years in this city.

—

SPECIAL ASSESSMENTS.—The Council shall ...ve power to make assessments on real estate ... special purposes, and such assessments ...ll remain a lien on the same for two years; ...t no such special improvements shall be ...de and all contracts for the same shall be ...d, until the money therefor is collected.

The proposition to keep separate accounts ... interest on Public Debt, Fire and Police, ...d Schools, must strike every one as very ...sirable. With such a regulation in regard ...taxes, the expenses of each of the various ...partments of the city government would be ...ifest at all times. Such must also be the ...in regard to sewerage, and the power of ...uncil to compel real estate owners to ...eir lots. Without this latter provision, ...ncil cannot effect much in preserving ... from pestilential effluvium and eipi-

rency is not checked, but on the contrary we are flooded with paper from all parts of the Union and Canada, and in many instances defrauding our citizens by passing worthless paper upon them for their labor or their products.

We believe so because we are paying large sums of interest to foreign institutions, reaping none of the benefits of Banking and giving us none but the bad effects of the system, and we look with alarm upon the many kinds of paper put in circulation in various parts of our State purpoting to be Bank notes, and likely to be increased to an unlimited amount.

We also believe that a large majority of he people who have chosen you their repretsentatives desire a safe system of Banking.

We therefore would respectfully ask you, as the guardians of the growing interests of the State, to give us at the earliest moment such a general Banking Law as you in your wisdom may determine, placing such safeguards and restrictions in its provisions as will amply secure the bill-holder from loss making it open for all to engage in who conform to its requirements, and your petitioners as in duty bound, will ever pray.

On motion of THOS. RICHMOND, Esq., the following resolution was adopted:

Resolved, That this meeting invite the co operation of the citizens of the towns and villages and people generally through the county, in circulating petitions to the Legislature for the enactment of some General Bank Law for the State of Illinois, to be submitted to the voters of the State for their action thereon, and that all the city papers, as also those in the county be requested to publish the proceedings.

THOMAS HALE, Secretary.

THE LATE PETER L. UPDIKE.

At the meeting of the Common Council on Monday evening, Alderman Page announced the death of our late esteemed and lamented fellow-citizen PETER L. UPDIKE, as follows:

"Mr. President, having learned with much regret of the death of one of our oldest citizens, and an ex-member of this Board, I can not let the present occasion pass without expressing in some feeble manner my respect for our worthy and esteemed fellow-citizen, whose death we are now called upon to mourn. I shall not attempt, at the present time, to pronounce an eulogium on the character and virtues of our departed friend. In fact it needs none at any hands; it is already written in language more eloquent and more forcible than any that I could make use of, and fixed indelibly upon your hearts. The deceased was well known to you all, but particularly so to myself; an intimate connection with him in business for nearly fourteen years has served to acquaint me well with the character of our departed and highly esteemed fellow-citizen. To say that he had not faults would be to say that he was not human; but if he had faults they were of the head and not of the heart. But a few short days since, and he who now sleeps the sleep that knows no waking was amongst us in the full enjoyment of health, with every prospect before him of living to a good old age. Yes, he who has so often met, consulted and advised with us in the management of our city affairs upon this floor, has been suddenly called to render a final report to that Being before whom all earthly tribunals sink into utter insignificance; *proving clearly the prediction in Holy Writ* that two men shall be in the *field*, the one shall be *taken* and the other left, and speaking to us who are left in language that cannot be misunderstood, Be ye also ready. But while we deeply deplore the loss of our estimable, *upright*, virtuous, honorable and worthy citizen, let me ask you to follow me for a moment while I lift the veil that hides from our view the domestic circle of our departed friend, and behold there the lovely and bereaved wife, the fatherless children, and the many near and dear friends who are never more to hear the voice, or see the face of the kind husband, the affectionate father, or the faithful friend

But I feel myself inadequate to the task I have assumed, and will leave it to better and abler hands than mine, not without, however, dropping the sympathizing tear, and extending the warm hand of friendship to the wife and children of our respected brother. In conclusion, I beg leave to submit the following resolutions, and move that they be entered at large upon the Records of the city, and that the Clerk be requested to furnish a copy of the resolutions to the family of the deceased:

Resolved, That the sudden and lamented death of our late worthy and respected friend, Peter L. Updike, has awakened in our hearts emotions of the deepest sympathy.

Resolved, That by this afflictive dispensation of Providence this entire community has sustained a loss which cannot be readily

chase of new books for their library. We are pleased to see such evidences of interest in the welfare of the little ones, and of good taste in its display, and hope it may be encouraged and emulated.

We understand that in consequence of the inability of many to attend on the evening, or to obtain seats, the entertainment is to be repeated on to-morrow (Friday) evening. The charge for admission is only 12½ cents Give them another benefit.

Altogether, it was a 'Merry Christmas' to everybody, old and young; and we were glad to see that the day was generally observed.

For the Tribune.

BLACK LAWS—No. 2.

To the People of Illinois:—

Ought not the black laws of our State to be repealed? The question arises, what are they? Well then, here they are:

Revised Statutes of Illinois, in 1845 Chapter LXXIV., Page 388, Sec. 3. "It shall be the duty of all negroes and mulattoes who shall come to reside in this State, having a family of his or her own, and having a certificate, as mentioned in the first section of this chapter, to give to the Clerk of the County Commissioners' Court, at the time of making an entry of his certificate, a description with the name and ages of his, her or their family, which shall be stated by the Clerk in the entry made by him, of such certificate, and the Clerk shall also state the same on the original certificate; provided, however, *that nothing contained in this or the preceding* section of *this chapter, shall be construed to* prevent the *Overseers of the Poor in any* township, from *causing any such free negro or mulatto to be removed who shall come into this State contrary to the provisions of the laws concerning the poor.*"

This section of our charter needs no commentator to explain its provisions. I therefore proceed to the fourth section.

"Every black or mulatto person, (slaves and persons held to slavery excepted,) residing in this State, shall enter his or her name, (unless they have heretofore entered the same,) together with the names of his or her family, with the Clerk of the County Commissioners' Court of the county in which they reside, together with the evidence of his or her freedom, which shall be entered on record by the said Clerk, together with a description of all such persons, and thereafter the Clerk's certificate of such record shall be sufficient evidence of his or her freedom; provided that nothing in this chapter contained shall be construed to bar the lawful claim of any person or persons to any such negro or mulatto."

By this section you see, fellow citizens, that though we may have been born free, and our free papers given to us by our parents, or even from some slave State, which is the case with myself, we are not free in this State unless we have given the security required by this law. So you see we are all slaves by your statutes. And, indeed, the fifth section declares it in fact. But here it is, read it for yourselves:

"SEC. 5. Every black or mulatto person who shall be found in this State, and not having such a certificate as is required by this chapter, SHALL BE DEEMED A RUNAWAY SLAVE OR SERVANT, and it shall be lawful for any individual of this State to take such black or mulatto person before some *Justice of Peace*, and should such black or mulatto person not produce such certificate as aforesaid, it shall be the duty of such Justice to cause such black or mulatto to be committed to the custody of the Sheriff of the county, who shall keep such black or mulatto person, and in three days after receiving him, shall advertise him at the Court House door, and shall transmit a notice, and cause the same to be advertised for six weeks in *some* public newspaper, printed nearest to the place of apprehending such black person or mulatto, stating a description of the most remarkable features of the supposed runaway, and if such person so committed shall not produce a certificate or other evidence of his freedom within the time aforesaid, it shall be the duty of the Sheriff to hire him out for the best price he can get, after having given five days' previous notice thereof, from month to month, for the space of one year; and if no owner shall appear and substantiate his claim before the expiration of the year, the sheriff shall give a certificate to such black or mulatto person, who on producing the same to the next Circuit Court of the County, may obtain a certificate from the Court, stating the facts, and the person shall be deemed a free person, unless he shall be lawfully claimed by his proper owners thereafter. And as a reward to the taker of any such negro, there shall be paid by the owner, if any, before he shall receive him from the sheriff, ten dollars, and the owner shall pay to the sheriff for the justice, two dollars, and reasonable costs for taking such runaway to the sheriff, and also pay the sheriff all fees for keeping such runaway as other prisoners; provided, however, that the proper owner, if any there be, shall be entitled to the hire of any such runaway from the sheriff, after deducting the expenses fo the same. And, provided, also, that the taker up shall have a right to claim any reward which the owner shall have offered for the apprehension of such runaway. Should any taker up claim any such offered reward, he shall not be entitled to the allowance provided by this section."

What shall we say about this section

...tion on the subject before they come to final action on a Cheap Postage bill. A bill of this kind is already under discussion, and no time should be lost by Western journals in speaking out upon the subject. Happily, the Postage Reform will have no obstacles of a partisan character to encounter, and the representatives of the people only need proper instruction to enable them to give us a liberal and judicious law upon the subject.

UNFORTUNATE.—George Kerne, the German, who fractured a limb by falling upon one of our dilapidated side-walks a few days since, in a fit of delirium on Sunday morning, attacked one of his attendants with a knife, severely wounding him in the hand. Notwithstanding his broken limb, he succeeded in dressing himself, and in a frenzy violently assaulted other persons who were present. The exertion was too much for him, and he died yesterday from its effects. Mr. Kerne was a veterinary surgeon.

☞ The *Tribune* family are getting to be almost as numerous as the Smiths. We have received No. 1. of the *Daily Tribune* from Sacramento City, in which flourishing mart of the diggers, it commenced its existence on the 30th of October. It is a medium sheet and as neat in appearance as any paper this side of the Rocky Mountains. Louis M. Booth & Co., publishers. Terms $25 per year, in advance; six months, $16. Long life and prosperity to the new-born member of our family!

THE PEORIA MURDERERS.—Gov. French, in a letter to Washington Cockle, Esq., of Peoria, says:

"I feel it my duty to refuse to interfere in the matter further than to postpone the execution till the 15th January, to give them a little longer time to prepare for their final doom. Here I must leave the law to take its course. I take this early occasion to inform you of my decision, that those who are disposed to give them friendly advice may convey to them the assurance that there is *no hope* of further executive interference in their behalf."

They are described as intelligent youths, and one of them is said to be remarkably handsome.

Application has been made to the Governor for a requisition upon the Governor of Louisiana for the person who planned the murder and robbery of Mr. Hewitt.

NEW HAMPSHIRE CONVENTION.—The question of Representation which has for some time occupied the attention of the Convention has been settled by a vote of 147 to 105, that towns of 150 voters may elect one representative; 750, two; 1550, three; 2550, four; and every 1000 beyond that one.

This, says the Patriot, will reduce the House to about 255 members, which is probably as low as a majority of people would wish it to be reduced.

The only other question of interest that has been settled is that the Secretary of State and Treasurer shall be elected by the people, and the Commissary General be appointed by the Governor and Senate.

The Judiciary Department is now the most important matter to be acted upon.

It is supposed that it will require two or three weeks longer for the Convention to complete its labors.

GENEROUS.—Mayor Ladue, of Detroit, has written to the Tribune of that city, stating that, in reply to his inquiry on the subject, Captain C. M. Reed, the great steamboat owner, had just informed him that all articles designed for the relief of the fugitives lately escaped into Canada, would be carried free on board the steamer Queen City. He lately remitted forty dollars' freight on three hundred dollars' worth of clothes and provisions sent from Sandusky.

THE CHEROKEE SCHOOLS.—John Ross, chief of the Cherokees, in a special message to the Council, reports that there are twenty-two schools in the several districts of the nation, in which more than one thousand male and female scholars are under instruction. Of these, one hundred and twenty are orphans, who are clothed and boarded at the expense of the orphan fund. The number taught in the alphabet class is 35; spelling, 168; reading, 553; history, 50; writing, 314; arithmetic 478; grammar 210; geography, 294.

CANADA MONEY.—We understand that the Canadian Banks have made arrangements for the redemption of their bills in New York city, at three fourths per cent. discount. In consequence of this errangement Canada money, on and after to day, will be received at the counters of the Brokers of this city as currency.

It is in contemplation in Edinburgh, to employ paupers in the cultivation of waste lands

...all who feel an interest in the relief of human suffering, to attend the meeting, and lend the cause their influence and efficient support.

We have many, very many poor among us, and enough is given by our citizens, in one way or another, if it were properly and economically applied, to save all from severe suffering. But without some systematic organization, the bold and vicious vagrant often gets far more than the more timid victim of misfortune, who generally suffers long before appealing promiscuously to the public charity.

Come, then, fellow citizens, and let us not only be charitable, but let us devise some means for securing a just and proper appropriation of our charity.

N. S. DAVIS, Sec.

Arrival of the Steamer Africa.

NEW YORK, Dec. 24.

The Africa reached her dock at Jersey City on Sunday morning last. She left Liverpool on the 7th inst., and has consequently been 14 days on her passage. She experienced very heavy weather during the entire voyage. She passed the Steamer Artic at half-past six o'clock on Saturday evening, 50 miles east of Sandy Hook.

The mail steamer Washington, Capt Floyd, arrived at Southampton at 8 P. M. on the 5th inst. She left New York on the 20th Nov—She sent her mails for Englund and France to Southampton the next morning.

The threatened war in Germany, from current reports, seems to have been staid for the present, and, as a matter of course, the influence of amicable news almost immediately affected the markets.

The scarcity of silver continues to attract attention, and has caused a *still farther advance* in the precious metals. The money market has been favorably acted upon by the pacific news from Germany, and much larger transactions are being entered into.

While the grain market of Liverpool is quoted firm, in other places it is said to be languid.

The German affairs are still in a doubtful and unsettled state.

WILL OF JOHN MCDONOUGH.—The Hon Isaac Johnson, Attorney General of this State on Wednesday, filed a petition in the Fifth District Court claiming on the part of the State, the property bequeathed to the city of New Orleans by the said McDonough. The petition contends that the legacies bequeathed in the said will to the cities of New Orleans and Baltimore are illegal, null and void, for the following reasons:

1st. It was the design of the testator to convert all his personal property into real estate, and to render it inalienable; to create a perpetually increasing capital, which would ultimately swallow up all the landed property in the country; to establish a fund so large as to be ruinous to commerce and dangerous to the State.

2d. The intention of the testator was to convey his property to be held by a title unknown to the law.

3d. The legacies are substitutions and *fidei commissia* which are expressly forbidden by law.

4th. The legacies are made upon impossible conditions.—[Lonisiana Rep., 7th

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THE EVENING POST.

TUESDAY EVENING, DECEMBER 17.

EVENING POST
Book and Job Printing Office.

We beg our subscribers and friends to bear in mind that attached to the Evening Post Office is a well appointed Book and Job Printing establishment, prepared to execute any kind of printing that may be required.—Books, Catalogues, Circulars, Cards, Showbills, Handbills Labels, Bill Heads, Bills of Lading, Entries, Manifests, Contracts, Mercantile and Law Blanks, Checks, Policies &c , &c., executed at the *shortest notice* and at the LOWEST PRICES.

WILLIAM C. BRYANT & CO., 18 Nassau street.

THE LATEST TOPIC OF AGITATION.

All the journals which support the set of measures called the compromise, are attacking the law of Vermont, recently enacted, which secures the privilege of *habeas corpus* and a trial by jury, to such of her citizens as may be charged with having escaped from service in another state. Day after day the assault is continued, day after day the legislation of Vermont is criticised, condemned, denounced, as if it drew in question the rights of the citizens of other states, which is not true. The law merely relates to the domestic polity of Vermont; it is a law for the protection of its own citizens, and it is quite as improper a topic of agitation without the state, as if it were a law of Virginia relating to turnpike roads.

If it were an ordinance like some of those passed by the southern legislatures, by virtue of which the cook or steward of a northern vessel, and a citizen of a northern state, with complexion a little too dark, or hair a little too crisp, on arriving in a southern port, should be immediately seized and thrust into a calaboose, as if his color were a crime, there would be good reason to complain. If the state of Vermont had made a law by which any person suspected of being in any remote degree of Indian descent—the posterity of Pocahontas, or any other of the squaws or sachems of our early history—on arriving in Vermont from another state, should be arrested and conducted to prison, on account of his pedigree, the severities of such a law would strike at some of the first families in Virginia, and would justly be reputed barbarous. In fact, however, such a law would be no worse in principle than the laws of the southern states which imprison a stranger as soon as he sets foot within their borders, on account of a tinge of African discoloration in his complexion.

The law of Vermont, which has been so violently denounced by the *Journal of Commerce*, and that class of prints, is of another sort; it abridges no man's liberty; on the other hand, it requires that a due investigation shall be had, before any citizen of the state be deprived of it. The constitution requires that no person held to service in one state, escaping into another, shall be discharged from service, but shall be delivered up, on claim of the party to whom the service is due. The state of Vermont acknowledges the obligation imposed by this provision of the constitution.

"We do not," says the State, "pretend to discharge any person from the obligation of service in another state, but we cannot allow our own citizens to be carried off without due investigation and proper proof. You seize a man whom we regard as one of our citizens—a person entitled to the protection of our laws. If you have a claim to his service, make it appear before a jury, and we deliver him into your hands." It would be very difficult to show in what manner the constitution is violated by such a preceeding as this. The fugitive, if he prove to be such, is "not discharged," but "delivered up on claim,"—a literal compliance with the terms of the constitution. Nor is there any necessary conflict between the process provided by the United States for the slave catcher, and the process provided by Vermont for the safety of her citizens. The United States Marshal and Commissioner must wait till the *habeas corpus* is duly discharged, and the trial by jury duly had, after which, if it appear that the accused is a fugitive from service, he will be surrendered to their jurisdiction and custody, to be duly conveyed out of the state. There is no nullification in the matter, that we perceive, inasmuch as it is agreed on all hands that the United States law does not take away the process of *habeas corpus*.

Meantime it is remarkable that those who attack with such fury this law of Vermont relating to a matter of her own local government, are the declared enemies of agitation, the pretended friends of silent and unquestioning acquiescence in whatever laws are enacted. Are they conscious of what they are doing? In the solemn language of the Washington *Union*—which we confess, has become by frequent repetition on slight occasions, a little ridiculous,—are they aware that they are laying a mine which may blow up the confederacy? The Legislature of Vermont passes a law, and on the instant a thousand voices without the state, are raised to denounce it, to deprive it of respect within the state, to instigate its citizens to disregard it, and to persuade the people of the slave states, contrary to the truth, that it violates their rights. Every effort is made by these false friends of peace, to render the law an occasion of implacable strife between the north and the south, and to give the enemies of the Union a pretext of complaint and discontent.

If we are to quarrel with the laws of other states, let us begin, not with those designed to secure the liberty of the citizen within the state wheer he resides, but with those which arbitrarily deprive a citizen of his liberty the moment he sets foot on the soil of another member of the confederacy. As the case now stands, a freeman of the north, not quite guiltless of African descent—yet a freeman and a citizen, an elector of Members of Congress, and a voter in the Presidential elections—if he happens to straggle over the line of Virginia, is lodged in a jail, and, after a time, may be sold to pay the jail fees. If we are to agitate the question of state laws, here is ample matter for animadversion and of discontent. When we get rid of this class of laws, framed in derogation of liberty, and levelled directly against a class of our citizens, it will be time enough to cavil at those laws, which, while they violate no principle of the constitution, are simply intended to provide that no citizen shall be wrongfully deprived of his freedom.

CONGRESS.—Quite a number of the members of Congress are already in Washington. There is a general apprehension that the subject of Slavery will be again introduced. Great efforts will be made to lay the monster on the table; but we presume the anti-agitationists will be too much agitated to allow the monster to become even drousy. We, in common with ninety-nine hundredths of the people of the whole Union, are opposed to unnecessary agitation; but we do think the first and great achievement in behalf of Liberty in this country, is that of freely discussing any subject without endangering the Union. The very fact that Disunion is threatened, is the strongest reason why the subject should be introduced. When the South ceases to take fire then will stop the supply of fuel. It is an essential principle in our government that all subjects bear the light of discussion. Taking shelter behind the compromises of the Constitution and threatening disunion is unpatriotic and anti-republican, as it is impolitic and full of disturbance. The very spirit of our institutions, implies, encourages and sustains agitation or free discussion on the removal of every real or supposed evil. When the people of the United States become apathetic to the existence of evils as portentious as slavery, then may heaven raise up hosts of divines and patriots of the greatest gifts of eloquence. Attempts to stop agitation on the subject of slavery as existing in our country, is as futile as it is to prevent the agitation of the waters of the ocean. The only possible way of preventing evils from agitation, is to meet the evil fully in the face and devise some plan for its removal. However much good and patriotic citizens may desire a silence on the subject, yet it cannot be done.

Daily National Intelligencer

VOL XXXIX. WASHINGTON: MONDAY, JANUARY 6, 1851.

SPEECH OF MR. BENTON,
OF MISSOURI,
ON LAND TITLES IN CALIFORNIA.

IN SENATE, FRIDAY, JANUARY 3, 1851.

CALIFORNIA LAND TITLES.

Mr. BENTON's amendment to Mr. GWIN's substitute bill being under consideration, the amendment was read as follows:

Strike out all after the word "That," at the beginning of the first line, and insert:

For the purpose of ascertaining and settling the private land claims in the State of California, a recorder of land titles, learned in the law and skilled in the Spanish and English languages, shall be appointed by the Preaident, by and with the advice and consent of the Senate, who shall collect and keep all the public archives of California in relation to land grants; and also shall call in for record all the evidences of land titles in California, and after recording the same shall return the originals to the parties, except where forgery or simulation shall be suspected by the recorder, and where there may be no written evidence extant of the original grant, a written statement may be made of the claim and received for record, stating all the circumstances in relation thereto, and especially all that relates to the fact of actual possession.

Sec. 2. *And be it further enacted*, That it shall be the duty of all towns, cities, villages, and pueblos, and of all missions which have not been secularized, and of all individuals claiming lands in California by virtue of any claim whatever, whether derived from the Spanish, the Mexican, or the California authorities before the conquest of California, or by any American officer since the conquest, *to present all* such evidences of *title to the said recorder*, upon due *and* public notification to that effect by the recorder.

Sec. 3. *And be it further enacted*, That, on receiving such evidences of title, the said recorder shall cause the same to be recorded in bound books, and shall make out duplicate abstracts of all claims, classified according to the authority from which they issued, and, retaining one abstract in his office, shall transmit the other to the Commissioner of the General Land Office at Washington; and it shall be the duty of the recorder, in conjunction with the district attorney of the United States for the district in which the claim may lie, to examine the same, and if believed by them or either of them to be invalid for any cause, it shall be the duty of the district attorney to issue a scire facias, stating the cause against the party in possession, or claimant, requiring him to appear in the district court, and show cause why his claim should not be held to be invalid and his grant cancelled; and a report of all such decisions by the recorder and district attorney, whether for or against the validity of the claim, shall be made to the Commissioner of the General Land Office, to be by him laid before the Secretary of the Interior, to be submitted to the Attorney General, who may order a scire facias in any case in which he deems the claim invalid.

Sec. 4. *And be it further enacted*, That, in deciding upon the question of issuing a scire facias against any claimant, the said recorder and district attorney shall be governed by the treaty of Guadalupe Victoria, the law of nations, the laws, usages, and customs of the Government from which the claim is derived, the proclamations of the commanding officers at the time of the conquest, and the capitulations made with such commanders, the decisions of the Supreme Court of the United States, as far as they are applicable, and the law of prescription in favor of possessory rights, the same as if it was a question between individuals; and in all cases actual possession before the conquest of the country shall be held to be *prima facie* evidence of valid title.

Sec 5. *And be it further enacted*, That the quantity of four common leagues, measured from the centre of the town, city, or pueblo, (except San Francisco,) two leagues in every direction shall be confirmed to all such towns, cities, and pueblos, (including the city of San Francisco, formerly Yerba Buena,) the occupied parts to their possessors having title, and the vacant parts, if any, to the municipal or town authorities, except such parts as may be required for military purposes within the United States, and with this reserve or exception, all the residue of the said four leagues square shall be confirmed to the city, town, village, or pueblo, according to the "instruction and decree of the captain general of the Internal Provinces of the West, dated at Chihuahua, and directed to the commandant at Monterey, of Upper California," and the four leagues square confirmed to San Francisco shall be measured south for its quantity.

Sec. 6. *And be it further enacted*, That the grants made by General Kearny at San Francisco shall be, and hereby are confirmed, so far as the United States are concerned, and without prejudice to individuals; and all the reserves made for the Government of the United States, except such as shall be ...ded for military purposes, or necessary public buildings, ...be, and the same hereby are granted to the said city of ... and all the vacant ground which may still be found in the four leagues square is granted to the city or town authorities for city or town purposes.

This is the section of my bill in relation to these *pueblo*, or municipal grants; and now for the Spanish law which originated them. I quote principally from the report of Wm. Carey Jones, Esq., to the then Secretary of the Interior, now member of this body, (Mr. EWING, of Ohio,) sent out in 1849 to examine California land titles, in which he gives, from personal examination, and under special instructions, the history of California land grants, or rather distributions, with the laws and decrees in which they are founded. At pages 53-4 of his printed report we find a formal decree upon this subject—not the oldest, but the most formal—and the one whose words I have followed in drawing the section under consideration. And here I should say that this printed report is a private print of an official report. The official report made to the Secretary of the Interior, and under his special instructions, by an agent sent to California for that purpose, was by him communicated to the Senate, but not printed by its order. When a *motion to print* was made, and that motion considered and sanctioned by the Printing Committee, to which it was referred, a motion was made in the Senate to lay that motion to print on the table; and that motion was agreed to by the Senate. Mr. Jones then had a thousand copies printed by Gideon & Co. for distribution among his friends; and from one of those copies I now quote.

At pages 53–4 of that report I find a decree of the Captain General of the Internal Western Provinces of New Spain, to whose jurisdiction the *Californias belonged, dated from the* capital of those Provinces, Chihuahua, March 22, 1791—about sixty years ago—his name, Pedro de Nava, and directed to Don Jose Antonio Roman, commandant at Monterey of Upper California. It is not the oldest decree, but old enough to show that it could not have been issued with any intent to defraud the United States, and in its terms was both retrospective and prospective—looking backwards and forwards—and equally applying to all *pueblos*, whether then or afterwards to be founded. It is entitled "*Grants by Captains of Presidios*," and decrees thus:

"In conformity with the opinion of the solicitor of this *Commandancia General*, I have determined, in a decree of this date, that notwithstanding the provisions made in the 18th article of the ordinance of *Intendants*, the *captains of presidios* are authorized to grant and distribute house lots and lands to the soldiers and citizens who may solicit them to fix their residences on. And considering the extent of four common leagues, measured from the centre of the presidio square, viz: two leagues in every direction, to be sufficient for the new pueblos, to be formed under the protection of said presidios, I have likewise determined, in order to avoid doubts and disputes in future, that said captains restrict themselves henceforward to the quantity of house lots and lands within the said four leagues, without exceeding in any manner said limits, leaving free and open the exclusive jurisdiction belonging to the managers of the royal hacienda respecting the sale, composition, and distribution of the remainder of the lands in the respective district. And that this order may be punctually observed and carried into effect, you will circulate it to the captains and commandants of the presidios of your province, informing me of having done so.

"God preserve you many years."

This decree of the Captain General was after the general law of the Indies for the sale, composition, and distribution of lands in Spanish America, called the "*Ordinanza de Intendentes*," and specially exempting the Californias from the system of the Intendants: as they had, in fact, a separate system, without a separate declaration to that effect, from the beginning. The previous decrees upon the subject were first from the Viceroy of New Spain, dated August 17, 1773, and entitled, "*Instructions to be observed by the commandant of the new establishments of San Diego and Monterey*, and of which these are extracts:

"Art. 10. As the mission settlements are hereafter to become cities, care should be taken in their foundation that the houses should be built in line, with wide streets and good market squares. By this means will not only be obtained symmetry, but the desire of the Indians will be excited not to withdraw; and even those not reduced may be reclaimed and drawn to establish themselves, and adopt a rational life.

"Art. 11. For the preservation of the new mission settlements, it is very essential that near them should be encouraged the raising of cattle, cultivation, and the planting of trees, and for this purpose to choose suitable lands, and on all to bestow strict attention.

"Art. 12. With the desire that population may be more speedily assured in the new establishments, I, for the present ...

"The Mexican laws, as far as I am aware, make no change in this rule; and the colonization regulations of 1828 provide (article 13) that 'the reunion of many families into a town shall follow, in its formation, policy, &c., the rule established by the existing laws for the other towns of the republic.'

"From all these and other acts which might be quoted it would seem that, where no special grant has been made of limits assigned to a village, the common extent of four leagues would apply to it; it being understood, however, as the same law expresses, that the allotment should not interfere with the rights of other parties. The presidio settlements, under the order of 1791, were certainly entitled to their four leagues; the right of making grants within the same only transferred from the presidio captain to the municipal authorities who succeeded him, as is conformable to Spanish and Mexican law and custom. This was the case under the Spanish Government; and I am not aware that the principle has been changed, though no doubt grants have been made to individuals which infringed on such village limits. The Territorial Deputation of California, however, by an act of 6th August, 1834, directed that the ayuntamientos of the pueblos should 'make application for common and municipal lands (*ejidos y propios*) to be assigned them.' Wherever it shall appear that this was done, the town, I suppose, could only now claim what was then set apart for it. Where it was omitted or neglected, custom, reputed limits, and the old law would seem to be a safe rule."

This is what Mr. Jones says in relation to these municipal grants, and from him we learn that the towns had sometimes special limits assigned for their municipal grants larger than the four leagues square. My bill is consistent with this, for while it confirms the four leagues in every instance, without requiring any *evidence to be produced, or even title to be claimed, yet wherever the* grant was larger, the other sections of the bill will provide for it when the claim is laid before the Recorder of Land Titles. Of these larger presidio grants, he mentions several instances, among others, those of *San Jose* and *Los Angeles*, and shows the circumstances which entitle them to a full recognition of their limits.

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"As to the point now under consideration, that of *San Francisco*, I find that in the acts of the departmental authorities, the settlements in and about the presidio were styled '*the pueblo of San Francisco*,' and the particular place where the village principally was and the city now is, '*the point of Yerba Buena*.' The local authorities, as its alcalde, or justice of the peace, were termed those of the pueblo of San Francisco. Its privileges were not, therefore, at any time limited to the point of Yerba Buena. Originally, probably it had boundaries in common with the mission of Dolores which would restrict it in its four leagues; but, after the conversion of the mission into a pueblo, the jurisdiction of the authorities of San Francisco was extended, and special license given to its principal magistrate to grant lots *at the mission*. San Francisco is situated on a tongue or neck of land, lying between the bay and the sea, increasing in breadth, in a southerly direction. A measurement of four leagues south from the presidio would give the city, in the present advanced value of property, a magnificent corporate domain, but not so much as was fairly assignable to the precincts of the presidio under the order of 1791, nor so much as all new pueblos are entitled to under the general laws of the Indias. There are private rights, however, existing within those limits, apart from any grants of the village authorities, which ought to be respected: some through grants from the former Government; some by location and improvement, a claim both under our own law and custom, and under the Spanish law, entitled to respect. To avoid the confusion—the destruction—that would grow out of disturbing the multiplied and vast interests that have arisen under the acts of the American authorities at San Francisco; to give the city what she would certainly have been entitled to by the terms of the old law, what she will need for the public improvements and adornments that her future population will require, and what is well due to the enterprise which has founded in so brief a space a great metropolis in that remote region, perhaps no better or juster measure could be suggested, than a confirmation of past acts, a release of Government claims to the extent of four leagues, measuring south from the presidio, and including all between sea and bay, with suitable provision for protecting private rights, whether under old grants or by recent improvements, and reserving such sites as the Government uses may require."

Thus much, Mr. President, I have felt it my duty to say in support of the fifth section of my bill, which applies to the municipal grants. It confirms by the law itself ...

that ought to attach to property of such great value and commercial importance."

The seventh section relates to other grants of the kind, made by American officers since the conquest, but of a class which I do not think it right to confirm without hearing more about them. I therefore provide for a special report to be made upon them by the recorder of land titles, leaving them after the report to the disposition of Congress. This class of grants seem to have been made by the *alcalde*—the *cadi* of the Turks and Moors, from which latter the whole of *calde* is derived, with the prefix of *al* for *the*—the chief magistrate of justice of the peace, or local judge in Spanish jurisdiction.

These alcaldes, cadis, or justices of the peace in California—or at least some of them—seem to have taken into their heads that, *virtute officii*, and as successors to their namesakes, they had the faculty, each within his town, of disposing of the public lands, and incontinently acted on that apprehension. One of these officials stated his case in answer to an inquiry put to him before a certain court martial which once sat in the arsenal near this city, in which the conduct of an officer with respect to one piece of ground was called in question. Col. Fremont, on a prosecution under the charge of "*mutiny*" preferred against him by the War Department, was convicted of the mutiny in ceding an island of rock for the Government for a fort to secure it from the British; and that being mutiny, he said what kind of an offence it was, and how [illegible] gave away public lands; *and to a question to that effect Mr. Edwin Bryant, a citizen of Kentucky* and *a some time cadi at San Francisco, and* a witness before the court, *made this answer* to a question put to him with *respect to his land operations*:

"*I supposed the question to refer to this decree, (the decree of Gen. Kearny,) under which, as I said, the land was not actually sold. I did, however, as alcalde of San Francisco, by Gov. Kearny's appointment, grant and sell lots belonging to the public, without special orders from Governor Kearny, but under the usages and customary powers of the alcalde.*"

This is conclusive of the fact that sales and grants of public land were made in California by at least one justice of the peace—an American justice with a Spanish title—since the conquest of the country. It is believed that many other justices did the same; and I deem it unwise to confirm their acts without having a list of them, and knowing what grants or sales they made, and their present condition. So far as the grants and sales may have enured to the benefit of the alcalde himself, either directly or circuitously, or to his kin within the levitical degrees of prohibited marriages, I should think it would be well, both as a penalty for the past and as a caution for the future, not to confirm them at all. But that will be an after question. My bill only proposes a report upon all such operations for the information and future action of Congress. Mr. Jones, in his report, page 31, thus notices these alcalde grants and sales:

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One other special provision remains to be stated and explained; it is in section 8, and relates to the claims of John Charles Fremont, and allows an appeal to the Supreme Court in all cases in which there may be a decision in the district court in his favor, while making such decisions in favor of other claimants conclusive against the United States. A regard to his own character, and to prevent injury to others on his account, induces this exception. Mr. Fremont has a claim—purchased by an agent (Mr. Larkin) without his knowledge of its existence, and when he had directed another one to be purchased. That claim will come up with others for adjudication; *and he felt, when drawing his bill at the* last session, *and making a decision in favor of the claim* ... sitting as a board of ...

[D]aily National Intelligencer.

WASHINGTON: MONDAY, JANUARY 6, 1851. No. 11,809.

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labors. These labors can be divided into halves and quarters, but not less.

"Art. 8. To the colonists, whose occupation is farming, there cannot be given less than one labor, and those whose occupation is stock raising there cannot be given less than one sitio.

"Art. 9. The Government of itself, or by means of the authorities authorized for that purpose, can augment said portions of land as may be deemed proper, agreeably to the conditions and circumstances of the colonists."

"Art. 19. To each empresario who introduces and establishes families in any of the provinces designated for colonization, there shall be granted at the rate of three haciendas and two labors for each two hundred families so introduced by him, but he will lose the right of property over said lands, should he not have populated and cultivated them in twelve years from the date of the concession. The premium cannot exceed nine haciendas and six labors, whatever may be the number of families he introduces."

"Art. 22 The date of the concession for lands constitutes an inviolable law, for the right of property and legal ownership; should any one through error, or by subsequent concession, occupy land belonging to another, he shall have no right to it, further than a preference in case of sale, at the current price."

"Art. 26. All the instruments of husbandry, machinery, and other utensils that are introduced by the colonists for their use, at the time of their coming to the empire shall be free, as also the merchandise introduced by each family to the amount of two thousand dollars."

These are a few extracts from the general colonization laws of Mexico. Liberal as they were, all the special legislation for California was still more so, and the *local* authorities being vested with absolute power to make grants, and give the complete legal title to any quantity not exceeding eleven *sitios*; while the General Government granted without limit. Thus, Jones's Report, pages 4, 5, under the head of direction for distributing lands in the Californias:

"The directions were very simple. They gave the Governors of the Territories the exclusive faculty of making grants within the terms of the law, that is, to the extent of eleven leagues, or *sitios*, to individuals; and colonization grants, (more properly *contracts*,) that is, grants of larger tracts, to *empresarios*, or persons who should undertake, for a consideration in land, to bring families to the country for the purpose of colonization. Grants of the first description, that is, to families or single persons, and not exceeding eleven *sitios*, were 'not to be held definitively valid' until sanctioned by the *Territorial Deputation*. Those of the second class, that is, *empresario* or colonization grants, (or contracts,) required a like sanction by the *Supreme Government*. In case the concurrence of the Deputation was refused to a grant of the first mentioned class, the Governor should appeal, in favor of the grantee, from the Assembly to the Supreme Government."

The large grants, of which the public has heard so much, were also a subject of inquiry committed to Mr. Jones; and his report greatly diminishes the expectations excited, and brings down nearly all these immense principalities to the ordinary grant of eleven square leagues, and usually made before there was any apprehension that California would become American property; that is to say, before the winter of 1845, '46, when the return of Col. Fremont with his topographical party, and the prospect of war between the United States and Mexico first spread that alarm. Of these so called large grants, Mr Jones, at pages 22–3, thus speaks:

"I did not find in the archives of California any record of large grants, in the sense I suppose the term to be here used. There are a number of grants to the full extent of the privilege accorded by law to individual concessions, and of the authority of the local Government to make, independent of the Central Government—to wit, of eleven *sitios*, or leagues square.

"There are understood, in the country, however, to be large claims, reputed to be founded on grants direct from the Mexican Government—one held by Captain Sutter, another by General Vallejo. The archives (as far as I could discover) only show that Captain Sutter received, on the 18th of July, 1841, from Governor Alvarado, the usual grant of *eleven sitios*, on the river Sacramento, and this is all I ascertained. The archives likewise show that Gen. Vallejo received from Gov. Micheltorrena, on the 22d October, 1843, a grant of ten sitios, called 'Petaluma,' in the district of Sonoma; and I was informed by a respectable gentleman in California that Gen. V. had likewise a grant from the Mexican Government, given for a valuable consideration, of a large tract known by the name of 'Soscol,' and including the site of the present town of Benicia, founded by Messrs. Vallejo and Semple, in the Straits of Carquinez. It is also reputed that the same gentleman has extensive claims in the valley of Sonoma and on Suisun bay. It appears from documents which General Vallejo …

specially exempted, and that in the preamble to the Ordinance of 1786—the ordinance creating twelve *Intendences* for the administration of the crown lands in New Spain, and under which system Morales was the first, and perhaps the last, for the Intendency of Louisiana. California was specially exempted from the operation of that ordinance, and it will be retroactive, and illegal, and unjust to apply it to her now. I also said that the grants within the limits of their authority by the local officers of California, were complete within themselves—became full legal titles without further confirmation by the mother or central government—and that to arraign them is to arraign legal titles, dating from before the era of our independence, and destroying property of one, two, and three generations possession under lawful titles. I now make good this point—that these local grants were "*legal*" titles.

I quote from Jones's Report, page 6, under the inquiry into perfect titles:

"There were not, as far as I could learn, any regular surveys made of grants in California, up to the time of the cessation of the former Government. There was no public or authorized surveyor in the country. The grants usually contained a direction that the grantee should receive *judicial* possession of the land '*from the proper magistrate* (usually the nearest alcalde) in *virtue of the grant*;' and that the boundaries of the tract should *then be* designated by *that* functionary with '*suitable landmarks*.' *But this* injunction was complied with only by procuring the attendance of the magistrate, to give judicial possession according to the verbal description contained in the grant. Some of the old grants have been subsequently surveyed, as I was informed, by a surveyor under appointment of Col. Mason, acting as Governor of California. I did not see any official record of such surveys, or understand that there was any. The '*perfecting of the title' I suppose to have been accomplished when the grant received the concurrence of the Assembly; all provisions of the law, and of the colonization regulations of the Supreme Government, pre-requisites to the title being 'definitively valid,' having been then fulfilled. These, I think, must be counted complete titles.*"

Now, the whole of the grants in California granted before the conquest come under two classes as to their origin—a few, and but a few, derived from the supreme central or mother authority; and they, of course, are "*legal*" grants; the mass of them were granted by the local authorities under legal regulations, and are divided into *municipal* and *rural* grants; and these are "*legal*" titles by the act of the provincial or territorial authorities alone. And now these "*legal*" grants are all to be impeached in mass—all held to be invalid until the contrary is proved—all subjected, if the substitute bill passes, to three sets of lawsuits to try their validity.

The missions are separate grants, all derived from the supreme authority, and most of them secularized, if not all, under the Mexican law of August 17th, 1833. A full report may be seen upon them in Mr. Jones's report, from page 14 to page 21. They require no separate legislation; and are therefore left to the general provisions of the bill.

Having finished the exposition of the merits of my own bill, I feel bound to present, with some particularity, the defects of the one offered by the Senator from California, (Mr. Gwin,) and which I think cannot become law without deplorable effects to California. I take up these objectionable clauses in the order in which I find them in his bill.

First. As to the times and places at which the commissioners are to hold their sessions. This in the substitute bill is left to be fixed by the President. This, in my opinion, is doubly wrong. It is a detail with which the President should not be troubled; and it is a part of a judicial process that should be fixed by law, that all persons might know, as in courts of justice, when and where the title to their property is to be tried.

Secondly. The substitute bill limits the claims which may go before the board to those which are *derived* from the Spanish or Mexican Government. Now this limitation may cut off all those, or raise a question about them, which were derived from the Californian local authorities; and these, as we have seen, constitute the great mass of the whole—the whole of the municipal, and nearly all the rural grants under eleven *sitios*. The bill submitted by the other Senator from California at the last session (Mr. Fremont) provided for all claims derived from the Californian authorities, as well as those derived from the Mexican and Spanish; and the bill I now offer does the same.

Thirdly. The substitute bill limits the time of the duration of these Mexican and Spanish grants to which the …

[…] Commissioner of the General […]ington; and it shall be the duty of the recorder, in conjunction with the district attorney of the United States for the district in which the claim may lie, to examine the same, and if believed by them or either of them to be invalid for any cause, it shall be the duty of the district attorney to issue a scire facias, stating the cause against the party in possession, or claimant, requiring him to appear in the district court, and show cause why his claim should not be held to be invalid and his grant cancelled; and a report of all such decisions by the recorder and district attorney, whether for or against the validity of the claim, shall be made to the Commissioner of the General Land Office, to be by him laid before the Secretary of the Interior, to be submitted to the Attorney General, who may order a scire facias in any case in which he deems the claim invalid.

Sec. 4. *And be it further enacted*, That, in deciding upon the question of issuing a scire facias against any claimant, the said recorder and district attorney shall be governed by the treaty of Guadalupe Victoria, the law of nations, the laws, usages, and customs of the Government from which the claim is derived, the proclamations of the commanding officers at the time of the conquest, and the capitulations made with such commanders, the decisions of the Supreme Court of the United States, as far as they are applicable, and the law of prescription in favor of possessory rights, the same as if it was a question between individuals; and in all cases actual possession before the conquest of the country shall be held to be *prima facie* evidence of valid title.

Sec 5. *And be it further enacted*, That the quantity of four common leagues, measured from the centre of the town, city, or pueblo, (except San Francisco,) two leagues in every direction shall be confirmed to all such towns, cities, and pueblos, (including the city of San Francisco, formerly Yerba Buena,) the occupied parts to their possessors having title, and the vacant parts, if any, to the municipal or town authorities, except such parts as may be required for military purposes within the United States, and with this reserve or exception, all the residue of the said four leagues square shall be confirmed to the city, town, village, or pueblo, according to the "instruction and decree of the captain general of the Internal Provinces of the West, dated at Chihuahua, and directed to the commandant at Monterey, of Upper California," and the four leagues square confirmed to San Francisco shall be measured south for its quantity.

Sec. 6. *And be it further enacted*, That the grants made by General Kearny at San Francisco shall be, and hereby are confirmed, so far as the United States are concerned, and without prejudice to individuals; and all the reserves made for the Government of the United States, except such as shall be needed for military purposes, or necessary public buildings, shall be, and the same hereby are granted to the said city of San Francisco.

Sec. 7. *And be it further enacted*, That all other grants made by any officers under the civil or military Government of the United States since the conquest of the country shall be, and the same hereby are reserved for the future decision of Congress; and it shall be the duty of the recorder of land titles to make a special report thereon, directed to the Commissioner of the General Land Office as soon as practicable, to be by him laid before the Secretary of the Interior, and communicated to Congress.

Sec. 8. *And be it further enacted*, That, on the trial of any scire facias to try the validity of a claim, the decision of the court shall be conclusive in favor of the claimant in every case, except in cases in which John Charles Fremont may be a claimant; and in all cases in which he may be a claimant, an appeal may be taken in favor of the United States to the Supreme Court of the United States, and in all decisions against the claimant an appeal may in like manner be taken to the Supreme Court.

Sec. 9. *And be it further enacted*, That the recorder of land titles on receiving notice of each claim shall lay down the same conjecturally, according to the claim, on district maps to be constructed by him; and, as soon as confirmed, shall order the same to be duly surveyed according to the confirmation.

Sec. 10. *And be it further enacted*, That the recorder of land titles shall keep his office at the seat of government of the State, but shall repair to the principal cities, towns, and settlements, on due and public notice, to receive notices and evidences of claims.

Sec 11. *And be it further enacted*, And the said recorder of land titles shall be allowed a salary of ——— thousand dollars per annum, and twenty cents per mile for all necessary travelling, and also shall be allowed a clerk, who shall receive a salary of ——— thousand dollars per annum, and the same mileage and ten cents per hundred words on all papers recorded or copies given out. And the district attorney shall be allowed one thousand dollars per annum, and twenty cents per mile for his necessary travelling under this act, in addition to his other compensation.

The amendment being read—

Mr. BENTON said: I made a general exposition of the plan I propose on yesterday, and shall now explain some of its special provisions before I go further into its general merits, or look further into the effects of the substitute bill proposed by the Senator from California, (Mr. Gwin.) The bill which I propose consists of general and special provisions, the latter growing out of peculiar circumstances in California, and necessary to be separately attended to in order to avoid injustice and confusion. I have put myself to the trouble and labor of examining closely the condition of land titles in California, and hope to offer nothing to the Senate for which there is not a reason to be found.

The first of these special provisions is in section 5, and grows out of the peculiar system of land *distribution* (for so the Spanish laws called it) of the crown lands in California. The settlement of the Californias was different from that in other parts of Spanish America: it was by ecclesiastical missions: and on account of the remoteness of the country—its isolation, and exposure to dangers—a most liberal system of land distributions was adopted, and great care was taken for the protection of the settlements. Every settlement was to be formed round a *presidio*—military station—extending two common leagues every way from the centre of the presidio; so that every point should be equally convenient for protection. Within that extent the captain of the station, and afterwards the municipal authorities of the town, village, or city which grew up about it, was authorized to distribute land, not at discretion, but according to a rule laid down; and which was wise and equitable, and adapted to the wants of every inhabitant. First, a *pueblo*, or village was to be laid off, consisting of streets and squares; and within that pueblo every settler was to have a house lot of so many *varas* (the Spanish yard, three geometrical feet) square; then an out lot, for cultivation, of moderate and fixed size; then a right of common in the ungranted remainder. This system applied to every settlement in the country, and these settlements commenced in Upper California, the one which we now own, about the time of the commencement of the American revolution—a few years before; and having originated under a peculiar policy, and as an exception to the general mode of distributing lands in California, I deem it just and proper, now that we have become masters of the country, and propose to overhaul all the titles, that we should observe the distinctions between the different kinds of grants—the difference between the *municipal*—thus granted in small parcels in the pueblos; and the *rural*, consisting of large grants in the country. The fifth section of my bill conforms to that distinction, and in the very terms of the Spanish law, except in the case of *Yerba Buena*, or San Francisco, where a deviation in the mode of measuring for quantity is admitted. Instead of measuring two leagues every way from the centre, which would put half the grant into the bay of San Francisco, it proceeds south, in this instance, for quantity—the only direction in which it can be found—but without prejudice to private claims. With this reservation, and with an exception of what is not wanted by the United States for military purposes, or necessary buildings, all the titles in the four leagues in all the towns, cities, villages, and pueblos are confirmed;

or afterwards to be founded. […] tains of Presidios," and decrees thus:

"In conformity with the opinion of the solicitor of the *Commandancia General*, I have determined, in a decree of this date, that notwithstanding the provisions made in the 18th article of the ordinance of *Intendants*, the *captains of presidios* are authorized to grant and distribute house lots and lands to the soldiers and citizens who may solicit them to fix their residences on. And considering the extent of four common leagues, measured from the centre of the presidio square, viz: two leagues in every direction, to be sufficient for the new pueblos, to be formed under the protection of said presidios, I have likewise determined, in order to avoid doubts and disputes in future, that said captains restrict themselves henceforward to the quantity of house lots and lands within the said four leagues, without exceeding in any manner said limits, leaving free and open the exclusive jurisdiction belonging to the managers of the royal hacienda respecting the sale, composition, and distribution of the remainder of the lands in the respective district. And that this order may be punctually observed and carried into effect, you will circulate it to the captains and commandants of the presidios of your province, informing me of having done so.

"God preserve you many years."

This decree of the Captain General was after the general law of the Indies for the sale, composition, and distribution of lands in Spanish America, called the "*Ordinanza de Intendentes*," and specially exempting the Californias from the system of the Intendants; as they had, in fact, a separate system, without a separate declaration to that effect, from the beginning. The previous decrees upon the subject were first from the Viceroy of New Spain, dated August 17, 1773, and entitled, "*Instructions to be observed by the commandant of the new establishments of San Diego and Monterey*, and of which these are extracts:

"Art. 10. As the mission settlements are hereafter to become cities, care should be taken in their foundation that the houses should be built in line, with wide streets and good market squares. By this means will not only be obtained symmetry, but the desire of the Indians will be excited not to withdraw; and even those not reduced may be reclaimed and drawn to establish themselves, and adopt a rational life.

"Art. 11. For the preservation of the new mission settlements, it is very essential that near them should be encouraged the raising of cattle, cultivation, and the planting of trees, and for this purpose to choose suitable lands, and on all to bestow strict attention.

"Art. 12. With the desire that population may be more speedily assured in the new establishments, […] grant the commandant power to designate common lands, and also even to make individual concessions to such Indians as may most dedicate themselves to agriculture and the raising of cattle; for, having property of their own, the love of it will cause them to plant themselves more firmly; but the commandant must bear it in mind that it is very advisable not to allow them to live dispersed, each on the land given him, but that they must have their house and habitation in the town or mission where they have been gathered or settled.

"Art. 13. I grant the same faculty to the commandant with respect to distributing lands to the other settlers, (*pobladores*,) according to their merit and ability to improve; they also living in the town, and not dispersed, declaring that in the exercise of what is prescribed in this article and the preceding, he must act in every respect in conformity with the provisions made in the collection of laws respecting new reductions and settlements, granting them legal titles for the owner's protection without exacting any remuneration therefor, or for the act of possession."

This decree was three years before the declaration of our independence, and presents three points to be observed: *first*, that the commandants of posts were authorized to make municipal or town grants by way of distribution in California. *Second*, that these distributions were to be made both to Indians and white settlers. *Third*, that they were to grant legal titles, and without price or fee.

The next of these decrees which I shall produce is that by the Captain General of the Western Internal Provinces, Don Felipe de Neve, dated June 1st, 1779, and approved by a royal cedula of October 14, 1781, entitled "*Regulation and instruction for the presidios of the Peninsula of Californias, the erection of new Missions, and encouragement of the population and extension of the establishments of Monterey.*" I give extracts: (*Pages* 51–2, *Jones's report*.)

"4th. The house lots to be granted to the new settlers shall be designated by the Governor in the places and of the extent correspondent to the tract where the new pueblos are to be established, in such manner that streets and a square shall be formed, according to the provisions of the laws of the kingdom, and agreeably to the same, competent common lands (*egidos*) shall be designated for the pueblos, and pasture grounds, with suitable sowing lands, for municipal purposes, (*propios*.)

5th. Each *suerte* of land, (out-lot,) whether capable of irrigation (*de riego*) or dependant on the seasons, (*de temporal*,) shall consist of two hundred varas in length by two hundred in breadth, this being the area generally occupied in the sowing of one fanega of Indian corn; the distribution of these house lots and pieces of land to the new settlers shall be made in the name of the King our master by the Government, with equity, and in proportion to the ground which admits of irrigation, so that after making the necessary demarcation, and reserving vacant the fourth part of the number which may result, counting with the number of settlers, should there be sufficient, each one shall have two suertes of irrigable land, and other two of dry ground, delivered to him; and of the royal lands (*realengos*) as much as may be considered necessary shall be separated for the *propios of the* pueblo; and of the remainder, as well as of the house lots, shall be granted in the name of H. M. by the Governor, to those who may hereafter come to colonize, and particularly to soldiers, who, having fulfilled the term of their engagement, or on account of advanced age, may retire from service, and likewise to the families of those who may die; but these persons must make their improvements at their own expense, out of the funds which each possesses, and will not be entitled to receive from the royal revenue either salary, rations, or cattle, this privilege being limited to those who leave their own country for the purpose of peopling this.

6th. The houses built on lots granted and designated to the new settlers, and the parcels of land comprehended in their respective concessions, shall be perpetually hereditary to their sons and descendants, or to their daughters, who marry useful colonists, who have received no grants of land for themselves; provided they all comply with the obligations expressed in these instructions; and, in order that the sons of the possessors of these concessions, observe the obedience and respect which they owe to their parents, the latter shall be freely authorized, in case of having two or more sons, to choose which of them, being a layman, shall succeed to the house and lots, and they may likewise dispose of them among their children, but not so as to divide a single lot, because each and all of these are to remain indivisible and inalienable forever."

The decree of the Captain General, Don Pedro de Nava, of March 22, 1791, was in accordance to these previous decrees, and to give them certainty in their extent by fixing the quantity allowed to each presidio for town grants to a square of four leagues—in conformity to all which the fifth section of my bill is drawn.

Thus far I quote the text of the law: I will now give the words of Mr. Jones, in his report to the Secretary of the Interior, in relation to these municipal grants, as I find them at page 32 of the report:

"The royal regulation of 1781 for the Californias directs suitable municipal allotments to be made, 'conformable to the law;' and this likewise must refer to the law specifying four leagues square.

"The letter of instructions of 1791, authorizing the captains of presidios to make grants in the neighborhood of their respective posts, specifies the same quantity, to wit, 'the extent of four common leagues, measured from the centre of the presidio square, two leagues in each direction, as sufficient for the new pueblos to be formed under the protection of the presidios.'

"As to the point now under consideration, that of San Francisco, I find that in the acts of the departmental authorities, the settlements in and about the presidio were styled '*the pueblo of San Francisco*,' and the particular place where the village principally was and the city now is, '*the point of Yerba Buena*.' The local authorities, as its alcalde, or justice of the peace, were termed those of the pueblo of San Francisco. Its privileges were not, therefore, at any time limited to the point of Yerba Buena. Originally, probably it had boundaries in common with the mission of Dolores, which would restrict it in its four leagues; but, after the conversion of the mission into a pueblo, the jurisdiction of the authorities of San Francisco was extended, and special license given to its principal magistrate to grant lots *at the mission*. San Francisco is situated on a tongue or neck of land, lying between the bay and the sea, increasing in breadth, in a southerly direction. A measurement of four leagues south from the presidio would give the city, in the present advanced value of property, a magnificent corporate domain, but not so much as was fairly assignable to the precincts of the presidio under the order of 1791, nor so much as all new pueblos are entitled to under the general laws of the Indias. There are private rights, however, existing within those limits, apart from any grants of the village authorities, which ought to be respected: some through grants from the former Government; some by location and improvement, a claim both under our own law and custom, and under the Spanish law, entitled to respect. To avoid the confusion—the destruction—that would grow out of disturbing the multiplied and vast interests that have arisen under the acts of the American authorities at San Francisco; to give the city what she would certainly have been entitled to by the terms of the old law, what she will need for the public improvements and adornments that her future population will require, and what is well due to the enterprise which has founded in so brief a space a great metropolis in that remote region, perhaps no better or juster measure could be suggested, than a confirmation of past acts, a release of Government claims to the extent of four leagues, measuring south from the presidio, and including all between sea and bay, with suitable provision for protecting private rights, whether under old grants or by recent improvements, and reserving such sites as the Government uses may require."

Thus much, Mr. President, I have felt it my duty to say in support of the fifth section of my bill, which applies to the municipal grants […] the law itself, *ex proprio vigore*, the quantity of four leagues square, which was the minimum quantity granted by a general law; and I have no doubt that larger quantities were granted by special decrees to different pueblos as they grew up, and expanded, and increased in population and wealth, and became towns and cities. They were gifts to domiciliated Indians, to discharged soldiers, and to emigrating settlers; and it is revolting to think that the descendants and the assignees of those recipients of the paternal bounty of the King of Spain, may be dragged before a board of commissioners to prove their titles, with the chance of being hauled up into the United States district courts in California, to prove them a second time there, and a further chance to be pulled across the continent from the Pacific to the Atlantic to prove them a third time before the Supreme Court of the United States. It is horrible to think of, and more cruel, and not less illegal, than direct confiscation.

The sixth section of my bill also contains a special provision, which needs explanation to justify it. It confirms the grants made by Gen. Kearny in San Francisco during the time that he was Governor in California; and this supposes the fact that he made such grants. This is true; and in answer to that branch of the inquiries of the Secretary of the Interior which relate to grants of land in California subsequent to the conquest, he produces, at page 30 of the report, this decree of Gen. Kearny, dated March 10th, 1847:

"I, Brigadier General S. W. Kearny, Governor of California, by virtue of authority in me vested by the President of the United States of America, do hereby *grant*, convey, and release unto the town of San Francisco, the people, or corporate authorities thereof, all the right, title, and interest of the *Government of the United States* and of the *Territory of California* in and to the beach and water lots on the east front of said town of San Francisco, included between the points known as the Rincon and Fort Montgomery, excepting such lots as may be selected for the use of the United States Government by the senior officers of the army and navy now there; provided the said ground hereby ceded shall be divided into lots and sold by public auction to the highest bidder, after three months' notice previously given; the proceeds of said sale to be for the benefit of the town of San Francisco."

The section which I propose confirms this decree, without any inquiry into its legality. I merely take it as a fact, and deal with it accordingly, and for the purpose of quieting possessions and saving a flourishing city from the calamity of contested titles. Under the bill of the Senator from California, (Mr. Gwin,) this decree, and the grants under it, would be excluded even from consideration. It is neither a Mexican nor a Spanish decree—(to which his bill is confined)—nor is it before the 7th day of July, 1846, to which it is limited. If something like the section I have proposed is not adopted, there may be much ruinous litigation, and even fatal violence in San Francisco, in relation to these grants; and Congress will certainly be petitioned, by special messengers sent from the country, to interpose the shield of legislative authority. *If the decree had not said that its authority was derived from the President of the United States, I should have supposed that Gen. Kearny* had acted under the belief that he possessed the power of previous California Governors. But, without inquiring into the question of power to make the decree—proceeding on the fact that it was made, and that property is possessed under it, and that Congress can confirm as well as originate dispositions of the public lands, I propose to confirm the possessors in their property, without inquiry or conditions. But the equity of doing so is shown by Mr. Jones, in his report. He says, (page 30, 31:)

"Pursuant to the terms of this paper, what are termed 'government reservations' were made, both within and outside the limits specified, and the remainder of the lots designated have been since in great part sold by the town of San Francisco. These lots extend into the shallow water along the beach of San Francisco, and are very suitable and requisite for the business purposes of that growing city. The number of four hundred and forty-four of them were sold in the summer ensuing the 'decree;' and in December last, I have learned since my return, the remainder, or a large portion of them, were disposed of by the corporation. But little public use has been made of what are denominated the 'government reservations.' Portions of them are reputed to be covered by old grants; portions have been settled on and occupied by way of pre-emption; and other portions, particularly 'Rincon Point,' have been rented out, as I am informed, to individuals, by the late military government.

"Under the above 'decree' of General Kearny, and the consequent acts of the authorities of San Francisco, such multiplied, diversified, and important private interests have arisen, that, at this late day, no good, but immense mischief, would result from disturbing them. The city has derived a large amount of revenue from the sale of the lots; the lots have been resold, and transferred in every variety of way, and passed through many hands, and on many of them costly and permanent improvements have been made; improvements required by the business and wants of the community, and which ought to give the makers of them an equitable interest in the land, even without the faith of the Government implied by leaving the act of its agent so long unquestioned. An act of Congress, relinquishing thus in the lawful mode the interest of the United States in those beach and water lots, would seem to be only an act of justice to the city and to the lot holders, and to be necessary to give that validity and confidence

[…] the same; and I deem it unwise to confirm them without having a list of them, and knowing what grants or sales they made, and their present condition. So far as the grants and sales may have enured to the benefit of the alcalde himself, either directly or circuitously, or to his kin within the levitical degrees of prohibited marriages, I should think it would be well, both as a penalty for the past and as a caution for the future, not to confirm them at all. But that will be another question. My bill only proposes a report upon all such operations for the information and future action of Congress. Mr. Jones, in his report, page 31, thus notices these alcalde grants and sales:

"Other operations in lands which had not been reduced to private property at the time of the cessation of the former Government have taken place in and about different towns and villages by the alcaldes and other municipal authorities continuing to make grants of lots and outlots, more or less according to the mode of the former Government. This, I understand, has been done under the supposition of a right to the same vested, existing in the respective towns as corporations. Transactions of this nature have been to a very large extent at San Francisco; several hundred inlots of fifty varas square, and outlots of one hundred varas square, have been thus disposed of by the sucessive alcaldes of the place since the occupation of it by the American forces, both those appointed by the civil and military commanders, and those subsequently elected by the inhabitants."

Another special provision remains to be stated and explained: it is in section 8, and relates to the claims of John Charles Fremont, and allows an appeal to the Supreme Court in cases in which there may be a decision in the district court in his favor, while making such decisions in favor of other claimants conclusive against the United States. A regard to his own character, and to prevent injury to others on his account, induces this exception. Mr. Fremont has a claim purchased by an agent (Mr. Larkin) without his knowledge of its existence, and when he had directed another to be purchased. That claim will come up with others for adjudication; and he felt, when drawing his bill at the last session, and making a decision in favor of the claimant, […] of commissioners or the district court conclusive in favor of the claimant, that it might give occasion to those who were disposed to say it, to say that the design was to screen his own title from examination in the Supreme Court. He felt this, and felt it to be unjust; but also felt that it would look ostentatious and uncalled for, to volunteer an exception against himself. But now, and after what has happened, he no longer feels any hesitation on that account; and, in conformity to his feelings, I now make the exception which will take his case out of the general provisions of the bill, and subject it to run the gauntlet of all the courts, from the lowest to the highest, and from the shores of the Pacific ocean to the shores of the Atlantic, and against all the campaign which the substitute bill authorizes to be employed. He is willing to run the gauntlet of all this, according to his letter in relation to the Mariposa estate, which was read yesterday; but he is not willing that other claimants should be so subjected, or that his exertions in their behalf should be weakened by the supposition of an interested motive.

Having explained these special provisions in my bill, I now return to its general plan, and will adduce some reasons founded in Spanish law, and in the state of land titles in California, in favor of the leading ideas which it contains, and the leading views which I presented yesterday. I promised then to give "chapter and verse" for every thing I alleged, and now proceed to do it.

I speak, *first*, of the leading provision, that of creating a keeper of the land archives—a recorder—to collect the titles and evidences of claims to lands in California, and to record and preserve them. This is an office of such evident necessity—of such general utility both to the fair claimant and the public, that it is difficult to conceive of any system for ascertaining and settling land titles in a newly-acquired country in which it can be omitted. It is an office which was created in upper Louisiana preliminary to the appointment of a board of commissioners, and still exists there, although the board has been long since discontinued. The bill submitted at the last session by the other Senator from California, (Mr. Fremont,) contained a provision for such an office. The substitute now offered by the Senator present from California, contains no such provision, but merely sets the commissioners to work adjudicating titles, with the double appeals to the district and supreme courts, without any provision either for a preliminary or subsequent collection, preservation, and record of titles.

One of the inquiries to which the attention of Mr. Jones was directed by the Secretary of the Interior related to this very point—the existence and condition of the land archives; and his anwer shows the necessity of immediately creating an officer to collect and preserve all these evidences of grants and titles. He shows, page 7, that these archives are in a very imperfect state now. They were formerly kept at Los Angeles, but removed after the conquest to Monterey, and, besides *other imperfections*, a book of grants for the year 1846, *seen by Col. Fremont when he was Governor at Los Angeles*, and delivered by him to the officers appointed by Gen. Kearny, was not to be found by Mr. Jones. It was the most material of all the land books, being one that covered the year of the conquest, and the one in which Col. Fremont made the *memoranda* for the information of the government which I shall presently notice, and in which the grants of that year, including the 3,000 square leagues to Macnamara, should be found. These books have been without any officer appointed by law to take care of them; and it stands to reason that such an officer should now be appointed. The bill which I propose, provides for such an officer; the bill proposed by Mr. Fremont at the last session provided for one; the substitute bill now offered by the Senator present from California (Mr. Gwin) does not.

I stated yesterday the extreme desire of the Spanish Government to populate California, and for that purpose, the inducements and rewards held out to prevail upon people to accept and occupy grants of land. I stated that assistance in money, cattle, implements, and seeds were given to the settler; that exemption from all contributions, even church tithes, was often granted for a certain number of years after the grant; and that contractors, called *empresarios*, were employed at a high reward—five square leagues to himself for every hundred families introduced—to bring in families; to each of whom a minimum of one league square for a rural grant was allowed. I said then I would give chapter and verse for that statement; and now do so.

Extracts from Mexican colonization laws, quoted by Mr. Jones, pp. 42, '3, and following:

"Art. 5. The measurement of land shall be the following: establishing the *vara* at three geometrical feet; a straight line of five thousand *varas* shall be a league; a square, each of whose sides shall be one league, shall be called a sitio; and this shall be the unit of counting one, two, or more sitios; five sitios shall compose one hacienda.

"Art. 6. In the distribution made by Government of lands to the colonists, for the formation of villages, towns, cities, and provinces, a distinction shall be made between the grazing lands destined for the raising of stock, and lands suitable for farming or planting, on account of the facility of irrigation.

"Art. 7. One *labor* shall be composed of one million square varas, that is to say, one thousand varas on each side, which measurement shall be the unit for counting one, two, or more

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"The following extract from Gov. Figueroa's i[…] to him, will show the extent of Gen. Vallejo's[…] agent for colonizing the north:

"'You are empowered to solicit families in all th[…] and other States of the Mexican Republic, in ord[…] nize the northern frontiers, granting lands to all p[…] may wish to establish themselves there, and those[…] be confirmed to them by the Territorial Governm[…] ever the grantees shall apply therefor; the title[…] obtain from you serving them in the mean time as[…] guaranty, as you are the only individual authorized[…] perior authority to concede lands in the frontier[…] charge. The Supreme Government of the terri[…] vinced that you are the only officer to whom so gre[…] prise can be entrusted; and in order that it may[…] plished in a certain manner, it is willing to defray[…] sary expenses to that end.'

"An official letter to Gen. Vallejo from the De[…] War and Marine, dated at Mexico, 5th August[…] presses approbation of what had hitherto been do[…] lishing the colony, and the desire that the settlem[…] continue to increase 'until they should be so str[…] respected not only by the Indian tribes, but also by[…] lishments of the foreigners who should attempt to[…] valuable region.'

"There is but one grant that I could learn of w[…] any portion of the gold mines. Previous to the oc[…] the country by the Americans, the parts now kn[…] *Gold Region* were infested with the wild Indians,[…] tempts made to settle there. The grant that I[…] made by Governor Micheltorrena to Don Juan B[…] in February 1844, and is called the *Mariposas*, be[…] on the Mariposas creek, and between the Sierra[…] the river Joaquin, and comprises ten *sitios*, or leag[…] conceded, as the grant expresses, 'a consideration[…] lic services' of the grantee. It was purchased fro[…] tee (Alvarado) in February, 1847, by Thomas O. L[…] for Mr. J. C. Fremont, and is now owned by that[…]

Thus diminishes the "stupendous grants" to[…] United States, of which so much has been hear[…] every one of which a record can be found, dwind[…] a common eleven league grant, and made before[…] government was dreamed of, and in places where[…] lives to undertake to settle them—places over wh[…] and savage Indians held dominion. Of this kin[…] Vallejo's grant north of the Bay of San Francis[…] Governor-General in 1843; and of the same kin[…] the two leagues grant to the ex-deputy Govern[…] by the same Governor-General in 1844, in[…] San Joaquin, and of which Col. Fremont, through[…] became the purchaser in 1847. But few persons con[…] vailed on to accept such grants, on account of the[…] settling them, and on that account some[…] sation from immediate settlement. Of this kind[…] riposas grant; and so great was this danger[…] grant, that, even in 1849, when Mr. F[…] possession, six men were killed upon it[…] there—not of his party, but of another[…] experienced. There is some gold up[…] nothing of it; and it might have been a[…] valley has much sand. It was bought[…] was merely bought by the agent under[…] purchase a *rancho*, and because he ha[…] one indicated in another place, and whe[…] no Indians. When Mr. Fremont re[…] after being required by his honor to q[…] colonize this grant, in company with hi[…] mountains, and to live a retired life the[…] he shipped from New York all the nec[…] plements, grist and saw mill irons inc[…] Cape Horn, while with the old comrad[…] he undertook to complete his last line o[…] continent with a view to the location[…] central highway from the Mississippi[…] The mistake of a guide—not one of his[…] that expedition; but the agricultural i[…] and on arriving the unexpected revela[…] caused them to be laid aside for mini[…] Mariposa (Butterfly) farm, as it was b[…] posas mine, as it turns out to be—hel[…] thority under which Gen. Vallejo h[…] capital of Calfornia; and in defence[…] is ready to run the gauntlet of all the[…] the substitute bill, but is not willing t[…] the same calamitous process.

I said yesterday, and I have made[…] there was both a local Californian a[…] or Spanish general authority, to gran[…] California. This is now proved. […] bution of lands in California was t[…] land system, first of Spain, and the[…]

...but without affecting existing claims. At page 3 of his report he says:

"As to the point now under consideration, that of San Francisco, I find that in the acts of the departmental authorities, the settlements in and about the presidio were styled 'the pueblo of San Francisco,' and the particular place where the village principally was and the city now is, 'the point of Yerba Buena.' The local authorities, as its alcalde, or justice of the peace, were termed those of the pueblo of San Francisco. Its privileges were not, therefore, at any time limited to the point of Yerba Buena. Originally, probably, it had boundaries in common with the mission of Dolores, which would restrict it in its four leagues; but, after the conversion of the mission into a pueblo, the jurisdiction of the authorities of San Francisco was extended, and special license given to its principal magistrate to grant lots *at the mission.* San Francisco is situated on a tongue or neck of land, lying between the bay and the sea, increasing in breadth, in a southerly direction. A measurement of four leagues south from the presidio would give the city, in the present advanced value of property, a magnificent corporate domain, but not so much as was fairly assignable to the precincts of the presidio under the order of 1791, nor so much as all new pueblos are entitled to under the general laws of the Indias. There are private rights, however, existing within those limits, apart from any grants of the village authorities, which ought to be respected; some through grants from the former Government; some by location and improvement, a claim both under our own law and custom, and under the Spanish law, entitled to respect. To avoid the confusion—the destruction—that would grow out of disturbing the multiplied and vast interests that have arisen under the acts of the American authorities at San Francisco; to give the city what she would certainly have been entitled to by the terms of the old law, what she will need for the public improvements and adornments that her future population will require, and what is well due to the enterprise which has founded in so brief a space a great metropolis in that remote region, perhaps no better or juster measure could be suggested, than a confirmation of past acts, a release of Government claims to the extent of four leagues, measuring south from the presidio, and including all between sea and bay, with suitable provision for protecting private rights, whether under old grants or by recent improvements, and reserving such sites as the Government may require."

Thus much, Mr. President, I have felt it my duty to say in support of the fifth section of my bill, which applies to the municipal grants, [illegible] by the law itself, *ex proprio vigore*, the quantity of four leagues square, which was the minimum quantity granted by a general law; and I have no doubt that larger quantities were granted by special decrees to different pueblos as they grew up, and expanded, and increased in population and wealth, and became towns and cities. They were gifts to domiciliated Indians, to discharged soldiers, and to emigrating settlers; and it is revolting to think that the descendants and the assignees of those recipients of the paternal bounty of the King of Spain, may be dragged before a board of commissioners to prove their titles, with the chance of being hauled up into the United States district courts in California, to prove them a second time there, and a further chance to be pulled across the continent from the Pacific to the Atlantic to prove them a third time before the Supreme Court of the United States. It is horrible to think of, and more cruel, and not less illegal, than direct confiscation.

The sixth section of my bill also contains a special provision, which needs explanation to justify it. It confirms the grants made by Gen. Kearny in San Francisco during the time that he was Governor in California; and this supposes the fact that he made such grants. This is true; and in answer to that branch of the inquiries of the Secretary of the Interior which relate to grants of land in California subsequent to the conquest, he produces, at page 30 of the report, this decree of Gen. Kearny, dated March 10th, 1847:

"I, Brigadier General S. W. Kearny, Governor of California, by virtue of authority in me vested by the President of the United States of America, do hereby *grant, convey,* and *release* unto the town of San Francisco, the people, or corporate authorities thereof, all the right, title, and interest of the *Government of the United States* and of the *Territory of California* in and to the beach and water lots on the east front of said town of San Francisco, included between the points known as the Rincon and Fort Montgomery, excepting such lots as may be selected for the use of the United States Government by the senior officers of the army and navy now there; provided the said ground hereby ceded shall be divided into lots and sold by public auction to the highest bidder, after three months' notice previously given; the proceeds of said sale to be for the benefit of the town of San Francisco."

The section which I propose confirms this decree, without any inquiry into its legality. I merely take it as a fact, and deal with it accordingly, and for the purpose of quieting possessions and saving a flourishing city from the calamity of contested titles. Under the bill of the Senator from California, (Mr. Gwin,) this decree, and the grants under it, would be excluded even from consideration. It is neither a Mexican nor a Spanish decree—(to which his bill is confined)—nor is it before the 7th day of July, 1846, to which it is limited. If something like the section I have proposed is not adopted, there may be much ruinous litigation, and even fatal violence in San Francisco, in relation to these grants; and Congress will certainly be petitioned, by special messengers sent from the country, to interpose the shield of legislative authority. If the decree had not said that its authority was derived from the President of the United States, I should have supposed that Gen. Kearny had acted under the belief that he possessed the power of previous California Governors. But, without inquiring into the question of power to make the decree—proceeding on the fact that it was made, and that property is possessed under it, and that Congress can confirm as well as originate dispositions of the public lands, I propose to confirm the possessors in their property, without inquiry or conditions. The equity of doing so is shown by Mr. Jones, in his report. He says, (page 30, 31:)

"Pursuant to the terms of this paper, what are termed 'government reservations' were made, both within and outside the lots specified, and the remainder of the lots designated have been since in great part sold by the town of San Francisco. These lots extend into the shallow water along the beach of San Francisco, and are very suitable and requisite for the business purposes of that growing city. The number of four hundred and forty-four of them were sold in the summer ensuing the 'decree;' and in December last, I have learned since my return, the remainder, or a large portion of them, were disposed of by the corporation. But little public use has been made of what are denominated the 'government reservations.' Portions of them are reputed to be covered by old grants; portions have been settled on and occupied by way of pre-emption; and other portions, particularly 'Rincon Point,' have been granted out, as I am informed, to individuals, by the late military government.

"Under the above 'decree' of General Kearny, and the consequent acts of the authorities of San Francisco, such multiplied, diversified, and important private interests have arisen, that, at this late day, no good, but immense mischief, would result from disturbing them. The city has derived a large amount of revenue from the sale of the lots; the lots have been sold, and transferred in every variety of way, and passed through many hands, and on many of them costly and permanent improvements have been made; improvements required by the business and wants of the community, and which it was to give the makers of them an equitable interest in the land, even without the faith of the Government implied by the act of its agent so long unquestioned. An act of Congress relinquishing thus in the lawful mode the interest of the United States in those beach and water lots, would seem only an act of justice to the city and to the lot holders, and to be necessary to give that validity and confidence

...is conclusive of the fact that sales and grants of public land were made in California by at least one justice of the peace—an American justice with a Spanish title—since the conquest of the country. It is believed that many other justices did the same; and I deem it unwise to confirm their acts without having a list of them, and knowing what grants or sales they made, and their present condition. So far as the grants and sales may have enured to the benefit of the alcalde himself, either directly or circuitously, or to his kin within the levitical degrees of prohibited marriages, I should think it would be well, both as a penalty for the past and as a caution for the future, not to confirm them at all. But that will be an after question. My bill only proposes a report upon all such operations for the information and future action of Congress. Mr. Jones, in his report, page 31, thus notices these alcalde grants and sales:

"Other operations in lands which had not been reduced to private property at the time of the cessation of the former Government have taken place in and about different towns and villages, by the alcaldes and other municipal authorities continuing to make grants of lots and outlots, more or less according to the mode of the former Government. This, I understand, has been done under the supposition of a right to the lands granted, existing in the respective towns as corporations. Transactions of this nature have been to a very large extent at San Francisco; several hundred inlots of fifty varas square, and outlots of one hundred varas square, have been thus disposed of by the successive alcaldes of the place since the occupation of it by the American forces, both those appointed by the naval and military commanders, and those subsequently chosen by the inhabitants."

One other special provision remains to be stated and explained; it is in section 8, and relates to the claims of John Charles Fremont, and allows an appeal to the Supreme Court in all cases in which there may be a decision in the district court in his favor, while making such decisions in favor of other claimants conclusive against the United States. A regard to his own character, and to prevent injury to others on his account, induces this exception. Mr. Fremont has a claim—purchased by an agent (Mr. Larkin) without his knowledge of its existence, and when he had directed another one to be purchased. That claim will come up with others for adjudication; and he felt, when drawing his bill at the last session, and making a decision in the district court [illegible] conclusive in favor of the claimant, that it might give occasion to those who were disposed to say it, to say that the design was to screen his own title from examination in the Supreme Court. He felt this, and felt it to be unjust; but also felt that it would look ostentatious and uncalled for, to volunteer an exception against himself. But now, and after what has happened, he no longer feels any hesitation on that account; and, in conformity to his feelings, I now make the exception which will take his case out of the general provisions of the bill, and subject it to run the gauntlet of all the courts, from the lowest to the highest, and from the shores of the Pacific ocean to the shores of the Atlantic, and against all the counsel which the substitute bill authorizes to be employed. He is willing to run the gauntlet of all this, according to his letter in relation to the Mariposa estate, which was read yesterday; but he is not willing that other claimants should be so subjected, or that his exertions in their behalf should be weakened by the supposition of an interested motive.

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...eleven leagues, ... grants, (*more properly contracts,*) ... tracts, to *empresarios*, or persons who would undertake, for a consideration in land, to bring families to the country for the purpose of colonization. Grants of the first description, that is, to families or single persons, and not exceeding eleven *sitios*, were 'not to be held definitively valid' until sanctioned by the *Territorial Deputation.* Those of the second class, that is, *empresario* or colonization grants, (or contracts,) required a like sanction by the *Supreme Government.* In case the concurrence of the Deputation was refused to a grant of the first mentioned class, the Governor should appeal, in favor of the grantee, from the Assembly to the Supreme Government."

The large grants, of which the public has heard so much, were also a subject of inquiry committed to Mr. Jones; and his report greatly diminishes the expectations excited, and brings down nearly all these immense principalities to the ordinary grant of eleven square leagues, and usually made before there was any apprehension that California would become American property; that is to say, before the winter of 1845, '46, when the return of Col. Fremont with his topographical party, and the prospect of war between the United States and Mexico first spread that alarm. Of these so called large grants, Mr Jones, at pages 22–3, thus speaks:

"I did not find in the archives of California any record of large grants, in the sense I suppose the term to be here used. There are a number of grants to the full extent of the privilege accorded by law to individual concessions, and of the authority of the local Government to make, independent of the Central Government—to wit, of eleven *sitios*, or leagues square.

"There are understood, in the country, however, to be large claims, reputed to be founded on grants direct from the Mexican Government—one held by Captain Sutter, another by General Vallejo. The archives (as far as I could discover) only show that Captain Sutter received, on the 18th of July, 1841, from Governor Alvarado, the usual grant of *eleven sitios*, on the river Sacramento, and this is all I ascertained. The archives likewise show that Gen. Vallejo received from Gov. Micheltorrena, on the 22d October, 1843, a grant of ten sitios, called 'Petaluma,' in the district of Sonoma; and I was informed by a respectable gentleman in California that Gen. V. had likewise a grant from the Mexican Government, given for a valuable consideration, of a large tract known by the name of 'Soscol,' and including the site of the present town of Benicia, founded by Messrs. Vallejo and Semple, in the Straits of Carquinez. It is also reputed that the same gentleman has extensive claims in the valley of Sonoma and on Suisun bay. It appears from documents which General Vallejo caused to be published in the [illegible] of California in 1847, that he was deputed, in the year 1835, by Gen. Figueroa, to found a settlement in the valley of Sonoma, 'with the object of arresting the progress of the Russian settlements of Bodega and Ross.' Gen. Vallejo was at that time (1835) military commander of the northern frontier. He afterwards, (in 1836,) by virtue of a revolution which occurred in that year in California, became military commandant of the department—the civil and military government being by the same act divided—to which office he was confirmed in 1838 by the Supreme Government.

"The following extract from Gov. Figueroa's instructions to him, will show the extent of Gen. Vallejo's powers, as agent for colonizing the north:

"'You are empowered to solicit families in all the territory and other States of the Mexican Republic, in order to colonize the northern frontiers, granting lands to all persons who may wish to establish themselves there, and those grants shall be confirmed to them by the Territorial Government, whenever the grantees shall apply therefor; the title which they obtain from you serving them in the mean time as a sufficient guaranty, as you are the only individual authorized by the superior authority to concede lands in the frontier under your charge. The Supreme Government of the territory is convinced that you are the only officer to whom so great an enterprise can be entrusted; and in order that it may be accomplished in a certain manner, it is willing to defray the necessary expenses to that end.'

"An official letter to Gen. Vallejo from the Department of War and Marine, dated at Mexico, 5th August, 1839, expresses approbation of what had hitherto been done in establishing the colony, and the desire that the settlements should continue to increase 'until they should be so strong as to be respected not only by the Indian tribes, but also by the establishments of the foreigners who should attempt to invade that valuable region.'

"There is but one grant that I could learn of which covers any portion of the gold mines. Previous to the occupation of the country by the Americans, the parts now known as *The Gold Region* were infested with the wild Indians, and no attempts made to settle there. The grant that I refer to was made by Governor Micheltorrena to Don Juan B. Alvarado, in February 1844, and is called the *Mariposas*, being situated on the Mariposas creek, and between the Sierra Nevada and the river Joaquin, and comprises ten *sitios*, or leagues square, conceded, as the grant expresses, 'in consideration of the public services' of the grantee. It was purchased from the grantee (Alvarado) in February, 1847, by Thomas O. Larkin, Esq. for Mr. J. C. Fremont, and is now owned by that gentleman."

Thus diminishes the "stupendous grants" to defraud the United States, of which so much has been heard. Almost every one of which a record can be found, dwindled down to a common eleven league grant, and made before a change of government was dreamed of, and in places where it was worth lives to undertake to settle them—places over which the wild and savage Indians held dominion. Of this kind was Gen. Vallejo's grant north of the Bay of San Francisco, from the Governor-General in 1843; and of the same kind was then the ten leagues grant to the ex-deputy Governor Alvarado, by the same Governor-General in 1844 *in the valley of the San Joaquin, and of which Col. Fremont, through an agent, became the purchaser in 1847.* But few people could be prevailed on to accept such grants, on account of the danger of settling them, and on that account some contained a dispensation from immediate settlement. Of this kind was the Mariposas grant; and so great was this danger in relation to that grant, that, even in 1849, when Mr. Fremont went to take possession, six men were killed upon it the first night he slept there—not of his party, but of another camp less vigilant and experienced. There is some gold upon it, though he knew nothing of it; and it might have been a bed of sand; for that valley has much sand. *It* was bought for a cattle farm, and was merely bought by the agent under a general direction to purchase a *rancho*, and because he had failed to obtain the one indicated in another place, and where there is no gold and no Indians. When Mr. Fremont returned to California, after being required by his honor to quit the army, it was to colonize this grant, in company with his old comrades of the mountains, and to live a retired life there. For that purpose he shipped from New York all the necessary agricultural implements, grist and saw mill irons inclusive, to go round by Cape Horn, while with the old comrades who adhered to him he undertook to complete his last line of exploration across the continent with a view to the location of the great national central highway from the Mississippi to the Pacific ocean. The mistake of a guide—not one of his old comrades—balked that expedition; but the agricultural implements went round, and on arriving the unexpected revelation of golden treasures caused them to be laid aside for mining tools. This is the Mariposa (Butterfly) farm, as it was bought to be—the Mariposas mine, as it turns out to be—held under the same authority under which Gen. Vallejo holds what is to be the capital of California; and in defence of which Mr. Fremont is ready to run the gauntlet of all the lawsuits provided for in the substitute bill, but is not willing to see others subjected to the same calamitous process.

I said yesterday, and I have made it appear to-day, that there was both a local Californian authority, and a Mexican or Spanish general authority, to grant distributions of land in California. This is now proved. I said also that the distribution of lands in California was taken out of the general land system, first of Spain, and then of Mexico: that it was

the conquest come ... classes as to their origin—few, and but a few, derived from the supreme central or mother authority; and they, of course, are "*legal*" grants; the mass of them were granted by the local authorities under legal regulations, and are divided into *municipal* and *rural* grants; and these are "*legal*" titles by the act of the provincial or territorial authorities alone. And now these "*legal*" grants are all to be impeached in mass—all held to be invalid until the contrary is proved—all subjected, if the substitute bill passes, to three sets of lawsuits to try their validity.

The missions are separate grants, all derived from the supreme authority, and most of them secularized, if not all, under the Mexican law of August 17th, 1833. A full report may be seen upon them in Mr. Jones's report, from page 14 to page 21. They require no separate legislation; and are therefore left to the general provisions of the bill.

Having finished the exposition of the merits of my own bill, I feel bound to present, with some particularity, the defects of the one offered by the Senator from California, (Mr. Gwin,) and which I think cannot become law without deplorable effects to California. I take up these objectionable clauses in the order in which I find them in his bill.

First. As to the times and places at which the commissioners are to hold their sessions. This in the substitute bill is left to be fixed by the President. This, in my opinion, is doubly wrong. It is a detail with which the President should not be troubled; and it is a part of a judicial process that should be fixed by law, that all persons might know, as in courts of justice, when and where the title to their property is to be tried.

Secondly. The substitute bill limits the claims which may go before the board to those which are *derived* from the Spanish or Mexican Government. Now this limitation may cut off all those, or raise a question about them, which were derived from the Californian local authorities; and these, as we have seen, constitute the great mass of the whole—the whole of the municipal, and nearly all the rural grants under eleven *sitios.* The bill submitted by the other Senator from California at the last session (Mr. Fremont) provided for all claims derived from the Californian authorities, as well as those derived from the Mexican and Spanish; and the bill I now offer does the same.

Thirdly. The substitute bill limits the time of the duration of these Mexican and Spanish grants to which the board is to be confined, to those which originated before the 7th day of July, 1846. This is an unfortunate limitation in my opinion, both as to the idea of fixing a day, and the fact of the day fixed. The 7th day of July was not the day of the conquest of California: it was only the day of the taking possession of the town of Monterey. The country north of the Bay of San Francisco had been conquered by Col. Fremont, and the men of his party, and the American settlers of the Sacramento valley, before that time; and the country south, including Los Angeles, the seat of government, was conquered afterwards by Fremont and Stockton, to wit, August 13th, 1846. The day, therefore, named in the bill has no relation to any political event affecting titles in California, and divides the time when the conquest was going on, and a confusion of Mexican and American authority prevailing. But it happens to be a fact that the Senate, in ratifying the treaty of Gudalupe Victoria, refused to agree to any day for the limitation of the derivation of land titles, and struck out the one which had been inserted at the instance of the Mexican Government, without inserting any other. It was in the tenth article. In looking at the treaty in its present ratified form, it will be seen that the 10th article is stricken out. It was done by the American Senate, and because that article fixed a day within which to legitimate titles, and granted time for the fulfilment of unexecuted conditions. Col. Fremont had shown to the Senate, in his testimony in relation to California affairs, before the select committee of which the Senator from Michigan (Mr. Cass) was chairman, that there were great operations going on that year, and within that time, in lands in California, and which that date might seriously affect. One branch of these operations were to transfer the public lands of California to British subjects, while putting the country itself under British protection, and expelling the American settlers. Among these operations he gave in a memorandum of the transfer of missions, and grant of islands, of which he had taken note when Governor at Los Angeles, and in possession of the archives, thus:

"1. The *Mission of San Gabriel*, granted on the 8th of June, 1846, to Julian Workman and Hugo Reid, (English subjects.)

"2. The *Mission of San Rafael*, to Julian Workman and Francisco Plinio Temple, on the 8th of June, 1846.

"3. The *Island of San Clemente*, granted about the middle of May, 1846, to Julian Workman and Andres Pico.

"4. *Bird Island*, granted on the 3d of June, 1846, to Julian Workman.

"6. *San Mateo*, (part of the Mission of Dolores,) granted in the month of May to Cayetano Arenas.

"7. *Mission of San Luis Rey*, granted, I believe, in the month of June, 1846, to Senor Cot.

"I submit the following extract from a deed given by Governor Pico under date of June 8th, 1846, to Julian Workman and Hugo Reid, of the Mission of San Gabriel. A copy of the deed is contained in a letter now in my possession from Mr. Reid to Commodore Stockton. The words of Governor Pico are:

"'Authorized beforehand by the most excellent Assembly of the Department to dispose of the missions for the payment of their debts, and *avoiding of the total ruin of them,* as well as to proportion resources that may serve for the general defence in case of a foreign invasion, which, according to recent dates, is not far off,' &c.

"The facts above narrated, with many attending circumstances, led me to believe that the authorities of California designed to create as large as possible a British interest in the country, or, in other words, to convert, wherever it could be done, public or Mexican property in California into British property. These things were mostly done hurriedly, and mostly at the same fixed period of time, and taken in connexion with my collision with the authorities in March, 1846, and the declaration of the same authorities that I had come into the country to excite a revolt, and the disposition shown by the American settlers in offering to aid me, and the consequent proceedings against them, further led me to believe that the action of the authorities was influenced by apprehension of danger from the Americans. I believe that the action of the authorities in the grant to Macnamara was precipitated by the revolution in the north."

He also brought home all the papers of the great Macnamara grants, three thousand square leagues, covering the whole eastern half of the valley of the San Joaquin, where so much gold is now found, and it was the exhibition of these papers in the Senate which contributed more than any thing else to cause the tenth article of the treaty to be stricken out—no day to be fixed—and the rights of property in California to rest under the protection of the law of nations, and the general clause in favor of its "free enjoyment," contained in the ninth article. That great grant commenced at the city of Mexico in the month of August, 1845, was in progress of completion in May and June, 1846, and Macnamara present (brought up by a British ship of war) to receive possession the moment the last form was put to it. The operations of Fremont prevented that last step, and saved a real principality, a golden principality in the finest part of California, from passing into the hands of British subjects. And now the Senator from California proposes a day for legitimating titles, when the Senate refused, for weighty reasons, to admit of any day in the treaty.

Fourthly. The substitute bill provides that the district attorney is to appear before the board of commissioners to attend to the interests of the United States. This is convert-

HERALD.

--ONE O'CLOCK. PRICE TWO CENTS.

would do more to kill off slavery than any other means that could be adopted.

GERRIT SMITH, from the Business Committee, read a very long, though interesting address, from the Convention to the people of the State.

SECOND DAY.

GERRIT SMITH presented a serious of resolutions to test the sense of the Convention on the address.

The first resolution, declaring that the address is right in asserting that the Federal Constitution is an anti-slavery instrument, was taken up for consideration.

Stephen S. and Abby Kelly Foster made their first appearance in the Convention.

The third resolution, asserting that the address is right in declaring such ministers as preach the enforcement of the Fugitive law, to be knaves and mercenaries, was taken up for consideration, and without debate was unanimously adopted.

The second resolution, asserting that the address is right in declaring that the colored people of the North, to be in pro-slavery parties, and to vote for their oppressors and traducers and despisers, and to worship in negro pew churches, is to disgrace and degrade themselves, and to make themselves an obstacle in the way of abolishing slavery—an obstacle so great, that they had better be out of the country than in it, unless they will consent to remove the obstacle by means of the revival of their self-respect, and the reformation of thir lives—was taken up for consideration.

By common consent, the second resolution was allowed to remain on the table.

The ourth resolution, asserting that the address is right in saying that this nation is pro-slavery, and is perishing by reason of its national parties, and in saying that therefore whoever belongs to the whig or democratic party, or to any national ecclesiastical party, does, in consequence of such connection, exert an influence in behalf of slavery, was taken up for consideration.

This resolution, with very little debate, was unanimously adopted.

A communication was received from the colored citizens of Ithaca, appointing a delegate to the Convention, and giving a lamentable account of the action of the Fugitive law upon the fugitives in that village.

CHAS. A. WHEATON, from the Committee on Finance, submitted a report relating wholly to the bail of Wm. L. Chaplin. His bail at Washington was $6 600; $19.000 in Maryland; and costs of court, counsel fees, &c., $3,000—$28,000 in all. The Washington bail was furnished by three men. $5 000 had been raised by subscription—$6,000 advanced in New York city, to be raised there. One gentleman in Western New York had raised on bank paper, payable the last of February, $5,000. Two individuals in Western New York had raised $1.000 on same terms. One individual had paid in cash $5,000. The report recommends that a series of weekly meetings be held at prominent points in the State for the purpose of raising the amount of money needed, and for the additional purpose of arousing the people of this State to a feeling of the necessity of defending Chaplin against a requisition of the Governor of Maryland. It recommends the present Convention to raise at least $1,000 as a beginning.

J. C. HATHAWAY, who passed several weeks in Maryland in getting Chaplin out of prison, went into a history of the cruelties and insults attending Chaplin's imprisonment and bailing. He was at first thrust into a dungeon, under ground, with eight negroes and one white woman, where he would not have probably lived a month. His friends had to pay $90 for guarding him thirty nights, that he need not be confined in a loathsome and noisome dungeon. The sentiment of Maryland was such that the requisition would be made. The sentiment of New York must be prepared to meet such issue.

A contribution was taken up in sums of from $1 to $50, amounting in a total to about $500.

During the taking up of the contribution, Mr. Chaplin, being called for, took the stand, and was greeted with tremendous applause. After it ceased, he made a few remarks in regard to his imprisonment in Maryland, and also upon the subject of slavery generally.

THE U. S. SUPREME COURT AND THE SUBJECT OF SLAVERY.—The Washington *Union*, of the 9th ... synopsis of the U. S. Su-

Theatrical.

MRS. MANAGER MITCHELL.—We have received a communication from N. P. Waring, Esq., counsel of ex-manager Mitchell, in which he states that Mrs. Mitchell has received from her husband, since the 21st of Sept. last, the sum of $691, and that she has not, therefore, been "living solely on the donations of her friends and the public."

BOWERY THEATRE.—The new drama, entitled "David Copperfield," being very successful, the house being crowded every night to almost suffocation, it will be repeated to-night, with a splendid cast. J. R. Scott, for many years attached to this theatre, and one of the greatest favorites, will appear as Daniel Pegotty, in which character he displays great dramatic ability. The other parts will be filled by Miss Wemyss, Miss S. Denin, Mr. Tilton, and other eminent artists. Miss Hiffert will sing a favorite ballad, and the entertainments will conclude with the beautiful dramatic production of "Wallace, the Hero of Scotland." This piece has always been received with the greatest marks of pleasure. J. R. Scott appears as Wallace, and, to our mind, it could not have fallen into better hands. This is a bill of great attraction, and, no doubt, will crowd this popular theatre.

BROADWAY THEATRE.—The manager of this establishment has had in progress for some months a new and magnificent romantic spectacle, entitled "Faustus, or the Demon of Drachenfels," which will be produced on Monday evening. It has cost an immense sum of money, *in order to place it effectively on the stage; and, from all we can learn, it will exceed in splendor anything which has ever been produced in this country.* The cast of characters will introduce all the eminent artists of this theatre—Messrs Dyott, Conway, Whiting, Hill, Shaw, Reynolds, Davidge, Harris, Hind, Mathews, Scharf, Madame Ponisi, Mrs. Abbott and Miss Capel. The scenery alone is of such a superb description that to see it will be worth more than the price of admission. Marshall deserves support in his efforts to render the metropolitan theatre worthy the support of the dramatic public. We hope he will receive a substantial proof that his efforts are appreciated. There will be no performance to-night.

BURTON'S THEATRE.—The same rush as ever take place every night at this well managed establishment. This, to some, may appear strange, but to the theatrical reporter, it seems but an act of justice, as not even one can be found who passed an evening within the walls of this famous dramatic temple who can say otherwise than that not only are the pieces produced of the best and most amusing description, but that also the comedians filling the respective characters are the most talented that can be found in the entire Union. The new drama of "David Copperfield" will commence the entertainments, with Burton, Blake, Lester, and other famous artists, filling the leading characters. Miss Walters and M. Frederic will dance, the orchestra will play several beautiful pieces, and the entertainments will conclude with the "Bold Dragoons."

NATIONAL THEATRE.—The bill of entertainment for this evening is one of the most attractive of the season. Four excellent pieces are presented, and, considering that the price of admission *is so very reasonable, we will be much surprised if the National be not filled from pit to dome. The entertainments will commence with the* excellent burlesque of "Old King Cole," which will be followed by the attractive and beautiful piece called the "Golden Axe." This beautiful pantomime has been received on every night of its production with the most marked enthusiasm. The next feature will be the splendid spectacle of the "Magic Well," and the whole will terminate with the ballet of the "Frisky Cobbler." Purdy will have to enlarge his theatre, if he continues to offer such attractive pieces as those enumerated.

BROUGHAM'S THEATRE.—This establishment is now fairly under way, and if good houses, delighted audiences, and a company of the best comic talent, can be taken as a criterion of its success, we believe Brougham's Lyceum is on the road to fortune. This evening, the new version of "David Copperfield" will commence the entertainments, and we leave it to the visiters who have already seen it, to judge whether they can see it better performed. Mr. Brougham's comic ability is too well known to require any particular eulogium from us. Lynne is a fine actor—Owens one of the best low comedians; Mrs. Vernon, the greatest actress in her line, in the world; Kate Horn, excellent in everything; Mary Taylor, an actress of all work; Mrs. Loder, capital in her line; and what shall we say of that laughter-exciting splendid actress, Mrs. Brougham? Simply, that Miss Pegotty in her hands, is drawn true to nature. The "Wild Indian" and "Rough Diamond," will conclude the performances.

AMERICAN MUSEUM.—The entertainments of this day are for the benefit of division No. 61, of the Sons of Temperance, and the performances are of a very attractive character. In the afternoon, the drama of the "Spirit of Temperance," and the farce of "Deeds of Dreadful Note." In the evening, the excellent moral and instructive drama of the "Drunkard." *The receipts of the museum to-day, must amount to a considerable sum,* as, no doubt, all concerned in the march of temperance will attend, and contribute to the support of one of the branches of the order.

JUNE & CO.'s CIRCUS.—The sterling equestrian entertainments presented at this popular resort, continue to excite a large share of public interest, and the performances are invariably well attended. This evening Mons. Tournaire appears in his great act of riding eight horses, and many other attractive feats are announced. A day performance is to be given this afternoon, for the accommodation of families, and others, who may wish to avoid the crowd attendant upon an evening exhibition.

PANORAMA OF THE PILGRIM'S PROGRESS.—We still hear but one opinion of the merits of this work, and we presume it is almost needless for us to urge the public to visit it, inasmuch as it has became one of the topics of the day. There is a softness and delicacy about the landscapes in very many parts of the painting, that we must confess, we have never seen before; and in some of the scenes the illusion is so perfect that you almost expect to see the giant and fiends start out from the canvass and make themselves at home among the audience. We can assure our readers however, there is no danger, and we advise them to go and see it.

STOPPANI HALL.—The beautiful tableaux of New England, which are being nightly exhibited at this place of amusement, together with various other amusing and attractive entertainments are spoken of in high terms of praise.

SATTLER'S COSMORAMIC VIEWS are the most beautiful we have ever seen. They are paintings of great artistic merit.

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Musical.

THE GREAT MUSICAL FESTIVAL TO-NIGHT—PARODI.—Tripler Hall, to-night, will be the scene of another great musical entertainment. The novelty of the occasion, independent of the musical selections, will be the appearance, for the first time, of Miska Hauser, the celebreted European violinist, whose reputation gives promise of a treat of the highest order,—his rank being second to that of no performer on the violin. Doubtless the fashionable and musical circles will be interested in one who is reported to be both classical and profound. Miss Virginia Whiting, also, will appear on this occasion. Her position is already very high, and there will be much interest to hear her again, before she makes her appearance on the lyric stage, where, we learn, she is soon to appear. Parodi, the peerless and magnificent, in connection with other favorite vocalists of the Opera House, will give, also, on this occasion, selections from "Semiramide," in which she was acknowledged, by the whole of the London press, to have no superior. This in itself will draw largely, for Parodi's merits are of so exalted a stamp that if the London press had condemned her, we should be obliged to return to them, as we have done once before another Malibran. Already the honors flow thickly upon our queen of the opera, and new beauties and triumphs from her efforts steadily attend her. In Philadelphia she has excited the enthusiasm of all competent judges, as she has here; and a slight testimonial of her popularity may be seen in the annexed compliment a copy of which we have received from the Quaker city:—

PARODI ASSEMBLY ROOMS, SIXTH AND CHERRY STS.,
PHILADELPHIA, January 2, 1854.

To Signorina Teresa Parodi, Prima Donna Assoluta, Italian Opera:—

A number of gentlemen of this city having formed themselves into a literary and musical association, have taken the liberty to style it the Parodi Assembly.

Your distinguished talents as an artist, and high moral worth as a lady, have rendered the name of Parodi at once famous and honorable.

We would now most respectfully beg leave to invite you to our *soiree*, to be given on February the eleventh proximo, if compatible with your professional engagements.

We most earnestly beg the honor of your company, not only as a visitant, but because we view and consider you as our patron saint.

Be pleased to accept the sincere assurance of our most distinguished regard.

F. W. WEBSTER, Recording Secretary.

The price of the tickets for the concert at Tripler Hall is one dollar only; and, considering the brilliant entertainment promised, we presume that there will be an early and unexample demand for tickets. We advise every one to go early.

FELLOWS' OPERA HOUSE.—There will be a Sunday concert given to-morrow evening at this hall of minstrelsy. Several leading artists are engaged for the occasion. Mrs. and Mr Doctor, celebrated as pianists, are engaged, and will discourse sweet music on the occasion. Mr. Meyer, the celebrated violinist, and others of musical celebrity, will also appear.

CHRISTY'S MINSTRELS.—The same attractive features as ever, are announced for this evening's entertainment. The burlesque Opera is excellent—the negro minstrelsy is sweet and harmonious—the solos on the violin and guitar would give pleasure in any concert room—the singing is capital—the dancing exquisite, and the witty sayings would excite merriment in the dullest spirit.

FELLOWS' MINSTRELS.—The splendid concerts of this band of minstrels, are attracting large crowds every evening. The excellent singing—the racy wit of Bones and Tamborine—keep the audience in a constant roar of laughter; the burlesqe on the Ravels is one of the best that has ever been produced. There will be an afternoon concert to day, at 3 o'clock.

TRIPLER HALL—GRAND CONCERT.—This evening the indefatigable musical director of the Italian Opera House, offers to the musical gentry of New York an entertainment of the most varied and brilliant description. The orchestral department will be full and effective, and will be guided by the distinguished *maestro*, Max Maretzek—the vocal department comprises all the leading talent of the city. The charming, mellow, and silver-toned cantatrice, M'lle Teresa Parodi, will display the various beauties of her art, in several musical gems; Signorina Patti, Miss Virginia Whiting, and Messrs. Beneventano, Lorini, and Sanquirico, will also appear, and the great violinist M Hauser, will make his first appearance in America; he is considered equal, if not superior to Ole Bull. Tripler Hall will, no doubt present a brilliant array of fashionables this evening

RECIPROCITY WITH CANADA.—*The proposition* to establish a system of reciprocity between the United States and Canada, that is to say, a mutual, free interchange of the respective products of the two countries, has been urged with some importunity by the Canadian authorities under the sanction of the British Government, and it is now before Congress in the form of a bill.

The Canadians never urged this proposition while the British Corn Laws were in existence. They were then favored in the British Corn Market and found some compensation for colonial restrictions in the special privileges awarded to colonial produce in its admission into the ports of Great Britain.

The abrogation of the Corn Laws has deprived the Canadians of their special advantages in the British markets; they now stand upon a similar footing with other producers of grain. The policy of England having been long fixed to discourage and suppress the growth of manufactures in her colonies, the Canadians, now that they are cut off from all privileged access to the market of the mother country for their produce, have no home market to serve as a substitute, and their condition is indeed deplorable. In this straitened condition of things they are very anxiously desirous of the privilege of admission for their produce to the markets of the United States.

Canada stands as a striking illustration of that sort of free trade of which we hear so much from certain abstractionists who pretend to philosophise, and from politicians who are not particular about understanding the subjects of their discourse. Canada, an agricultural country, has no manufactures—because she has never been allowed to protect her manufacturing industry. Free trade has given her the manufactured fabrics of British workshops, imported without duties, and at cheaper rates than they could have been supplied, at first and for a considerable time, by protected manufacturing industry at home. Free trade conveys her grain and lumber across the ocean to find a market three thousand miles distant—or not to find it as the case may be. The manufacturing population of Great Britain may consume her grain, or that of the Baltic countries, or that of Southern Russia, or that of the United States, whenever the crop of the island falls short. But if Canada had a manufacturing population of her own to supply her demands in that way she would have a home market of her own, which her own farmers would have possession of without competition.

But she has no such home market; and she looks across the border to a great Republic, which, with more or less consistency, has maintained a system of encouragement to manufacturing home industry, and where there has grown up, consequently, a home market for agricultural produce. She wishes to have admission to this market, and to participate in the benefits of a system which she has had no part in building up and sustaining—having in fact pursued a different system and made her constant sacrifices to the dogmas of free trade.

The protective system, we say, has been maintained in the United States with more or less consistency from the first. From the moment at which our revenue policy began—the policy of deriving the chief supplies of the Treasury from impost duties—from that moment the system of protection to our domestic manufacturing industry began. The two things are inseparable. The difference between parties on this subject has been and continues to be that one party, seeing that protection is a necessary accompaniment of a system of duties upon imports and that great industrial interests have grown up under it, desires a recognition of the principle, that its application may be systematized, made regular, certain and permanent, and so harmonized with the revenue principle that both may stand happily blended together in one and the same system.—Those on the other hand who profess to be the advocates of free trade, forgetful it would seem, that free trade is as much obstructed by duties for revenue merely as by any duties for any other purpose, contend against protection as though it were a hostile foreign interest, and think they have grined a victory whenever they can succeed in raising duties for revenue with discriminations against protection—thus achieving nothing for free trade even as *they* understand it, and limiting their triumph entirely to the injury that they can work upon the domestic labor which may happen to be employed in some other than an agricultural pursuit. By such triumphs from time to time they have brought disaster upon agricultural as well as other kinds of labor; since by impeding the growth of mechanical and manufacturing industry they have lessened the number of the consumers of agricultural produce and increased agricultural production while diminishing and enfeebling its market.

As a *bonus* for the admission which Canada asks to our markets for her produce she proffers the free navigation of the St. Lawrence. Now the Government of the United States has never relinquished its claim, under the laws of nations, to the free navigation of the St. Lawrence without any equivalent whatever; and if the claim had been worth prosecuting; if the free navigation of that river had been

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The Reciprocity bill, as it is termed, probably because it establishes nothing like "reciprocity," has been reported in the Senate, and I understand that its friends propose to push it through, if possible at the present session. Such being the case, it may be useful to inquire what it is that Canada asks, and what it is that she proposes to give in Exchange.

Wheat is higher here than in England, and therefore Canada desires to bring her wheat within the Union, that it may be sold at the high prices of the Union. The efficient protection given to iron by the tariff of 1842 extended our product to 800,000 tons; the consequence of which has been great reduction in the price, which has fallen in England to little more than four pounds per ton. Canada desires to sell her wheat in the Union, and buy her iron *out* of the Union, profiting by the high prices of our market and the low prices of the other.

Wool is higher here than any where in the world, because the tariff of 1842 enabled us to establish extensive woollen factories. The competition thus established has reduced the price of cloth in England. The Canadian desires to sell his wool at the high price of Lowell, and buy his cloth at the low price of Leeds, thus profiting by the protection given to our farmers and wool-growers, by carring out the English principle of selling in the highest market and buying in the lowest one.

It is an admirable scheme, and it consists only in admitting the Canadian to a participation in all *the rights* of a citizen of the Union, without exacting from him in return the performance of *a single duty*. Let us now suppose that Virginia were to make the same request, saying, "We prefer to be in the Union, for the sale of our wheat, but it would suit us better if you would permit us to be out of it for the purchase of our cloth and our iron. We therefore ask that you will repeal the tariff in our favor, leaving us to sell our wheat *and* our wool here, and to purchase our cotton, our woollens, and our railroad iron elsewhere." Were such a request made, what would be its reception? Would it not be at once dismissed? Unquestionably it would. If, then, Virginia could not obtain the grant of such a favor, why should Canada have it?

We are offered the St. Lawrence, because it has become valueless. Canada has no market for the products of her labor or her land, and both are rapidly diminishing in value. Emigration to Canada has almost ceased, because Canadian labor has no protection. The condition of her land-owners is now far, very far, worse than it was ten years since, when Lord DURHAM informed us that the price of land in Vermont and New Hampshire, close to the line, was five dollars, while in the adjoining British townships it was but one dollar; and that, while the former was saleable, the latter was unsaleable.—Canada desires to attract immigration by giving value to her labor. She desires to give value to her land by finding a market for its products; and that she may do so, she offers now *to sell us* the navigation of the St. Lawrence, *which she herself is rapidly abandoning*, when we have long since paid for it *by giving her the free use of our canals*.

Should this bill pass, I recommend to its friends to change its title to something like the following, to wit: "An act to promote immigration into Canada; to raise the price of Canadian lands; to increase 'the employment of British shipping; to reduce the 'price of American labor and, land to a level with 'those of Canada; and to diminish the employment 'of the American shipping now employed in the 'transportation of Canadian grain to Europe, and 'of British and Irish emigrants from Europe." Such are the true intent and meaning of the bill now before Congress. Let those who will vote for it.

The New York Tribune states that Handel's "Messiah" is at present in rehearsal by the Harmonic Society of that city, with a view to a public performance in which Jenny Lind will lend her aid.

WASHINGTON.

"Liberty and Union, now and forever, one and inseparable."

FRIDAY, JANUARY 17, 1851.

COMMERCE WITH CANADA FOR THE YEAR ENDING JUNE 30, 1850.

The following facts bearing on the importance of the trade between the United States and Canada have been collected from the Report of the Secretary of the Treasury on Commerce and Navigation, which has just been published:

The exports to Canada for the year ending 30th June, 1850, were $5,930,821. The imports, exclusive of specie, $3,859,101, showing a balance in favor of the United States of $2,071,720. The exports to Canada exceed those to any country trading with the United States, except England and France. Those to Cuba were, for 1850, $4,990,297; to Brazil $3,197,114; to Spain $3,987,434; to Mexico $2,012,827; to China $1,605,217; to Holland $2,604,665; to the Hanse Towns $5,206,522 The exports to England and France consist chiefly of raw materials for manufacturing purposes, for the supply of which those countries are dependant on the United States.

Of the exports of domestic manufactures from the United States by far the largest amount is sent to Canada, and a much greater variety of articles than to any other country. The exports of manufactured goods to Canada were very nearly equal to the aggregate of those to Cuba, Brazil, Mexico, and China. Canada took, in the year ending 30th June, 1850, $3,964,223, Cuba $1,014,190, Mexico $1,064,193, China $1,257,832, Brazil $773,034. It is, however, important to note that while the balance between the imports from and exports to Canada was $2,071,720 in favor of the United States, the imports from China, Brazil, and Cuba very largely exceeded the exports to those countries.

It will be found that the total exports of manufactured goods from the United States for 1850 exceeded those of 1849 by $3,098,187, and that the exports to Canada for 1850 exceeded those of 1849 by $2,457,915; so that the increase in the exports to Canada exceeded fivefold that to all other countries trading with the United States. Of the manufactured goods sent to Canada a considerable amount is under the head of "manufactured articles not enumerated," under which it is to be presumed are included the various articles of woollen manufactures, satinets, &c., large quantities of which goods are exported to Canada. The amount of exports to Canada under this head for 1850 was $2,676,484, against $516,667 in 1849; they having more than quintupled.

In many of the articles of American manufactures specified in the table, an extraordinary increase in the export to Canada has taken place. The value of castings and other iron manufactures was $311,909 in 1850, against $138,630 in 1849. White cottons $145,891 in 1850, against $74,090 in 1849. Hats $22,771 in 1850, against $14,744 in 1849. Medicinal drugs $62,306 in 1850, against $23,500 in 1849. Manufactures of copper and brass $8,814, against $2,967. Household furniture $36,238, against $16,072. Leather manufactures $66,552, against $51,207. Soap and candles $13,966, against $4,964. Tobacco $180,599, against $159,269. And with regard to manufactures of tobacco it may be remembered that Canada takes a larger amount than any other country, the value of the export to England, which is the next highest, being $126,238.

Such are a few facts gathered from the Treasury Report. The trade with Canada is as yet in its infancy, having sprung up within a few years; so that it may be expected that with due encouragement it will increase in a much greater ratio than that with countries whose trade has been longer established.

OSTON W EKLY MUSEUM.

Old Generals.

KY, who has figured so prominently as der during the last three years, is now , but he is as active as if he had been en- ondrous years from his shoulders, and in, the sweetest period of human life.— imperial generals who showed any contests that came so near resolv- its original elements; and it is been more humane, in spite of bly perpetrated in Italy by ustrian commanders.— peculiar condition of whether he would had he been sent me to the as- to discuss. led with while lern s. f s

The Market Value of Gold and Silver.

HUNT'S *Merchant's Magazine* for January has an able article on the relative market value of gold and silver, considered with reference to the discovery of the California gold mines, and the great amounts of the precious metal which has been shipped from them. It is a fact, that every large quantity of the precious metals which has been added to the currency of the different nations, from time to time, has reduced their market value; and it is very evident that the mines of California will have the effect to lessen the market value of gold throughout the world.

This writer estimates that the California mines, together with those of Brazil and Spanish America and Russia, will produce at least seventy millions of dollars this current year, and that, according to the market value of silver and gold, the former is bringing a premium of two and three per cent., and is growing more scarce, while the latter is all the while growing more plenty, and its market value in proportion to its increase, becoming proportionately less.

Gold and silver, like other commodities, have a market value, aside from that affixed by the mint; and where the market value is higher than its legal value they will become scarce. This writer recommends that government affix no legal price to coins; for the reason that the market price will always be in accordance with its real value.

The gold mines of the old and new world produce about one hundred per cent. more than the silver mines, at the present time; and if this difference continues, a great change will take place in the relative value of the two metals. We perceive that silver brings a premium in our city of five per cent., and that great inconvenience is felt by many of our business men in consequence. In England, Holland, the German States, France, and Havana, the demand for silver is very great. Many causes have contributed to this, aside from the great supplies of gold that have come to us, prominent among which, we believe, the foolish habit of presenting every successful sea captain, and every retiring office-holder with a set of silver-plate, has contributed in no small degree.

Perhaps the value affixed by Congress will require a change in a few years, but the market value of the whole world will be the test then, as it is now. The legal value of coins cannot differ long, at any one time, from the market value.

SCARCITY OF SILVER COIN.—The Evening Post in connection with this subject, calls attention to the great discrepancy between the coinage of large pieces and small at the Philadelphia Mint during the last year. The coinage of silver during the year has amounted to only $409,600, while that of gold has been $27,756,445. Of this gold $23,405,220 has been made into double eagles and $2,914,510 into eagles, and only $954,752 into quarter eagles and dollars. The cause of this, the Post says, is that the officers of this mint are anxious to show themselves competent to coin *all the gold that comes to them*, and it suggests that as the Philadelphians have been trying to appear to be equal to more than they are, steps should be taken by Congress to relieve them at once, by establishing another mint at New York.

the Na... ...ws most clearly—what we had much rather had not been shown at all or been true in fact—that the President affixed his signature to the Fugitive Slave bill because he "approved" the measure. However much the avowal may increase the popularity of the President at the South, here, in free New England, and throughout the civilized world, he will gain nothing by it. We must still admire the boldness with which his position on this point is defined.

With obvious reference to the Fugitive Slave law, the Message takes the ground that all laws, however unpopular and obnoxious, must be obeyed; and since their enforcement is devolved by the constitution upon the President, he will endeavor to meet events as they may arise, with firmness, prudence and discretion. The Message says that "when law is trampled under foot tyranny rules"—that "the law is the only protection of the weak, and the only efficient restraint upon the strong."—These apothegms may be true in the main, perhaps, but when applied to the Fugitive Slave law they are monstrously and notoriously untrue. The objection to that law is that it is tyrannical, and it would be the veriest nonsense to pretend that tyranny is in the ascendency merely because a tyrannical law is trampled in the dust. It would be equally absurd, not to say mendacious, to aver that the Fugitive Slave Law either is or was designed as a "sure protection to the weak" and an "efficient restraint upon the strong." Directly the converse of all this is the truth.

The Message represents our Foreign relations as amicable and satisfactory. We have already commended the clearness of the document upon the different subjects of which it treats. This, however, is subject to one qualification. It is well known that there is a misunderstanding between the British Government and our own as to certain stipulations in the Treaty relating to the Nicaragua Canal.—On this point the message is guarded and obscure, throwing no light whatever upon the subject.

THE VERMONT LAW.

The Washington *Union* does not attempt to show that our exposition of this law is unfair or incorrect, but it seems to think it ridiculous that any editor, especially an anti-slavery editor, should presume to entertain opinions of the Constitution, differing from those of the authors and supporters of the Fugitive act of the last session. The editor has a wonderful reverence for authority, when he imagines its weight to be on his side of the question, but no one is more ready to question its claims, when it is against him. Now, he appears to believe that the Supreme Court of the United States is an infallible Tribunal, before whose decisions all must bow in prompt, unquestioning submission.

We have great respect for the laws of Congress, and for judicial decisions; but we regard them neither as infallible nor irreversible. A law is binding until repealed, and the decisions of the Supreme Court are law in the particular case decided—but the humblest American citizen may question the wisdom of the law and seek its repeal, as he may deny the soundness of the decision and seek its reversal. Granville Sharpe did not succeed in procuring a final opinion against the possibility of slavery existing in England, until several opinions to the contrary had first been pronounced by the highest courts of the realm. Members of Congress in this country are sworn to support the Constitution; and this Constitution and the laws passed in pursuance thereof, not the decisions of the Supreme Court, are declared to be the Supreme Law of the Land. *Every member is bound by what he* believes to be the obligations imposed by the Constitution, not by what any court has affirmed them to be. He will vote in accordance with his belief, and, if there be a majority concurring with him, their acts will be law, creating certain rights or imposing certain obligations. Its validity may be questioned before the Supreme Court, and its decision may be adverse, but, we repeat, that decision is final only in the particular case decided. Other cases may be made under the law, for the purpose of obtaining a reversal of the decision, and Congress, if it choose, in the exercise of its independent right, as the Law Making Power, may enact another law, embracing the same principle which the court has pronounced invalid. The decision of the Court is final in the particular case decided, binding upon the parties to it, is to be enforced by the executive officers of the United States, and constitutes an authoritative precedent; but it is not *the Constitution* or a part of the Constitution: it does not limit the power of Congress, or deprive the constituency of the right to think, speak, and vote against it, with a view to induce renewed action by Congress in favor of what the Court has pronounced against.

If we understand anything, this is the Democratic platform; to claim supremacy, final and universal, for the Supreme Court, is of the essence of Federalism.

It is now evident that the *Union*, and the journals which have been declaiming against the Vermont law, had never understood it.

The first three sections, we said, provided for more effectually securing the writ of *habeas corpus*. We should like to see the editor audacious enough to question the right to make such a provision. If the Fugitive law denies or impairs the *habeas corpus*, everybody knows that to that extent it is null and void; and, if it does neither, then the sections of the Vermont law, more effectually securing the writ, are not in conflict with it. About this part of the law, therefore, *there can be no ground for discussion.*

In relation to the closing sections, which provide a mode of trial for fugitive cases, there is room for a difference of opinion—and here we do not attempt to dogmatize. We said Vermont, as a sovereign State, had the right to judge of her duties under the Constitution—that, in the exercise of her independent judgment, she decided that the right to make provision for fulfilling the stipulation of the Constitution relating to fugitives, belonged to the States, and not to Congress, and thereupon proceeded to make the requisite provision—that the form of trial she had prescribed was not repugnant to the stipulation, and was the very form Mr. Webster had proposed that Congress should prescribe—that, while there could be no question as to the constitutionality of this, there might be a question in regard to her right to legislate in the premises—but that, for our part, here, as in other cases of questionable power, we inclined to the side of State sovereignty. In other words, we took the Democratic side, and our "Democratic" neighbor of the *Union* took the Federal side.

We were not aware that there was anything novel in all this, or that we were guilty of presumption in suggesting our opinion, especially as there was high authority to sustain us. Since then, the following paragraph has caught our eye. It is from an editorial in the *Cincinnati Enquirer*, one of the leading Democratic papers of the West, and, we need not add, as Hunkerish as the *Union* itself:

"Our own opinion is, that the General Government of the United States *has nothing whatever to do with enforcing that agreement*, [the constitutional clause relating to fugitives from service] *It is a matter left entirely with the States.* * * * We do not think the General Government has *any right* to send its officers into the States to carry out what good faith requires the States *alone* to do."

But there is much higher authority in favor of the Vermont view of State rights under the Constitution. DANIEL WEBSTER, now an oracle with the *Union*, in his famous speech in the Senate,

ion:

WASHINGTON, D. C

"I have always thought that the Constitution addresses itself to the Legislatures of the States themselves, or to the States themselves. It says that those persons escaping to other States shall be delivered up, and I confess I have always been of the opinion that it was an injunction upon the States themselves. When it is said that a person escaping into another State, and becoming therefore within the jurisdiction of that State, shall be delivered up, it seems to me the import of the passage is, that the State itself, in obedience to the Constitution, shall cause him to be delivered up. That is my judgment. I have always entertained it, and I entertain it now."

The claim of Vermont, then, to legislate upon this subject, is sustained by the deliberate judgment of Mr. Webster, always entertained, and now entertained. The difference between her and Mr. Webster is, that he, as a lawmaker, bows implicitly to the Supreme Court, in opposition to his own judgment, while Vermont, acting in accordance with her judgment, is willing to give the Court an opportunity to reconsider and reverse its decision.

We now commit the editor of the *Union* to his new teacher, Daniel Webeter. "The new era in constitutional law" which it says is "established" by the *National Era*, must be credited to its new oracle, the Great Expounder.

XPRES

NER WALL AND NASSAU S

is full, and the 20th about half full at ⅜ of a cent for Cotton and Whalebone, and $6 for Ashes, Rice and Bark. To Hamburg, 500 tcs Rice 30s. To California, there is a great rush for the Clippers nearly full, and these obtain $1,25 per foot, but other vessels are doing only a moderate business, at 50a60c. The Clipper barque Mimosa, 340 tons, 2600 bbls. two years old, has been sold for $16,000. The Steamer Baltic, for Liverpool, has Apples at 5s. and Heavy Goods at 20s.

(Packet Rates.	Sterling.	
To Liverpool:—	s. d.	s. d.
Cotton.....per lb.—	⅛	a — 5-32
Flour and Meal.....per bbl.—	9	a 1 —
Turpentine, North County.....— —		a 1 6
Heavy Goods.....per ton.15 —		a 17 6
Grain, in bulk.....per bu.—	3	a — 3½
To London:—		
Tobacco.....per hhd.22	6	a 25 —
Flour.....per bbl.— —		a 1 6
Turpentine.....2 —		a — —
Oil.....(252 galls.)..— —		a 20 —
Measurement Goods.....per ton.25 —		a 30 —
Heavy Goods.....20 —		a 30 —
Beef and Pork.....per tce. 4 —		a — —
Beef and Pork.....per bbl.— —		a — —
To Havre:		
Cotton, square bales.....per lb.—		⅜ca — —
Ashes.....per ton.$5 —		a$6 —
Rice.....$6 —		a — —
Quercitron Bark.....$6 —		a — —
Measurement Goods.....— —		a — —
Whalebone.....per lb.— —		a — ⅜c.

REVEIW OF THE WHALE FISHERY FOR 1850.

In accordance with our annual custom we this day present to our readers a full and reliable review of the Whale Fishery for the last year, together with tables of Imports, Exports, Prices, Average Voyages, Stocks &c. &c. as compared with several previous years. By a reference to these, it will be seen at a glance, that the past has been a year of great prosperity in the trade. The number of ships returning with full cargoes has been large, while prices have risen to an unprecedented height. Nevertheless the importation of oil in 1850 will be found to fall short of that of 1849 about 7000 bbls of sperm, and 48000 bbls of Whale and the number of arrivals as compared with the same year, is less by six sperm and nineteen right whalers; yet the stock on hand of each description is about the same as on the 1st Jan. 1850. This discrepancy as regards Whale Oil, is undoubtedly owing to a diminished consumption, arising from the high figure at which Oil has been held; which has forced many substitutes into the market and seriously impaired exportations. Under these circumstances it is clear that a small fall in prices would argue anything but a depression in the market.

The number of vessels employed in the Fishery is about the same as that of last year. Of the fleet, 145 have cruised in the Russian and Arctic seas, during the last season, with great success; indeed the average quantity of oil taken, is larger than any previous year.

We regret to say that accounts from the Sperm whalers in the Pacific are not at all encouraging. This arises partly from the scarcity of whales seen, and partly and in no small degree from desertion and want of discipline among the crews, arising from the discovery of the gold regions and other attractions in California. The old cruising grounds are pretty well exhausted for the present, and very light catchings are to be expected. If we are to judge by present indications, importations of Sperm oil for the coming year, will hardly exceed 7500 bbls, while that of whale oil will not probably fall short of 275,000 bbls.—[New Bedford Shipping List.

NEW BEDFORD OIL MARKET—For the week ending Jan. 6—Sperm—We notice sales since our last of 500 bbls. understood at about 130 cts per gallon. Whale—There is more doing in Whale, and sales have been made of about 1500 bbls. since our last, on private terms. Holders evince more disposition to realize, and we understand that the transactions of the week have been at a considerable decline in previous rates. Whalebone—A sale of 6000 lbs. N. W. Coast was made at 36½ cts per lb.

Arrival of the Washington.

ONE DAY LATER FROM ENGLAND.

The steamer Washington, Capt. Floyd, from Bremen, Dec. 15th, and from Southampton, Dec. 21st, arrived this morning with a very large and valuable cargo of goods, covering 270 tons of freight. The Washington also brought 175 passengers. The Captain reports "nothing but very heavy gales from the North since the 26th of December." The W. was "off Sandy Hook" at 5 P. M., Tuesday evening, and came to the city early this morning.

We are indebted to the Captain and his Clerk, Mr. A. Adams, for the latest papers and very full files.

Correspondence of the Express.

Southampton, Dec. 21.

IMPORTANT FROM ENGLAND.

CONTEST FOR TRADE BETWEEN THE ENGLISH AND AMERICAN STEAMERS—THE WASHINGTON FULL AT FAIR PRICES—THE GREAT FAIR—PETITION FROM SOUTHAMPTON TO THE PRESIDENT OF THE UNITED STATES, &c., &c.

There are on board the W. 180 tons of measurement goods from Germany, and a considerable quantity of French merchandize from Havre, received at Southampton for transhipment by three special steamers.

Notwithstanding the most strenuous exertions, of the Cunard Company, to monopolize the whole of the French traffic, by lowering the rate of freight on Havre goods, from $40 per ton to $10, (while from Liverpool to New York the price was kept up to $35.) The Washington was obliged to refuse a certain quantity of French freight, and takes a profitable freight list, while the Cunard Company are actually carrying goods from Havre at a loss. The agents of the American steamers, complain of the unfair competition entered into by the British Steamers, the agents of which loudly affirm, that they intend to beat off the Americans entirely, and are prepared to continue the competition against the Bremen and New York, and New York and Havre lines. The latter are determined to persevere, and by adhering to a moderate, and remunerative rule of freights, will eventually force the Cunard Company into some equitable arrangement which will yield a fair profit to those engaged in the trade.

The Washington has taken no goods at less than $30 per ton, while the Niagara has brought a large quantity at $10 per ton, including conveyance from Havre, transhipment at Liverpool, and all expenses. This amounts practically to a free carriage across the Atlantic, as the expense from Havre to Liverpool, by steam, is fully $10 per ton.

The Franklin reached Havre on the 18th ult., having had a most magnificent run to Cowes, beating the Niagara nearly 36 hours. She is to leave on the 1st of January, and will bring a full cargo, as she was filling up at

Although the Washington left Southampton the same day as the Niagara departed from Liverpool, yet she brings one day's later papers, and we have received by the London Times of 21st, which could not be brought by the Niagara in consequence of her leaving the Mersey so early an hour.

The proposed intention of the United States Government to dispatch the Pennsylvania, instead of the Fredonia to England with contributions to the Great Exhibition, was received with much favor. The Southampton people hope that their port will be selected for the Pennsylvania's destination, and the London Dock Company in anticipation have resolved to suspend all charges on the ship or her cargo, while the Southampton and London Railroad Company would convey the articles free of expense. The reception of the frigate St. Lawrence by the inhabitants of Southampton, is fresh in the remembrance

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From England, in domestic affairs and politics there is none of additional importance by this steamer.

From the Continent likewise the accounts are comparatively unimportant. From Prussia we learn, through the columns of the Times, that the country was accepting the return to peace with a quiet satisfaction which reduces the war party to relative insignificance. The joint summons of the Austrian government to send representatives to the Olmütz Conferences was issued to all the German Governments on the 17th ultimo. General [illegible]

Y GLOBE.

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HILTON'S NEW MAGNETO-ELECTRIC MACHINES FOR MEDICAL APPLICATION.—These instruments possess a great superiority over others for medical use; the shocks being obtained entirely from permanent magnets, and the mechanism is arranged as to cause the current of induced electricity to pass always in one direction. They require no galvanic battery to put them in action, and consequently there is no need of acids or other liquids, so objectionable in the other kinds now in use, and they are always ready for immediate application, and are in no wise liable to get out of order. All that is necessary to put the instrument in action is simply to turn a small handle, which could be done by a child.

They are put up in a very portable form, being secured in small neat cases, from which they do not require to be removed.

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OUZELY'S

ARABIC ELIXIR,

which is now introduced for the first time into the United States, is the only infallible remedy yet discovered for

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HEAD AND MIND COMPLAINTS;

IS THE MENTAL PHYSIC SO LONG SOUGHT FOR AND NEVER BEFORE FOUND, THE ONLY NATURAL AGENT THAT CAN "ADMINISTER TO A MIND DISEASED." IN CASES OF NEURALGIA, HEAD-ACHE, VERTIGO, PAIN IN THE NERVES OF THE FACE, AND ALL THE VARIOUS TRAIN OF NERVOUS AFFFC-TIONS, IT WILL

DUCE A CURE IN AN ASTONISHING SHORT RIOD OF TIME, AND IT WILL ALSO REMOVE DEPRESSION, EXCITEMENT, A TENDENCY TO BLUSH, RESTLESSNESS, SLEEPLESSNESS, DISLIKE OF SOCIETY, INCAPACITY FOR STUDY OR BUSINESS, LOSS OF MEMORY, CONFUSION, GIDDINESS, BLOOD TO THE HEAD, MELANCHOLY, MENTAL

ITY, HYSTERIA, INDECISION, WRETCHEDNESS, THOUGHTS OF SELF-DESTRUCTION FEAR OF INSANITY, &c.

will increase and restore appetite, strengthen the iated, renew the health of those who have destroyed sensual excesses or evil practices, induce continued rfulness and equanimity of spirits, and prolong life. not our purpose to puff a medicine which has received anction of the highest medical authorities in Europe; course is unnecessary, and would savor too much ackery. The medicine is prepared from a receipt by the Rev. Mr. Ouzely to a relative of his, who is iated with us in its preparation and sale. We have, heavy expense, made arrangements for constant and supplies of the wonderful vegetable from which it is nufactured, and we offer it to the public, simply reting a trial, and confident of its success.

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R. F. HIBBARD'S WILD CHERRY BITTERS.

ARTICLE, FROM THE NUMEROUS TESmonials to its value and efficacy, from the ighly respectable sources, and entitled to the confidence, ought to be in the possession of erson of sedentary habits, as well as those nerves and debilitated or weak constitutions. a more useful medicine, and one so universally e to every case of organic or functional derange never yet been compounded. Every clergyman, erchant, accountant, and mechanic whose occueeps him much within doors; every female of dobits, seamstress, every lady of nervous temperaof all who are afflicted with dyspepsia, indigethe like complaints, would derive from its use e and invaluable benefit. Its virtues and effects astonishing. Numerous certificates, in possesproprietors, prove this abundantly, and a trial only necessary to satisfy the most incredulous. following from Dr. Remington:

New York, Oct. 29, 1849.

THE DAILY GLOBE.

NEW YORK, TUESDAY, AUGUST 26, 1850.

[For the Globe.]

Negroism and Atheism.

To doubt if the negro and white man be descended from the same progenitor, is, with the Abolitionists, infidelity; yet the Abolition doctrine of the equality of all the species of mankind, is, pre-eminently, an infidel doctrine.

During the last century, negroes were owned, alike by clergymen and laymen, in all of the then thirteen colonies. Whatever may have been thought of the policy of bringing negroes to America, none regarded it a sin to own them; and the Abolitionists tell of a pious Puritan Doctor of Divinity who sent a barrel of rum to Africa to purchase a negro. Towards the close of the century, a sect of infidels sprung up in France, preaching the universal equality of all mankind, negroes, Hottentots and all; but some of them—particularly Volney, who held that the color and peculiarities of negroes were owing to climate, and that the ancient inhabitants of Circassia, now the handsomest of white people, were jet black negroes—although they held that the progeny of negroes transplanted to temperate climates, would not only become white, but intellectually equal to the white man, yet they believed in the diversity of their origin—that there were different pairs created. Our American infidels, semi-infidels, and socialists, almost to a man, believe in the same doctrine of full negro brotherhood; so that it cannot be denied, the ultra Puritan clergy have mounted the infidel platform.

It is no disparagement to our clergy, to say that, aside from theological matters, they are not so well informed as are other professional gentlemen; and this subject of the unity and equality of all the species of mankind, being purely scientific, must be referred to scientific men, not to mere theologians. Now it is a remarkable fact, that every scientific man who has written on this subject in America, either tacitly admits or argues to prove, not only the diverse origin of the negro species, but their inferiority to MAN in all ages, in every climate, and under every variety of circumstances—such as Morton, Nott, Pickering, Gliddon, Squier, Van Amringe, Agassiz, &c.; most of whom enjoy a reputation throughout Europe, as being of the first class of intellects, and in the first rank as naturalists, physiologists, anatomists, [illegible], and the like. While those who have written on the unity side, are such theologians as are unknown and unheeded beyond the limits of their own sect; and these gentlemen are paradoxically laboring to prove a scientific question by quotations from an unscientific book—the Bible—a book that no one *now* pretends is a text-book in astronomy or geology—why, then, in natural history? Astronomers and geologists, in the infancy of those sciences, were branded by the clergy as infidels, exactly as they now brand naturalists and ethnologists.

People are taught to believe that the Bible asserts that Adam and Eve were the only human pair ever created; but it does not so teach; it is the old Puritan catechism, the same book in which is this verse:

"In Adam's fall, we sinned all."

To which a negro divine added:

"In Cain's murder, we sinned furder."

The recent researches of Gliddon, Lepsius, and others, prove that negroes existed in Egypt anterior to the time of Abraham; and that they were there, as they ever have been everywhere, when living with our species, slaves; and, moreover, that they were of the same color and form as are our negroes. No one pretends but that Noah and his sons, and Abraham descended from them, were white men. Noah and Abraham were alive at the same time—Abraham [illegible] old when Noah died;

of course deny that the negro is brother to the white man. They scout the Old Testament because it upholds the perpetual slavery of an inferior species to a superior, and denies, by implication, that the negro is of the species of the man Adam.

Their doctrine is based upon a few stray passages in the New Testament: such as, "He hath made of *one blood* all *nations of men*," which they will interpret to mean that the papua, the hottentot, and the negro are all equal to the white man. How do they render the passage averring that, "If the many other things which Jesus did were written, the whole world itself could not contain the books?" They are both mere general expressions, after the manner of the Orientals. Besides, what does *one blood* literally mean? None but a chemist can tell the difference between the blood of a lion, an eagle, or a man; and as to *nations*, there is not an instance on record of negroes having organized a *nation;* while in every nation where they live, or have lived with that species to which the words were addressed, the laws and customs have invariably held them below the level of *men*.

These infidel clergymen are openly in the field as politicians; not a political occasion can peep out its head but *rub-a-dub-dub* beats the drum ecclesiastic. They are using the same means to obtain universal power that in all ages have defiled religion and made slaves of the people. Their interpretation of a stray passage of Scripture, and that, too, directly contrary to the interpretation of the wise and good of all ages, they proclaim to be above all constitutions, all laws; and in this unholy infidel crusade are engaged the majority of all the churches of New England—with the honorable exception of the Catholics and Episcopalians. By converting their churches into political clubs, they caused the too hasty annexation of Texas, and were guilty of every drop of blood shed in the Mexican war. All the strife now raging over the land, is owing to their interference with what is none of their business; and should the time arrive when brothers shall sheath their swords in each others bosoms, it will be owing to the coward meanness of [illegible] *iambs* of the Prince of Peace. A few years ago they were prophesying that the Catholic religion was to ruin this country. Now, negro slavery is the burden of their cant—but the prophecy would be more true if it read thus: *If the union of these States is ever dissolved, or the liberties of the people destroyed, it will be through the instrumentality of the infidel clergy of Massachusetts.*

Jefferson, though intimate with most of the French philosophers of his age, did not endorse their theory of the universal equality of all species of mankind. His strongest passages in their favor, are—"The opinion that they (negroes) are inferior in the faculties of reason and imagination, must be hazarded with great diffidence;" and—"I advance it, therefore, as a suspicion only, that the blacks, whether *originally* a distinct race, or made so by time and circumstances, are inferior to the whites in the endowments both of body and mind." In the same article, after showing how entirely different are the negroes from us, and the utter impossibility of mixing, he says—"It is not their condition, then, but their nature, which has produced the distinction;" and that when freed, "they should be colonized to such places as the circumstances of the time should render most proper." He then goes on to show, that when freed they must not be permitted to live with us; for, among other reasons, "the real distinctions which nature has made, and many other circumstances, will divide us into parties, which will probably never end but in the extermination of the one or the other race." This was in 1781, and throughout his life he maintained the same—that the negroes ought to be freed if they could be sent from us; but not freed to live with us. In his memoirs he says, "Nor is it less certain that the two races, equally free, *cannot live in the same Government.*" At the time of the Missouri excitement, he was dreadfully severe upon that class of Abolitionists, now demagogically calling themselves "Free Soilers," denouncing them as the worst enemies of our country, of our own species, and of the slaves too. While he said the removal of negroes from a State to a Territory, could not add to the whole number, but would be better for all parties, yet he declared *that* was not the question: it was—"Are our slaves to be presented with freedom and a dagger?" and that many honest people at

F. HIBBARD—Dear Sir: I have examined which you have prepared, viz: Wild Cherry Bitters, ch you recommend to the public as a remedy for weakness and general debility. It is an excellent well adapted to afford relief in such cases, as well as ote general health.

Cherry (Prunus Virginiana) has long been regarded the profession as the most valuable among our indi- remedies. It unites the tonic power with the se-, and therefore strengthens and invigorates the sys- It is recommended as being admirably calculated ford great relief in a debilitated condition of the sto-h, or of the system at large, especially when this de- is united with a general or local irritation. Dr. erlie regards it as an excellent medicine to be given in hectic fever of scrofula and consumption. It is particu- ly useful in the general debility which often follows in- mmatory diseases. It has also been used to advantage, d found to be well adapted to many cases of dyspepsia; o successful in intermittent fever.

S. REMINGTON, M. D.

MR. R. F. HIBBARD—Sir: Having made use of a number of bottles of your Wild Cherry Bitters, and having witnessed the beneficial effects derived from their use in my own family, and among my friends, I feel it a duty I owe to the public to express to you my thanks and gratitude for so pleasant and invaluable a medicine.

After an experience of twenty years, it is the only remedy that I have ever found that will remove the Heartburn, Oppression of the Chest, and many other disagreeable sensations caused by that most to be dreaded of human evils—Indigestion.

I most cordially recommend it to all that may be thus afflicted, as a pleasing, safe, and valuable corrective.

GEO O BARTLETT, 4 Wall street.

BROOKLYN, April 30, 1850.

GENTS: Having suffered with a most distressing spasmodic Asthma for three years, and not being able to find anything to relieve me, I was induced, about two months since, to try Dr. Hibbard's Wild Cherry Bitters, and they have nearly cured me. I am now able to enjoy a quiet sleep; heretofore impossible. I cordially recommend them as unsurpassed for quieting nervousness and allaying spasms.

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We need not add more. Try the Bitters; they are the most powerful testimony, and will speak for themselves.

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EDUCATION.

CITY INSTITUTE, NEW YORK, 131 Allen street. This Institution, located in a highly respectable, healthy, and pleasant neighborhood, will commence its regular Summer Session on the first Monday in May. The principal Departments are, the young Ladies' and Male, connected with which is a flourishing Primary Department. Each Department has separate yards and entrances; the young ladies on the left, and occupying the first floor; the male on the right, the second floor. The course of instruction is thorough and systematic. The studies pursued embrace the Elementary and higher English, Classical and Mathematical, including the ornamental branches; Plain and Architectural Drawing, Painting, the French Language, Music on the Piano, &c.; special attention being given in the Male Department to *Practical Book-keeping*, and the Commercial Branches generally. Application for admittance to the Principal of the Institute. CHARLES WM. NICHOLS, Principal.

je16 1m

MRS. VAN HOUTEN, THANKFUL FOR THE very liberal patronage bestowed on her the past year, begs to inform her friends and the public that she has removed her Shirt Establishment from 85, to a more convenient store, 82 Nassau street, nearly opposite, where, by the increased facilities afforded, she will be enabled to fulfil all orders entrusted to her care with that despatch, punctuality and superior workmanship, which has obtained for her establishment its high reputation. The attention of the public is particularly solicited to her new style of Summer and Embroidered Shirts, so highly approved of, together with a choice selection of fancy printed lines, of the newest designs.

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TO LUMBERMEN AND CAPITALISTS.

FOR SALE—Three lots of splendid pine lands. One lot, containing a thousand acres of very good pine, which will cut upwards of 20,000,000 feet of lumber, besides some white oak and other timber, situate on Big Pine Creek. Two other lots near Pine Creek, nearly equal to the first; and a fourth lot, of excellent farming land, with a good deal of cherry, white oak, and other hard timber.

These four lots are situated in the townships of Shippen and Delmar, in the county of Tioga, in Pennsylvania, adjoining the New York line, and possess superior facilities for getting the timber to the Baltimore and New York markets.

A capitalist would find a good investment in building a mill jointly with the owner, and in getting out lumber for the New York market.

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July 22d, 1850. [jy23 1m] Onondaga Co.

JAMES CONNER & SON, TYPE FOUNDERS, corner of Ann and Nassau streets, New York, have on hand every article necessary for Complete Printing Establishments. The entire materials of this paper are from the above Foundry jy11 1y

BROOKLYN PROPERTY.—A lot on Pacific street, near Henry street—25 x 100. Not a more desirable location in Brooklyn. For sale by W. C. HOLLY, 7 Nassau street.

Also, two lots on Eighteenth street, next the corner of Seventh avenue. For sale by W. C. HOLLY, 7 Nassau street. jy18

and long before that event, the Egyptians caught negroes in Ethiopia for slaves. Now, is it credible that in so short a space of time, some of Noah's descendants wandered off to Ethiopia, became black, and received the other disgusting characteristics of the negro, which have been transmitted to their posterity in all climates for thousands of years; while Abraham and other of his descendants remained near by in a similar climate, and have transmitted their white color to the present day? Why do not our negroes of Long Island and Virginia, whoso stock has been here 200 years, show some signs of turning white, if a shorter period, with less difference of climate, at the other end of time, turned pure whites into negroes?

A great many Abolitionists pretend to believe the ancient Egyptians were full-blooded negroes, because that *pious* infidel, Charles F. Volney, has told them so; and his authority is a single line, and no more, in Herodotus. Every well-informed person knows they were not: that is, the governing race was not, for negroes existed there as they do in our southern States. But the supposition that they were negroes makes directly against the unity men; for, as before shown, they had less than 200 years for the transformation, and if they were actually changed from pure white to jet black in that short space, how did it happen that Jacob's descendants, who were in that same Egypt, by their own account, 430 years, and most of that time slaves, were not transformed into negroes too? If such great changes can be wrought by climate, why do the Spanish and Portuguese, who have been in the torrid zone of South America longer than from the deluge to the time negroes are known to have been in the valley of the Nile, yet retain the color and features of their European ancestors? Why do not the lion, the tiger and the leopard turn black instead of yellow, brindled and spotted?

The truth is, the Holy Scriptures do not teach the unity of mankind: they imply the reverse. They explicitly declare that Adam's proud race, made in God's own image, shall have dominion over all other created beings on earth; and the men of that race have proved their intellectual superiority and Godlike origin, by always emerging from barbarism or any depressed situation into which circumstances may have forced them; while in no one known instance have negroes advanced far enough in civilization to form a nation—they have never got higher than rude tribes. If the Almighty intended negroes to be equal to white men, why have they never took the first step towards that equality? Of the tens of thousands who embraced the absurd doctrines of Miller about the immediate destruction of this world, every soul of them were Abolitionists; that is, they believed the term of time marked out by the Almighty at the commencement for the duration of our planet, had expired; but that the negroes who he had intended to be on a level with *man*, had never even begun to approach that equality. Shocking absurdity! Yet significant of the general shallowness of the Abolition mind.

Prichard, recently deceased in England, who has written more and better on the unity side than all others put together, started with the blasphemous proposition that Adam was a negro. He soon abandoned that, but maintained that climate, &c., had produced all the difference between negroes and whites, at the same time maintaining the truth of the Old Testament; but in his last edition, he abandons the Pentateuch, because he sees, as every intelligent person must, that the account given by Moses cannot be true if the negro is descended from Adam. So that when the question is, shall the truth of the Bible be maintained or the infidel theory of negro equality, that no people ever practice, he throws overboard the Bible and marches over to the French infidels.

And so it is with our Abolitionists: if men who have devoted fifty years to the study of the Scriptures—men more familiar with the original languages of the Bible than these fellows with their A B C, assert that the Old Testament sanctions slavery, or, if they say one word to assuage the strife of brothers, these fellows bawl out, like the little children—as in fact they are in mind—"Go up, thou bald-head." They are scoffers and infidels, for Abolitionism as directly leads to infidelity as murder does to the gallows. And yet these fellows have the effrontery to apply the epithet *infidel* to those who uphold the Scriptures in their purity, and the North went blindfolded into the [illegible] political gamesters,'—precisely as they do now. For a full understanding of his views, see his published letters, from 1819 to 1824, to John Adams, Wm. Short, John Holmes, Joseph C. Cabell, Gen. Breckenridge, Lafayette, and Jared Sparks. In this last letter to Sparks, he says, adverting to his views in 1781: "No particular place or asylum was specified, because it was thought possible, that in the revolutionary state of America [Spanish and French possessions] then commenced, events might open to us," &c., &c. So it seems he squinted at the very territories now in dispute as a proper place to drive our negroes, or take them as slaves.

How is it possible for the Abolitionist, ever declaring that the negro is equal to the white man, and that both species ought to live together in the same community, on terms of equality; how is it possible for them to claim the great Jefferson, *our* Jefferson, as of their school? Instead of stating his general opinion, ever the same from 1781 to 1824, they tear out a paragraph from its context, and parade it before their ignorant followers as the whole truth. If a geographer should hit the Mississippi at a bend running East, and should thereupon declare that the the river ran easterly, he would be thought a fool; yet precisely so do these "Free Soilers" of the principles of Jefferson. Their argument, that because he, in 1781–7, when we had less than a nillion of negroes, disfavored their emigration to the North and West, and that too because he hoped to see them removed southward, therefore, now, when we have *four* millions, he would not only disfavor their being removed southward, but wish them to remain with us *free*, is not only very silly but very wicked. Because, under one set of circumstances, he was opposed to their being removed in one direction, therefore, under other and very different circumstances, he would oppose their being sent in any direction? Because, in infancy a child draws nourishment from the maternal fount, *therefore*, in vigorous manhood, should he do the same?

One of the meanest falsehoods these Abolitionists use to prejudice the people of the North against our brethren of the South, is, that the South has a larger representation in Congress than she would have were it not for her slaves. The truth is the very reverse; in apportioning representatives, one to so many thousand inhabitants, every *free* negro, North and South is counted, but only *three-fifths* of the slave negroes. If the other *two-fifths* of the slave negroes were counted the same as are all free negroes, or as these same slaves would be if emancipated to-morrow, the slave-holding States would gain about twenty representatives in Congress.

The Constitution declares that, "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." At the time of its adoption, the term negro and slave were synonymous: there were no negro citizens: they were all aliens. More recently some of the States have not only admitted negroes to full citizenship, but their inhabitants have organized bands of pious thieves to prowl through all the slaveholding States, under one pretence or another, but in reality to steal negroes; and Massachusetts has passed laws encouraging the intermarrying of negroes and puritans! Notwithstanding these efforts, their colored stock is on the decrease; because, being nearly all mulattoes, they partake of the nature of hybrids, and of course cannot procreate, among themselves, beyond a few generations—the strongest possible proof that man and negro-man are different species of the same genus. Like the dog and fox, the horse and ass, some species of each of which, though considered by all naturalists as of different origin from each other, are not so dissimilar as are the negroes and whites. Many, if not all, of these will copulate with others of the same genus; but their progeny cannot be propagated as a permanent race. They are sickly and die off, or by continual mixing, the nobler stock runs out and the progeny cannot be distinguished from the full-blooded baser parentage. So it is with negroes: you cannot show a mulatto, either of whose parents were half-blood negroes, so nearly a white as not to be distinguished from one; but there are abundance of them that not one in a hundred but would pronounce full-blooded negroes, one of whose grand parents nevertheless was white.

=York.

.CIPLES, NOT MEN.

MORNING, NOVEMBER 30, 1850

NORTH AMERICAN AND UNITED STATES
CE, PHILADEPHIA.—Persons wishing to subscribe to
.ladelphia North American and U.S. Gazette, on leaving
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American and Gazette on one day, will appear in that paper of
the next day

CONGRESS assembles at Washington on Monday; and it is idle to deny that this will probably be the most important session of our National Legislature which has ever been held. The events of the last twenty years have all been tending to produce the crisis which is upon us; and to escape from which, without collision and bloodshed, will require not only great patriotism and devotion to the Union, but extraordinary prudence, firmness and discretion in the exercise of that patriotism.

We have said that this crisis has been approaching for twenty years past We might say with truth, that although not visible, it has been approaching from the day of the Union of these States. Those who formed that Union *felt* the pressure of the Institution of Slavery in their deliberations for the organization of the Government, and plainly foresaw its probable effects upon the country at no distant period. It was an obstacle to the formation of our Union which presented itself at every step; but fortunately for us, for the welfare of mankind, and for the solution of the great problem of the ability of man to govern himself, those who had that great work in charge were Patriots, Statesmen, and Philanthropists untinctured with fanaticism. They saw and deplored the evils of Slavery; and they very plainly foresaw the malign influence which it would probably exercise upon our future destinies. But like men of sense and practical philanthropists, they put to themselves the question, "what will it avail—how lessen or ameliorate the evils of Slavery—if we refuse to make a Union of States in which that Institution shall be recognized?" It already exists in nearly every State of the Confederacy; and if we determine to abandon the idea of a Union, it will still exist in the different States precisely as if the Union were made upon the terms proposed. So far then, as the question of Slavery is concerned, whether we do or do not form a Union in which it shall be recognized, is not of the slightest importance. It actually exists in most of the States; and whether united or separate, there it must continue to exist until the people of the States themselves shall abolish it. To suffer it, therefore, to interfere with the establishment of a *united* Government, is to sacrifice to an abstraction the benefits which that Government promises, and to build up in its stead innumerable petty sovereignties with separate interests and separate views, which must constantly produce collision, and ultimately lead to the re-establishment of monarchical institutions among us.

A very little reflection will demonstrate to the satisfaction of the most fanatical of our readers, that not only the love of liberty, a desire to demonstrate the ability of man for self-government, and the highest dictates of patriotism, prompted the Union of States which our fathers formed,—but that it was equally demanded by every consideration of philanthropy and religion. Prompted by these feelings, and morally certain that a union of the independent States upon the conditions which now exist, could in no manner increase the evils of Slavery,—while it was certain to benefit the cause of mankind throughout the world and at the same time secure the peace, happiness and prosperity of the people of all the States—our fathers did not hesitate to agree upon the conditions and compromises of Union which our Constitution so clearly sets forth.

And now we put it to the fanatics of both and all sections of our country, whether that Union was not, under the circumstances, an act of Patriotism, of Union and of Philanthropy: and whether it has not, secured to us even greater happiness, tranquility and prosperity, than at the time, it promised, or the most sanguine among the framers of our Constitution anticipated? To answer this question correctly, it is only necessary to look to the South American States and reflect upon what our condition, as separate independencies, *would have been*, and compare it with what our position *now is!*—A dozen or more petty Republics, Monarchies and Despotisms, wasting their energies in incessant wars and internal commotions—is the picture which we must inevitably have now presented, if our glorious Union had not been formed; while without that Union, the accursed Slave Trade would never have ceased, but would at this day have been in full vigor on our Southern coast and throughout the world; for it must ever be borne in mind, that it was the *United States*, with slavery in their midst, that first put an end to the importation of slaves; and then, in defiance of the public opinion of the world, declared all who were engaged in it Outlaws and Pirates! To our Union and its compromises therefore, we owe the suppression of the Slave Trade and the punishment of all concerned in it as *Pirates*: while in consequence of the same blessed Union, instead of exhibiting a spectacle similar to that of the South American States, we present to the world the phenomena of a great *Nation* of twenty-five millions of freemen, illustrating by their practice the ability of man to govern himself, developing the resources of a mighty continent, and diffusing through all classes the blessings of education;—inculcating religion and virtue, securing to every one the blessings of civil and religious liberty, and tolerating and protecting freedom of speech and thought;—a nation young, vigorous and powerful, possessing within herself every element of greatness—prosperous and happy beyond all that the world ever before witnessed—and exercising an influence upon the happiness, the liberties and the destinies of the human race, such as Almighty Wisdom could alone have foreseen and permitted.

And yet there are those at the North—madmen and Fanatics—who would sacrifice all this to an abstract hatred of Slavery! and there are similar madmen and Traitors at the South, who wickedly and falsely declare, that the Union of States has not secured the blessings which it promised, and that it is their *interest* and their right to destroy it! We will not insult our own pretention to common sense, by pausing to argue the question of *interest*; but in regard to the *right* of any portion of the confederacy to destroy the Union, we simply answer—less of all consequences. And having done so, we would have them proclaim trumpet-tongued, to the North and to the South—to the East and to the West—that the Constitution and the laws, are to be vindicated and enforced at every hazard and at any necessary sacrifice of life; and that even civil war itself, has no terrors, if they are to be indulged at the expense of the Union of the States, or the toleration of Treason in the form of secession or resistance to the laws. "*The Union*—IT SHALL *be Preserved*," was the sentiment which frightened *Traitors* from their purposes in 1832; and the same sentiment boldly proclaimed and vigorously enforced, if need be, will as certainly arrest agitation, secure obedience to the laws, and put down Treason in 1850. Stand by the Constitution and the laws; be true to every compromise which our fathers made, and to the spirit which dictated them; be just and fear not; and the same beneficent Providence which conducted our fathers in triumph through the perils of the Revolution, and imparted to them the wisdom to form that glorious Union—which has been to us the ark of safety, and to the whole civilized world the harbinger of better and brighter days—will not desert us in our hour of need.

Special Dispatch Communication.—It will be perceived

and the punishment of all concerned in it as *Pirates*; while in consequence of the same blessed Union, instead of exhibiting a spectacle similar to that of the South American States, we present to the world the phenomena of a great *Nation* of twenty-five millions of freemen, illustrating by their practice the ability of man to govern himself, developing the resources of a mighty continent, and diffusing through all classes the blessings of education;—inculcating religion and virtue, securing to every one the blessings of civil and religious liberty, and tolerating and protecting freedom of speech and thought;—a nation young, vigorous and powerful, possessing within herself every element of greatness—prosperous and happy beyond all that the world ever before witnessed—and exercising an influence upon the happiness, the liberties and the destinies of the human race, such as Almighty Wisdom could alone have foreseen and permitted.

And yet there are those at the North—madmen and Fanatics—who would sacrifice all this to an abstract hatred of Slavery! and there are similar madmen and Traitors at the South, who wickedly and falsely declare, that the Union of States has not secured the blessings which it promised, and that it is their *interest* and their right to destroy it! We will not insult our own pretention to common sense, by pausing to argue the question of *interest;* but in regard to the *right* of any portion of the confederacy to destroy the Union, we simply answer—"*try it if you dare*, and you will soon receive, as you will richly merit, a traitor's doom."

To the people of the North we desire to say, in all sincerity and frankness, that they owe it to themselves—to justice, to good faith, and to the memory of their fathers—never for a moment to entertain the idea that it was not the part of wisdom and philanthropy, to agree to the terms of Union, notwithstanding those terms granted to each and every State the exclusive right of treating Slavery as a purely domestic question, recognized the slave as property, and gave the same or even greater protection to that species of property than any other. These were the conditions of Union—the terms and compromises of the Constitution; and while they demanded no sacrifices from the North, they gave to both North and South peace, happiness, and prosperity, which nothing but *Union* could secure. By that Constitution, and its compromises, it is the duty of all alike to abide, be he of the North or of the South; and he who refuses to do so—he who would intentionally infringe upon a solitary compromise of the Constitution—we care not whether it be of its letter or spirit—is a *Traitor* to his country, and an enemy to the human race. And *fanaticism* and abstract questions of philanthropy, are no more an excuse for such treason, than is drunkenness for crime.

But while such is the duty of the North, the South must not forget that it too, has duties to perform which may not be neglected. If the Union has scattered its blessings broadcast over the land, the South has received quite her share of them. To the Union she owes her quiet and safety, and the prosperity which flows from them; to the Union she is indebted for protection, and the safety and security which that protection gives; to the Union she is indebted for civil and religious liberty—to freedom from servile insurrection within and aggressions from without; and to the Union and the Constitution and the laws of the Union, she owes allegiance and obedience which may not be rendered or withheld at pleasure, and which it is the duty of those in power, to exact and enforce at every hazard.

It is not true as the South alleges, that when this Government was formed, it was intended that there should for ever be a balance of power between the free and the slave States. A grosser perversion of fact—a more deliberate falsification of history for base sectional purposes—never was devised by man Precisely the reverse was the fact. More than two-thirds of all the States were slave-holding States; and so far from it ever having been a matter of compromise or understanding, implied or expressed, that the Slavery and Anti-Slavery States should always be equal, it was designedly intended that the Institution of Slavery should be a mere local question, with which the people of the States only could meddle, and which each State for itself, might establish or abolish at pleasure. Neither the Constitution nor any of its compromises, ever intended that the General Government should have any cognizance of, or know any thing in relation to, the question of Slavery except to compel the surrender of fugitives, to give this species of property a representation in Congress, and to abolish the Slave Trade after 1808. It is idle, false, and wicked then, for the South or any portion of it, to *pretend*—for it is only *pretence—that it is wronged* by there now being more Free than Slave States! As well may they deny to Delaware, Maryland, Kentucky, Missouri and Tennessee, the right of abolishing Slavery hereafter, if the people of those States should think proper to do so; and with equal justice may they say that the States which have abolished Slavery, had no right to do so, and thereby have given cause to the South to withdraw from the Union! There is not the shadow of ground for complaint on this head.

Of what then, may the South complain? We answer emphatically, of nothing that the *Government* of the *Union* has ever done. That individuals at the North—madmen and fanatics—have given cause of complaint and constantly meddled with what does not concern them, is unfortunately too true. But it is equally true, that the madmen and fanatics of South Carolina, in the case of HOAR who was sent by Massachusetts to Carolina to make an appeal to the Laws in behalf of a citizen of Massachusetts, took the law in their own hands, drove the agent of Massachusetts out of the State, and thus trampled upon the majesty of the law itself, with the full approbation of the State authorities! This outrage exceeds any similar outrage ever perpetrated by the madmen of the North against the South; but it was not the act of the General Government and gave no pretext for Disunion, or of Treason to the Union.

What madmen and fanatics of either section of our country, may think or do in their individual capacities, will undoubtedly aggravate and annoy the friends of the Constitution and the Union throughout the land; but the folly or wickedness of such men, can never be an apology for treason to the Union. When they place themselves within the reach of the law, let them be punished to the utmost extent that punishment is legal; but we beg and entreat of all the friends of the Union, and especially of Congress, whose duty it is to sustain the Constitution and legislate for the whole country, not to permit agitation of the Slavery question again to exhibit itself within the halls of Congress. It is the right of every member of Congress to entertain whatever opinions his conscience may dictate upon the question of Slavery; but it is his DUTY, irrespective of his private opinions, to abide by, and in good faith enforce, with all the power of the Government, each and every compromise of the Constitution in regard to Slavery or any other question. That duty we call upon them to perform honestly, fearlessly, and regard-

be lost. He was one of those who were determined that the amendment should not be passed, and helped to fight it off.

We are told that southern gentlemen have the same object in view—but they must not jump too quick nor run too fast. The people of New Mexico should have constitutional law, instead of that of the bowie knife. Why was Minesota provided with a territorial government? She had a population of only 20,000. What is the objection urged against prohibiting slavery in territories now free? Because it is said the harmony of the country would be disturbed! In his opinion, it was rather to avoid disturbing the harmony of parts of the country. The framers of the constitution never contemplated the acquisition of territory—if so, they would have made some provision for its management. The provisions in that instrument related to the territory then possessed. We have an equal number of free and slave states, and we are told it would be aggression to admit another free state. Was not the south relatively stronger than she was at the time of the formation of the constitution? A large majority of the people believed that Congress has the exclusive right to legislate over the territories.

He would not compromise on the ground of constitutionality and right; he would not compromise on the question of human freedom, so help him God. He belonged to the reviled section of Free Soilers, and there would be no difficulty in making an issue with him. Gentlemen had been taunted with the remark that the Wilmot proviso is dead. It must be gratifying to northern men to be told to their faces, that the Wilmot proviso has been murdered in the House by its friends, and trampled under foot; but the proviso is a living and abiding principle in the breasts of the people of the free states. It may appear that instead of the proviso being dead, those twenty members who voted to lay it on the table may have committed suicide. Not ten of these men would have come here, if they had told their constituents what they would have done. There was one thing more absurd than the cry of dissolution of the Union, and that was the alarm that gentlemen feel about it. Dissolution was a mere speculative question. He averred that if this should occur, the children of the ordinance of 1787 would float up and down the Mississippi river whenever they please.

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[illegible] proposition does not give the whole of the territory to either party, but divides it. It proposes repose; but it would be better to settle the question now, than to let it remain as an apple of discord hereafter. He spoke earnestly on the importance of settling the question on high national grounds. Sometimes he thought that there was only one thing people would bow down to, and that was the infernal demon of party. He afterwards imagined that the American people were the least considerate and grateful on earth, considering the untold blessings they enjoy; while the downtrodden people of the old world experience innumerable oppressions, and are crowded together, while we have the pure, free air of heaven. In conclusion, he appealed to all to come forward and honorably adjust all their existing difficulties.

Mr. Mann claimed to be a free soiler, if the term included one who wished territories to be free. If a slave soiler was one who desired to bear slaves, he was willing to be weighed in the balance, with the epithets which had been applied to the free soilers. Though the term abolitionist was used as a term of reproach, fortunately it may be used in an honorable sense, and if abolitionist means a man who desires to abolish what ought to be abolished, then he took pleasure in being one. There are some who desire the abolition of this Union, and he was content that to these the term should be used as a term of reproach. It was applicable to persons at the north; but they were few in number, and feeble in power. It was announced by General Cass, that Congress has no right to legislate on any subjects, including slavery, pertaining to the territories. The senator was driven to this, because if he had admitted the right to legislate at all, it can be applied to slavery. If Congress has no power to legislate, how is it that gentlemen propose to legislate for California, New Mexico and Deseret, and settle their boundaries?—The question cannot be settled according to this doctrine. When persons leave their states, they leave behind them their local laws. They do not carry their system of education with them, or their former laws on the subject of lotteries and gaming; they become subject to the laws where they locate. As to the south's considering the Wilmot Proviso an insult, there could be none, when insult is not intended, and disavowed. This is the rule among gentlemen. The north propose the Wilmot Proviso, only to assert the great right of mankind. It is a fixed and settled purpose of the north that there shall be no more slave territory and slave states. He then spoke of the Southern Convention and the threats which had been made, in case of the passage of the Wilmot Proviso. A dissolution of the Union cannot be peacable; overt steps must be taken to carry it into effect; custom-houses, magazines, arsenals, &c. must first be seized—and this would bring into requisition the power of the Executive, who has sworn to support the Union, and see that the laws are faithfully executed; and this would inflame the country into civil war. He could not contemplate this subject without a shudder. If the day come, it would be with thunderings above, and earthquakes below, and darkness around—and when the darkness shall be lifted up, they would see the country severed, and the deep, profound gulf between the sections filled with the scarred bodies of the combatants, and we would find our hands and garments red with suicidal blood. How could we stand before posterity, and say that the event come to pass because it was determined to carry slavery to a country where it does not now exist and to retregrade to the dark ages, while all the world is looking on; but this was to take place at any and every hazard. If such an event must befall the country, we cannot but see the disastrous consequences.

He then proceeded to show that the slaves could escape with more facility than they now do into the free states, having only a frontier of 1000 miles south and east. Where would the new territory fall?—If a party secedes, he leaves the territory behind him, and that which the south contend for would be lost, unless slaves were carried there by force. Slaves would be instigated to escape; and even if a northern army should invade the south, the slaves would not turn against those who have most sympathy with them. It is said that there are three millions of slaves—let the adults escape, and the old and young would soon melt away. Let such a state of things come to pass, and the slaves would find a star in the east, which they would worship with Chaldean homage. Great Britain would not be found more friendly to the south than the north are. There are more emancipationist, ten to one, there than here. The great principle of the age is human freedom. Great Britain, France, Sweden, and the degraded Mexico, and Turkey, have abolished slavery. Does any one think to trample out this love of freedom in the human breast? Nothing but the love of law, and the restraints thrown around the institution, prevent the inflammable material from igniting and consuming the whole.

Mr. Burt observed that the gentleman had said that instances of capital punishment were few in the south among the slaves, and he attributed this to sordid, mercenary motives. In South Carolina and other southern states, it is well known that slaves are subject to capital punishment for crimes unknown to common law, for which white men are not subject. The slave is not entitled to the benefit of clergy, and for an aggravated assault on a white man, he is put to death.

Mr. Burt called on Mr. Mann to withdraw the detraction.

Mr. Mann said that if he had inadvertently fall [illegible]

THIRTY-FIRST CONGRESS.—First Session.

WASHINGTON, Friday, Feb, 15.

IN SENATE.

After the reception of petitions, reports from Committees and Resolutions, the Senate resumed the consideration of the President's Message, transmitting the Constitution of California.

Mr. Butler addressed the Senate in opposition to the separation of the question of the admission of California from the other agitating questions of the day. It would be unwise. He desired to say to the majority, not to place the question of California's admission in a situation in which the best and wisest men in the country would have no control over it. He did not make the salvation of the Union, under any circumstances, the great and paramount question. His desire was, to save the Union, if it could be done at the same time, that the rights and interests of his constituents were saved. He wanted to secure both together. One was valueless without the other. He alluded to Mr. Clay's remarks yesterday, in relation to the allegiance which he recognised, and expressed his surprise that the Senator had boldly declared that he owed no allegiance to the south. He was prepared to hear him say that we owed allegiance to the Union, as an entire body, but not to hear him declare that he owed no allegiance to one particular section.

Mr. Clay interposing said, that he thought he had said, and if he had not said it, he meant that he acknowledged no specific allegiance to any section—that he acknowledged allegiance only to the sovereignty of Kentucky and to the sovereignty of the Union.

Mr. Butler said, that for himself he knew no Union, except that which South Carolina might recognise, and owed no allegiance except to South Carolina, and no allegiance to the Union except through her. As to the settlement of the question of the admission of California, together with all other agitating questions so intimately connected therewith, he was willing to refer the whole subject to a Committee, composed entirely of northern men, for the purpose of ascertaining what they were prepared to offer the south. Mr. B. then proceeded at some length with remarks against the admission of California with her present constitution and boundaries, asserting that such action would be a violation of the well settled practice and usage.

He contended also that her constitution was the result of an usurpation of power for the purpose of getting rid of the Wilmot proviso—measures worse than a thousand times than the proviso had been adopted. He also argued the inexpediency of the admission of

the new state, contending that it would leave to one section the choice either of submission, degradation, or secession. The south demanded equality—nothing more, and would submit to nothing less. In conclusion, he appealed to the senate to settle this, or any one of the questions connected with the slavery agitation, until every man who desired it should have an opportunity to express his views, in the hope that some made of settlement might be suggested.

Mr. Badger said that he was not responsible for the difficulties which had thus grown out of the war with Mexico. If the Senator from South Carolina, Mr. Butler, who says he had foreseen the danger and difficulties which must result from the acquisition of new Territories, had united with any other two Senators, who also foresaw the difficulty, but voted with him—if these Senators has cast their votes for an amendment to the Mexican Treaty offered by him, Mr. Badger, striking out all acquisition, these foreseen troubles might all have been avoided.

Mr. Butler interposing, said that the amendment was offered at too late a day.

Mr. Badger resuming, remarked that he had said during the discussion of the treaty, that, notwithstanding, he believed the origin of the war with Mexico to have been unnecessary and unjust—he would rather have continued it an hundred years than that it should have resulted in an acquisition of territory, to produce internal commotion and disunion.

Mr. B. then proceeded to state his objections to the proposed instructions to the Committee on Territories.

Mr. WEBSTER concurred in the propriety of giving this subject a calm and deliberate consideration. It was a grand and important question, and he designed for one, to give it a more careful examination. It was a question in which the whole country, and all sections of the country, were deeply interested, and he thought it the duty of every Senator to express the result of his studious deliberations thereon. He did not design to intimate any immediate expression of his own views, although he would probably, in the course of the discussion, state his views. He was ready to admit that there were many difficulties attending the proposition to admit California, but hoped to be able to show that they are not insuperable. It was in this spirit that he designed to meet the subject.

Mr. Hale desired to say a word in relation to the precedents for the proposed action. Some four or five years ago there were two exciting questions—Texas and Oregon—before the country. They both, like the Siamese twins, went through the Presidential election together; but when the election was over, and they came to legislate, these sisters were separated, and Oregon had to sit within the cold region of 54 40, until Texas was taken care of. This, then, was a precedent, and he hoped it would be followed. He hoped California would first be taken care of, and then, after she had been brought safely and snugly into the Union, that they would proceed and take up the other questions and dispose of them also.

Mr. Clemens next took the floor, when the further consideration of the subject was postponed until Tuesday, and the Senate adjourned to Monday next.

HOUSE OF REPRESENTATIVES.

The House went into Committee of the Whole on the State of the Union.

Mr. Root said that he would go for admitting California with her present boundaries, and for ratifying all that had been done. He differed from the President in his do-nothing policy, and was in favor of doing something. He believed that a majority of both branches of Congress were in favor of action. It was not the fault of the House that nothing was done at the last session; for the House passed a bill at that time, but the august Senate did nothing with it. The Walker amendment was tacked on to the civil and diplomatic appropriation bill in the Senate; there was a fixed and settled determination to force it through, and it was not relinquished until it was known that by persistance the bill would be lost. He was one of those who were determined that the amendment should not be passed, and helped to fight it off.

We are told that southern gentlemen have the same object in view—but they must not jump too quick nor run too fast. The people of New Mexico should have constitutional law, instead of that of the bowie knife. Why was Minesota provided with a territorial government? She had a population of only 20,000. What is the objection urged against prohibiting slavery in territories now free? Because it is said the harmony of the country would be disturbed! In his opinion, it was rather to avoid disturbing the harmony of parts of the country. The framers of the constitution never contemplated the acquisition of territory—if so, they would have made some provision for its management. The provisions in that instrument related to the territory then possessed. We have an equal number of free and slave states, and we are told it would be aggression to admit another free state. Was not the south relatively stronger than she was at the time of the formation of the constitution? A large majority of the people believed that Congress has the exclusive right to legislate over the territories.

He would not compromise on the ground of constitutionality and right; he would not compromise on the question of human freedom, so help him God. He belonged to the reviled section of Free Soilers, and there would be no difficulty in making an issue with him. Gentlemen had been taunted with the remark that the Wilmot proviso is dead. It must be gratifying to northern men to be told to their faces, that the Wilmot proviso has been murdered in the House by its friends, and trampled under foot; but the proviso is a living and abiding principle in the breasts of the people of the free states. It may appear that instead of the proviso being dead, those twenty members who voted to lay it on the table may have committed suicide. Not ten of these men could have come here, if they had told their constituents what they would have done. There was one thing more absurd than the cry of dissolution of the Union, and that was the alarm that gentlemen feel about. Dissolution was a mere speculative question. He averred that if this should occur, the children of the ordinance of 1787 would float up and down the Mississippi river whenever they pl[illegible]

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LEONARD SCOTT & CO,
79 FULTON STREET, New York,
Entrance 54 Gold st.

☞Subscriptions received in Washington by Frank Taylor, Taylor & Maurey, and W. Adam, Booksellers.

TO EDITORS OF NEWSPAPERS.

WE beg leave to call your attention to an advertisement, and to the memorial annexed, and tender our services in the prosecution of any claims for Bounty Lands or Pensions, which you may send to us. We will allow you one half our usual fee, which is *five dollars* for obtaining a warrant for 160 acres, and *three dollars* for a warrant of eighty acres or less, for publishing our advertisement, and preparing and forwarding the papers to us.

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"We call the attention of our readers to the advertisement of Messrs. Duff Green, Ben. E.

and wisdom from Punch; and, when we think good enough, make use of the thunder of The imes. We shall increase our variety by importions from the continent of Europe, and from the w growth of the British colonies.

The steamship has brought Europe, Asia, and frica into our neighborhood, and will greatly ultiply our connexions as merchants, travellers, d politicians, with all parts of the world; so that, uch more than ever, it now becomes every intelgent American to be informed of the conditions d changes of foreign countries. And this not ly because of their nearer connexion with ourlves, but because the nations seem to be hastenthrough a rapid process of change, to some w state of things, which the merely political ophet cannot compute or foresee.

Geographical Discoveries, the progress of Colozation, (which is extending over the whole orld,) and Voyages and Travels, will be favorite atter for our selections; and, in general, we shall stematically and very fully acquaint our readers ith the great department of foreign affairs, withut entirely neglecting our own.

While we aspire to make the *Living Age* desirae to all who wish to keep themselves informed the rapid progress of the movement—to statesen, divines, lawyers, and physicians—to men of usiness and men of leisure,—it is still a stronger bject to make it attractive to their wives and hildren. We believe that we can thus do some ood in our day and generation, and hope to ake the work indispensable in every well-inormed family. We say *indispensable*, because in his day of cheap literature, it is not possible o guard against the influx of what is bad in aste and vicious in morals, in any other way than by furnishing a sufficient supply of a healthy haracter. The mental and moral appetite must e gratified.

We hope, that by "winnowing the wheat from he chaff," by providing abundantly for the imagiation, and by a large collection of Biography, Voyages and Travels, History, and more solid natter, we may produce a work which shall be opular, while at the same time it will aspire to aise the standard of public taste.

☞ Letters in commendation of the plan and xecution of the work from Judge Story, Chanellor Kent, Dr. Bethune, and Messrs. Jared Sparks, W. H. Prescott, George Bancroft, and George Ticknor, have been published in former dvertisements.

POSTAGE.—*When sent with a cover it is ranked as a PAMPHLET, and costs 4½ cents. Without the cover it comes within the definition of a newspaper given in the law, and cannot legally be charged with more than newspaper postage.*

MONTHLY PARTS.—*For such as prefer it in that form, the Living Age is put up in monthly parts, containing four or five weekly numbers. In this shape it shows to great advantage in comparison with other works, containing* IN EACH PART *double the matter of any of the quarterlies.* But we recommend the weekly numbers as fresher and fuller of life.

The VOLUMES are published quarterly. Each of them is equal to THREE ordinary octavos.

Orders should be addressed directly to the publishers.

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NEW PROSPECTUS
OF THE
SCIENTIFIC AMERICAN.

cultural work, called the

"FARMER'S GUIDE TO SCIENTIFIC AND PRACTICAL AGRICULTURE,"

By HENRY STEPHENS, F. R. S., of Edinburgh, author of the "*Book of the Farm*," &c., &c.; *assisted* by JOHN P. NORTON, M.A., New Haven, *Professor* of Scientific Agriculture in Yale College, &c., &c.

This highly valuable work will comprise two large royal octavo volumes, containing over 1,400 pages, with 18 or 20 splendid steel engravings, and more than 600 engravings on wood, in the highest style of the art, illustrating almost every implement of husbandry now in use by the best farmers, the best methods of ploughing, planting, haying, harvesting, &c., &c., the various domestic animals in their highest perfection; in short, the *pictorial* feature of the book is unique, and will render it of incalculable value to the student of agriculture.

The work is being published in semi-monthly numbers of 64 pages each, exclusive of the Steel engravings, and is sold at 25 cents each, or $5 for the entire work in numbers, of which there will be at least twenty-two.

The British Periodicals re-published are as follows, viz :

THE LONDON QUARTERLY REVIEW (Conservative),
THE EDINBURGH REVIEW (Whig),
THE NORTH BRITISH REVIEW (Free Church),
THE WESTMINSTER REVIEW (Liberal.)

AND

BLACKWOOD'S EDINBURGH MAGAZINE (Tory).

Although these works are distinguished by the political shades above indicated, yet but a small portion of their contents is devoted to political subjects. It is their *literary* character which gives them their chief value, and in that they stand confessedly far above all other journals of their class. *Blackwood*, still under the masterly guidance of *Christopher North*, maintains its ancient celebrity, and is, at this time, unusually attractive, from the serial works of Bulwer and other literary notables, written for that magazine, and first appearing in its columns both in Great Britain and in the United States. Such works as "The Caxtons" and "My New Novel" (both by Bulwer,) "My Peninsular Medal," "The Green Hand," and other serials, of which numerous rival editions are issued by the leading publishers in this country, have to be reprinted by those publishers from the pages of Blackwood, *after it has been issued by Messrs. Scott & Co.*, so that subscribers to the reprint of that Magazine may always rely on having the *earliest* reading of these fascinating tales.

TERMS.

	Per annum.
For any one of the four Reviews - -	*$3,00*
For any two do. - -	*5,00*
For any three do. - -	*7,00*
For all four of the Reviews, - -	*8,00*
For Blackwood's Magazine, - -	*3,00*
For Blackwood and three Reviews, -	9,00
For Blackwood and the four Reviews, -	10,00
For Farmer's Guide (*complete in 22 Nos.*)	5,00

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If you accept this proposal, please insert this circular and our advertisement in your paper, with the following editorial notice:

"We call the attention of our readers to the advertisement of Messrs. Duff Green, Ben. E. Green, and Richard H. Clarke, Attorneys and Agents at Washington, D. C., and would say to persons having claims for Bounty Lands or Pensions, that we have made arrangements for the requisite forms, and that claimants calling at our office can have their papers properly prepared and forwarded to these gentlemen at Washington, who will properly attend to them in their proper offices."

Please get each claimant *to sign the memorial, and forward it to your member of Congress.*

Please send us a copy of your paper *containing* our card, which will notify us that you accept our proposition.

DUFF GREEN,
BEN. E. GREEN,
RICH'D H. CLARKE

MEMORIAL.

To the Senate and House of Representatives of the United States in Congress assembled: The memorial of the undersigned, respectfully represents that they are entitled to Bounty Land, under the act of 28th of September, 1850, that they are informed and believe that the unlocated warrants are worth more to them than the patented lands would be, that they do not expect or desire to reside on the land thus granted; that if patented to them, the expense of agencies and taxes will be an annual charge, reducing the value of the grant, which they could avoid if permitted to sell the warrant. Your memorialists further represent that the law, by preventing the sale of the warrants, assumes that the officers and volunteers entitled to bounty lands, are not competent to act for themselves, whereas many of them are among the most intelligent and respectable citizens of the States. They therefore respectfully ask that the act aforesaid may be so modified as to make the warrants for bounty lands assignable, and they will ever pray, &c.

A SELECT variety of Fine Gold Jewelry, Guard and Vest Chains, and the best quality of London, Liverpool, and Swiss Watches, for sale at low prices for cash. Every article warranted to prove what it is represented to be at the time of sale; also, Watch Repairing in all its branches, by CHAUNCEY WARRINER,
dec 13 No. 2, Todd's building, Pa. avenue.

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SINGLE COPIES TWO CENTS.

THE EVENING MIRROR

From Wilmer & Smith's Times.

Protectionism in the United States.

To the Secretary of the Treasury of the United States.

SIR,—I can assure you it gave me sincere pleasure when I saw Great Britain and the United States repeal those restrictions in their commercial codes, which impeded a more extended intercourse between the two great families of the Saxon race, for such a course I believe to be dictated by sound and enlightened policy, and by the true interests of both. It was, therefore, with regret and surprise that I read the President's message and your report to Congress, recommending a restrictive policy. I cannot reconcile your argument, when you almost in one and the same breath admit that no laws should be passed but for the good of the whole; and yet recommend a policy that will protect a class at the expense of the nation. I feel too much interested in your prosperity, as adding to the prosperity of all other nations with whom you trade, particularly to that of Great Britain, not to endeavor to show the fallacy of your reasoning; it is just such as I should look for from that class who seek for advantages at the expense of others, but not for a gentleman holding the distinguished position of Secretary of the Treasury to a great and enlightened people. After giving us some details of your revenue and expenditure, you go on to quote acts of Congress, showing the power to levy taxes on imports, and give your reasons for recommending a higher tariff. No one doubts the power of Congress to levy a tax on imports; but, therefore, *not necessary, for you to* [illegible] *that fact.* You omit, however, to tell us that Congress has no power to impose an export duty. The enlightened wisdom and forethought of those great men who framed your constitution, enabled them to see that any burthens laid on exports would lesson their quantity, and if heavy would stop them altogether, and thus decrease the means of getting profitable exchanges from other countries of such articles as could be produced there cheaper than at home. Although they felt themselves compelled to raise the necessary revenue from import duties, they made them as light as possible, being well aware, of what experience has proved to be true, that there is a point beyond which if you increase your duties you decrease your revenue. We have felt the truth of that fact here; and now better understanding our true interest, we have abolished altogether the duties formerly collected on your flour, your cotton, and many other articles, and put within the reach of the consumers a greatly increased quantity of the necessaries and luxuries of life at much less cost; or in other words, as all commerce is barter, we have to part with less of our industry to procure more of that of other countries under a low tariff than a high one. Let me give you a simple illustration of this. Suppose you can buy a bale of French silks for 500 dollars, but to protect your manufacturing interest you place on it an import duty of 100 per cent., making the cost to the consumer 1000 dollars. Now if this 100 per cent. duty did not exist, 100 barrels of flour, at 5 dollars per barrel, would have paid for those silks; but by this extra duty you either put it out of the farmer's or consumer's power to buy, or he must pay 200 barrels of flour, or 1000 dollars for it. I do not go into the question of higher duties requiring more capital and more profit to the importers by making the silks more costly to the consumer. I merely want to show *the effect of high duties in decreasing* the comforts of the people, and compelling them to pay high prices to the protected interest, whether that of the iron-masters, cotton spinners, or any other protected class. During my residence in the United States I think the duties were about 15 per cent., so that 115 barrels of flour would pay for the bale of silk. For every 1 per cent. the duties are now or may hereafter be, above this rate; the farmer to make the same purchase must sacrifice another barrel of his flour, *or its equivalent in cotton, Indian corn, pork, rice, tobacco, or cheese, &c., &c.* It ought not to be lost sight of that the manufacturers' price at home is kept down by the import price. Consumers are not sufficiently aware how much they suffer indirectly from high tariffs; although they are not compelled to buy dutiable articles, yet many of them are necessaries of life which they cannot do

them to buy protected articles at home, for the avowed and undisguised purpose of raising prices, and prevent their getting their necessaries cheaper, by imposing restrictions on importation. This is a double injustice. It is unquestionable that the accumulating wealth and property of individuals in the aggregate, promotes national aggrandisment and social comfort; and any thing that prevents this is a national loss. It never can be said that if I am confined to one market to make my sales I can do as well as if I had competition arising from a choice of the markets of the world; or if I am restricted to buy what I want at home, or to import under protective duties, that I can do as well as if no prohibition existed. You call protective duties necessary imposts; I deem them most injurious restrictions, and I doubt their advantage, in many cases, to the protected parties. They are a positive loss to the nation. No part of your reasoning astonished me more than your remarks about cotton. You say you produce to the value of 66,000,000 dollars, but if manufactured at home it would be increased fourfold. I presume you do not mean to assert that this fourfold increased value could be effected without increased capital and hands, although that inference may be drawn from what you state. I, therefore, ask this question,—how are you to withdraw both capital and hands from other pursuits, without serious and manifest injury to them? And with you, where there is great enterprise, sagacity, and intelligence, and where every man is at perfect liberty to employ his capital and his industry as he pleases, I ask whether they would not become cotton spinners, *weavers, &c., &c., if their industry was better* remunerated in those channels than in their present pursuits? Is it, therefore, wisdom to withdraw energy, enterprise, labour, and capital from other pursuits, and from your true native industry—the cultivation of the produce of your soil—where you have regions of virgin earth and other advantages at present that no other nation in the world possesses, and force all these faculties into manufacturing labour, when other countries have greater advantages than you, and when protecting duties are necessary to sustain it at the cost of all parties not protected?

As soon as you have capital and labour which can be more profitably employed in factories than otherwise, the sagacity of your people will find it out, without their being bolstered up with a high tariff. Capital can then venture into them with safety, without any fear of the next Congress being able to injure them by reducing the duties. Until the natural course of events has brought those changes round, it is not the policy of any country to force their citizens out of pursuits, in which climate or other circumstances give them peculiar advantages, and which they, therefore, find it their interest to follow, to induce them to adopt others that are stimulated into existence by bounties of protective duties. The division of labour is well understood to be productive of great advantages; but you would destroy this by encouraging planters and other industries to become manufacturers, irrespective of climate or other circumstances which may be favourable to them.

You say no country can attain a due strength or prosperity, which does not, by its labor, carry its own productions as nearly as possible to the point of ultimate consumption. I agree with you, that no nation can attain strength or prosperity except by its own labor; but you must not force that labor into particular channels, when it is more advantageously employed in other pursuits. The meddling interference of Government in those matters is national suicide. Individuals are much better judges how they can employ their time, their capital, and their labor, most productively, than any Government. It has not been of our sins here, that we have interfered and legislated too much. You state, that, under your present tariff, some articles have produced less revenue than under a higher rate of duties. This being so, it follows your own manufacture of those articles is sufficiently remunerative to the manufacturer, and has supplied the consumer so as to render larger imports unnecessary; or if that is not the case, that the consumers have the advantage of the reduction of price on the imported article; in either case the country is a gainer, by ob-

that fact. You omit, however, to remind us that Congress has no power to impose an export duty. The enlightened wisdom and forethought of those great men who framed your constitution, enabled them to see that any burthens laid on exports would lesson their quantity, and if heavy would stop them altogether, and thus decrease the means of getting profitable exchanges from other countries of such articles as could be produced there cheaper than at home. Although they felt themselves compelled to raise the necessary revenue from import duties, they made them as light as possible, being well aware, of what experience has proved to be true, that there is a point beyond which if you increase your duties you decrease your revenue. We have felt the truth of that fact here; and now better understanding our true interest, we have abolished altogether the duties formerly collected on your flour, your cotton, and many other articles, and put within the reach of the consumers a greatly increased quantity of the necessaries and luxuries of life at much less cost; or in other words, as all commerce is barter, we have to part with less of our industry to procure more of that of other countries under a low tariff than a high one. Let me give you a simple illustration of this. Suppose you can buy a bale of French silks for 500 dollars, but to protect your manufacturing interest you place on it an import duty of 100 per cent., making the cost to the consumer 1000 dollars. Now if this 100 per cent. duty did not exist, 100 barrels of flour, at 5 dollars per barrel, would have paid for those silks; but by this extra duty you either put it out of the farmer's or consumer's power to buy, or he must pay 200 barrels of flour, or 1000 dollars for it. I do not go into the question of higher duties requiring more capital and more profit to the importers by making the silks more costly to the consumer. I merely want to show the effect of high duties in decreasing the comforts of the people, and compelling them to pay high prices to the protected interest, whether that of the iron-masters, cotton spinners, or any other protected class. During my residence in the United States I think the duties were about 15 per cent., so that 115 barrels of flour would pay for the bale of silk. For every 1 per cent. the duties are now or may hereafter be, above this rate; the farmer to make the same purchase must sacrifice another barrel of his flour, *or its equivalent in cotton, Indian corn, pork, rice, tobacco, or cheese, &c., &c.* It ought not to be lost sight of that the manufacturers' price at home is kept down by the import price. Consumers are not sufficiently aware how much they suffer indirectly from high tariffs; although they are not compelled to buy dutiable articles, yet many of them are necessaries of life which they cannot do without. If the other nations of the earth, trading with you, impose restrictive or prohibitory duties, on both sides you carry on a war of commercial injuries.

You seem altogether to forget that you must buy to be able to sell, and the more property you can possess yourself of at home, or import from abroad—at the least expenditure of your capital or labour—the sooner you become rich. I presume this will not be denied. It is true, as you state, that every producer, in any branch of useful industry, is a consumer of the products of other industries; it follows, that the more prosperous other countries are with whom you trade, the more they are able to buy and give you as equivalents for the products of your native industry, the products of your soil, which is your true native industry. Then is it not great injustice to your planters, your farmers, and your consumers, to shut those markets against them by protective or prohibitory duties on imports which decrease the power of foreigners to buy, as you limit the quantity you can take from them. In the first place you narrow the market and abridge the competition amongst those who would be purchasers of their produce; and you also confine [illegible] industry *Was better remunerated* in those channels than in their present pursuits? Is it, therefore, wisdom to withdraw energy, enterprise, labour, and capital from other pursuits, and from your true native industry—the cultivation of the produce of your soil—where you have regions of virgin earth and other advantages at present that no other nation in the world possesses, and force all these faculties into manufacturing labour, when other countries have greater advantages than you, and when protecting duties are necessary to sustain it at the cost of all parties not protected?

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See the effects here of decreased rates on postage. Notwithstanding a reduction of from 500 to 600 per cent. the income from this source, since the change, has gradually increased, and goes on increasing, so that the gross receipts are nearly as high as they ever were under the old system. It was not till after *many years* discussion of the impolicy of our corn-laws, that this nation was taught sound political economy, and became sufficiently enlightened to overcome their prejudices in favor of protection.

The landed aristocracy, who fear that they will suffer by our free-trade principles, will, no doubt, make every effort again to get back a duty on corn. I believe,

… the Proceedings of the Taylor …, at Boston on the 22d February, 1849.

Fourth regular toast:—

"Pennsylvania—The Keystone in the great National Arch—Her recent vote for the Presidential question has furnished a guarantee that whenever necessary she will not be backward in sustaining the principles necessary to perpetuate our Union."

Col. J. Sidney Jones, of Philadelphia, was then introduced to respond, being the bearer in behalf of his state, of the ensuing expression of kindred feeling:

The independent friends of Gen. Taylor, in the city and county of Philadelphia, present, in behalf of the Keystone state, through Col. J. Sidney Jones, to their brethren in Boston, celebrating the birth-day of Washington, the following sentiment:

The foundation of Freedom, of Thought laid by PETER FANEUIL and WILLIAM PENN, have made sacred forever, Independence Hall, in Philapelphia, and Faneuil Hall, in Boston. At these shrines of Liberty the people have dedicated to the civil service of the country, in its highest office, General Zachary Taylor, as exemplifying the virtues of the Father of his Country—GEORGE WASHINGTON.

J. K MITCHELL, *Chairman.*

Edward D. Yates, Secretary.

SPEECH OF

GEN. J. SIDNEY JONES,

At the Taylor Celebration at Feneuil Hall, in Boston, February 22d, 1849.

Mr. President and my fellow citizens, in responding to your call, I would premise, that I feel almost overwhelmed with the multitude of thoughts and reminiscences pressing on my brain, connected with the history and fame of this sacred old Faneuil Hall—this cradle of American liberty, and the patriotic associations identified with its existence; and that of many of the compatriots of the first Washington, a Hancock, a Samuel Adams, with a Warren, and other kindred spirits, in times that tried the souls of men.

Truly, my friends, this is no ordinary occasion that brings us together; we stand upon holy ground, and when the sublime aspirations of the reverend brother ascended to the Throne of Grace, invoking the divine blessing upon the proceedings of this feast of reason and flow of soul, methought the sandals of the selfish caucus conventionalism of the outer world should be put off from our feet, for here are the elements in agitation that shall give an impress to the age in which we live; and when the senior members of this day's brotherhood shall have passed away to "that undiscovered country from whose bourne no traveller returns," and age have whitened the heads of the younger descendants of the Puritan Fathers, now around me in all the pomp of man, of military and civil pride, flushed with our recent triumph, it will be told to your sons that your mission was to aid in establishing a new jubilee—a new platform of freedom—broad enough for the oppressed and down-trodden of this and every other clime. *Observe,* my countrymen, the *extraordinary coincidence* of dates and chilling events characteristic of our national history; see the glorious departure from life, on the same fourth of July of the star of the south, Thomas Jefferson, and the star of the east, John Adams, and *remember that on this day one year ago the son of the latter, "the old man eloquent," the expounder* from the book of Genesis of our indisputable title to Oregon—

"With the noble plough strike deep the furrow,
And mark man's claim where wild beasts burrow"

was called upon by the angel of death, to exchange time for eternity, after a long life devoted to the honor and glory of his country; "earth ending with him" on the very spot where his fame as a statesman, had so largely contributed to advance the great principles of man's social and political freedom, and where his prophetic vision, too, had been blessed with the sight of the new birth day of light, of civilisation for the western side of our continent, consecrated to all time on the field of Buena Vista, by the blood of a Clay, of a McKee, of a Hardin, of a Lincoln, with a host of other brave and philanthropic spirits, of "a little more grape, a little more grape," a sentiment remarkable for its brevity, like that of its great exemplar, "the union must, and shall be preserved," given at a most critical period, when that same genius of liberty, who had crossed over the vast waters with Columbus, in search of this western world, and who had watched over and nursed us in our existence, until we had become a great and mighty people, like the … of love, hovered over the contending …

opposed to its iron ru… ings have we had of the … party faction becoming despo…, alas, too many sad instances in Grecian and Roman archives, have caused alarm in the minds of many who really and devotedly love their country, but who blindly imagine they see an Alcibiades or a Cæsar in every soldier called to administer the executive power of the republic.

But it has been reserved for our country to offer to the world a new example in government, and a new subject for ambition; the moment the star of a Washington rose above the horizon, how rapidly paled all the former constellations! Where now are your founders of dynasties, your iron heeled despots of the past? Gone, faded before the hero of freedom, the simple soldier of liberty. The thrones, to erect which they sacrificed the happiness of their race, are crumbling to decay; the trophies of their valor are dust, like themselves, and their places in history each passing day more dubious; whilst years but add verdure to the laurels of the champion of man's holiest rights, and at this moment a voluntary *tribute of respect is being offered to the memory of Washington in every land where civilisation exists, and commerce unfurls her canvass to the breeze of heaven.* In modern times we have had but two instances of the betrayal of national liberty by those who had led the sons of a people to victory, and surely their fate has not been such as to lure others to follow in their footsteps. To secure a throne to his descent, Napoleon Bonaparte proudly dictating an alliance with a daughter of the Cesars, sacrificed with his domestic happiness the fondest affections of his heart, and then perished a lonely exile on the island of St. Helena; yet his apologists claim for him one merit, that, although wearing the crown of the usurper, he nevertheless struggled for principle; that his prowess was wielded to overthrow the idea of *legitimacy*—a despotism under which man had grovelled for ages, that the result of his course is now being felt throughout Europe; that the seed scattered by his victorious hand in the sunny and classic land of Italy, amid the dikes and fens of Holland, and over the mountains and vallies of Germany, have taken root, and in their course are undermining the foundations of tyranny and threatening the overthrow of unholy alliances, that have been cemented by the wrongs and oppressions of centuries. Of the other party, Santa Anna, it is scarce necessary to speak, except in his relation as the principal chief, opposed to Gen. Taylor. Driven form the confidence and association of the people whom he betrayed, after fully proving to their satisfaction that his defence of Vera Cruz against the Prince of Joinville, was but to confirm and strengthen despotism in his own person, he fled to a foreign land; returning again by treachery, intending to retrieve his fortunes amid the chances of a war, the result in a great measure of his own villiany and misrule, he found that fortune no longer favored him; beaten in every battle, exciting again the distrust that his early acts had inspired, he a second time found safety in flight, and now presents to the world the spectacle of a man, blessed with opportunities, that if rightly used would have inscribed his *name* high on the pillar of fame, as a *benefactor of his nation—now a fugitive and an exile, whose brightest hope can only be that history may find no place for him.* Yet all this was but the result of a single error, that of "*loving power better than freedom,*" and consequently "*opposing the onward march of man's emancipation.*"

Truly, there is an overruling Power, that defeats all the designs of the selfish and evil-minded; and although human laws have enslaved man, fortunately, providentially I would say, such slavery in our republic has enlightened millions, who, otherwise, might never have enjoyed the opportunity of acquiring knowledge. May not this immense development of free soil on the Pacific be incidental to a new jubilee for 1850—for a new era in the history of human progress? Surely the enlightened laws of christendom are not more harsh and severe than the old Mosaic dispensation; and although it might be argued that Moses claimed the sanction of the Almighty to enslave man, still there was a qualification that the bond-man should be of the heathen and stranger only; and with that there was social and political equality, with the exception for the circumcised slave, who could say our brother, our country and our God; he was sure of the fiftieth year—the year of freedom—the year of Jubilee. Observe the Levitican law—"AND IF HE BE NOT REMEMBERED THESE YEARS, THEN HE SHALL GO OUT IN THE YEAR OF JUBILEE, BOTH HE AND HIS CHILDREN WITH HIM. AND YE SHALL HALLOW THE FIFTIETH …

… the wisest of … ; and his name … his great prototype, will … cou… songs, and legends of days yet to live in … come. When the hardy arm of the adventurous pioneer shall have opened the path for civilization, industry and religion, through the dense wilderness of the west and south; when magnificent cities deck the shores of the bright Pacific, the banks of the Columbia and the Sacramento with their tributaries—and the western slope of this continent, cultivated by a robust, free and enlightened population, pour the fruits of industry into the lap of commerce—when we shall number our people by hundreds of millions, whose example will influence the destinies of men—in a word, when the great end of man's social and political creation shall have been achieved, and the promise of holy writ that the "Lion shall lie down with the Lamb" be accomplished, then and in that day will the fame and glory of those, who, sacrificing party alliances and attachments, aided to consummate the work of man's redemption from despotism, have a place in the memory of a great people, whilst the renowned warriors and usurpers of our own or other times be forgotten, or live in the memory of man only, as the shadow of an evil dream.

In conclusion, let me *congratulate* your association, that you were among the very first to avail yourselves of the opportunity to act as humble instruments in effecting our political regeneration. Nobly have you responded to the declaration of the Philadelphia County Association, which I had the honor to announce in this hall in January, 1848, and the shouts and cheers still ring in my ears, with which you received it:—

"The best pledge for future performance, is past practice—General Taylor for President, on his own merits, without reference to the demerits (if any) of others, independent of party faction."

To the indefatigable exertions of your worthy President, are the friends of General Taylor vastly indebted; his whole-souled energies have been devoted to this cause; the influence of his pen and paper added fuel to the flame; it will redound to his honor in the present celebration, and the future history of our country.

Mr. President, and my fellow-citizens, thanking you for the attention with which you have favored me, allow me to offer you for a sentiment—

"*The good time coming,*" will prove that the sword and the pen of the second Washington, dedicated by the vox populi in the middle of the nineteenth century, to regenerate the Pacific coast—to enlarge the area of human progress, will be equally as successful as the *first* in defending the rights and honor, and maintaining the integrity of free institutions over our more widely extended country.

By the President—Col. J. Sidney Jones, (an honorary member of this Association:) His presence on this occasion is an evidence of the zeal he has displayed in the recent contest, and his determination to sustain the incoming administration.

The following sentiment was received at the Chestnut Street Theatre from their brethren at Boston:—

"The friends of General Taylor assembled in Faneuil Hall on this glorious anniversary of the birth-day of Washington, send greeting to the friends of General Taylor, convened together in *Philadelphia, Pennsylvania, to the indefatigable* exertions of the independent friends of the hero of Buena Vista, is the country mainly indebted for his election to the Presidency."

Letters were received from the Hon. Charles S. Coxe and Samuel Wright, Esq., with the following sentiments:

General Taylor—For heroic deeds, emulating the fame, he was elevated by the people to the station, of Washington; in the execution of its duties, he will respect the example of the Father of his Country.

By the Association—

Hon. Charles S. Coxe—*A veteran in politic…, and an honor to his party.*

WASHINGTON AND TAYLOR—*It is the fi… m… conviction of the friends of Gen. Taylor th… as the principles of the one have been de… veloped, so will they be carried out by th… latter.*

With sentiments of respect, *your obedi…* servant, SAMUEL WRIGH…

By the association—

SAMUEL WRIGHT, ESQ.—*An early and devoted friend of the President elect—and an honest advocate of the rights of the people …*

...f the Proceedings of the Taylor ..., at Boston on the 22d February, 1849.

Fourth regular toast:—

"Pennsylvania—The Keystone in the great National Arch—Her recent vote for the Presidential question has furnished a guarantee that whenever necessary she will not be backward in sustaining the principles necessary to perpetuate our Union."

Col. J. Sidney Jones, of Philadelphia, was then introduced to respond, being the bearer in behalf of his state, of the ensuing expression of kindred feeling:

The independent friends of Gen. Taylor, in the city and county of Philadelphia, present, in behalf of the Keystone state, through Col. J. Sidney Jones, to their brethren in Boston, celebrating the birth-day of Washington, the following sentiment:

The foundation of Freedom, of Thought laid by PETER FANEUIL and WILLIAM PENN, have made sacred forever, Independence Hall, in Philapelphia, and Faneuil Hall, in Boston. At these shrines of Liberty the people have dedicated to the civil service of the country, in its highest office, General Zachary Taylor, as exemplifying the virtues of the Father of his Country—GEORGE WASHINGTON.

J. K MITCHELL, Chairman.
Edward D. Yates, Secretary.

SPEECH OF

GEN. J. SIDNEY JONES,

At the Taylor Celebration at Faneuil Hall, in Boston, February 22d, 1849.

Mr. President and my fellow citizens, in responding to your call, I would premise, that I feel almost overwhelmed with the multitude of thoughts and reminiscences pressing on my brain, connected with the history and fame of this sacred old Faneuil Hall—this cradle of American liberty, and the patriotic associations identified with its existence; and that of many of the compatriots of the first Washington, a Hancock, a Samuel Adams, with a Warren, and other kindred spirits, in times that tried the souls of men.

Truly, my friends, this is no ordinary occasion that brings us together; we stand upon holy ground, and when the sublime aspirations of the reverend brother ascended to the Throne of Grace, invoking the divine blessing upon the proceedings of this feast of reason and flow of soul, methought the sandals of the selfish caucus conventionalism of the outer world should be put off from our feet, for here are the elements in agitation that shall give an impress to the age in which we live; and when the senior members of this day's brotherhood shall have passed away to "that undiscovered country from whose bourne no traveller returns," and age have whitened the heads of the younger descendants of the Puritan Fathers, now around me in all the pomp of man, of military and civil pride, flushed with our recent triumph, it will be told to your sons that your mission was to aid in establishing a new jubilee—a new platform of freedom—broad enough for the oppressed and down-trodden of this and every other clime. Observe, my countrymen, the extraordinary coincidence of dates and thrilling events characteristic of our national history; see the glorious departure from life, on the same fourth of July of the star of the south, Thomas Jefferson, and the star of the east, John Adams; and *remember that on this day one year ago the son of the latter, "the old man eloquent," the expounder* from the book of Genesis of our indisputable title to Oregon—

"With the noble plough strike deep the furrow,
And mark man's claim where wild beasts burrow"

was called upon by the angel of death, to exchange time for eternity, after a long life devoted to the honor and glory of his country; "earth ending with him" on the very spot where his fame as a statesman, had so largely contributed to advance the great principles of man's social and political freedom, and where his prophetic vision, too, had been blessed with the sight of the new birth day of light, of civilisation for the western side of our continent, consecrated to all time on the field of Buena Vista, by the blood of a Clay, of a McKee, of a Hardin, of a Lincoln, with a host of other brave and philanthropic spirits, of "a little more grape, a little more grape," a sentiment remarkable for its brevity, like that of its great exemplar, "the union must, and shall be preserved," given at a most critical period, when that same genius of liberty, who had crossed over the vast waters with Columbus, in search of this western world, and who had watched over and nursed us in our existence, until we had become a great and mighty people, like the bird of Jove, hovered over the contending armies—the weal or woe of a generation at least, trembling in the balance, and then with unbounded love, giving our Spartan Leonidas the victory over the immense hordes of Santa Anna. How grand and majestic was the influence of that expression, "a little more grape," in extending free soil and free suffrage over the benighted sons of Ishmael. This new era commencing on the same day, emphatically constitutes it the *natal* day, the second coming of the new dispensation, the first, the immortal Washington of the Atlantic, declaring the second, the glorious Washington of the Pacific, to carry out the great design of man's political redemption. All these remarkable incidents force conviction upon the mind of the most casual observer, that an over-ruling Power governs and directs with unerring wisdom and justice the destiny of his creatures.

Impressed with these views, enthusiastically devoted to the prestige of Gen. Taylor, quite as much as any working man can be with propriety, without incurring the charge of neglect of his legitimate callings, combining the avocations of a tradesman, manufacturer and agriculturist—if there was any doubt in my mind of my power of doing justice to the subject before me, I would throw myself on your liberality, as a Philadelphian, a son of the Keystone state, seeking your indulgent consideration, in return for our kindness in days of yore to your young Benjamin Franklin, and nobly too did he repay that kindness, and if we presumptuously dare to rival or dispute with you the honor,

"Rome shall lament her ancient fame bestowed,
And Philadelphia be the Athens of mankind."

We frankly admit our vast indebtedness to Boston Printer Boy.

Mr. President, it might seem selfish and indecorous to occupy your attention for a moment with personal matters. The name of the sons of Massachusetts, and of Boston especially, ornament the escutcheons of every state in the union. It is said that Yankees always take advantage of favorable circumstances; honorable success is then an opportunity; honorable men imitate them. To apology. I would imitate them. The sacred love of country animated those who pronounced the individual who addresses you, a companion of the disciple of George Fox, a companion of William Penn, whose line, however, has been the principle of non-resistance and the doctrine of religious sect, when the strong have called upon all to maintain that "resistance to tyranny was obedience to God." It is [illegible] to tyranny that I shall take to dedicate [illegible] Vista that I shall take to dedicate [illegible] advance to follow me up the second [illegible] particular, with the name of the second [illegible] this day, born in the same state hour, [illegible] magnetic telegraph dedicated with [illegible] certainty the election of General Taylor [illegible] late majorities of the first returns, [illegible] self sacrifice rich [illegible] [illegible] [illegible]

...cent triumph, it will be told to your sons that your mission was to aid in establishing a new jubilee—a new platform of freedom—broad enough for the oppressed and down-trodden of this and every other clime. Observe, my countrymen, the extraordinary coincidence of dates and thrilling events characteristic of our national history; see the glorious departure from life, on the same fourth of July of the star of the south, Thomas Jefferson, and the star of the east, John Adams, and *remember* that on this day one year ago the son of the latter, "the old man eloquent," the expounder from the book of Genesis of our indisputable title to Oregon—

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The two fold objects that we have met this day to celebrate, though somewhat differing in time and scenery, are, we believe, intended to conduce to the same great end, *the social and political freedom of man.* On this day, more than a century since, was born in the obscure colony of Virginia, one whose genius has spread its influence over the civilised globe; whose wisdom and forbearance guided our infant institutions, harmonised the conflicting elements of popular excitement, and thus directed the great experiment of man's capacity for self government through the earlier and more dangerous years of its existence.

Two years ago this day was fought the battle of Buena Vista, one of the most brilliant of modern engagements; but it is not alone the lustre that victory has shed upon American arms, that makes it memorable and glorious, but because it has been most prominent among the events that have operated to call from comparative retirement the man for the times—the Washington of his day, who uninfluenced by party prejudices or animosities comes into office prepared to crush the demon of faction; whose power has long tended to the subversion of free institutions, and used its influence to crush all liberty inconsistent with, or measure of his own vitality and misrule, he found that fortune no longer favored him; beaten in every battle, exciting again the distrust that his early acts had inspired, he a second time found safety in flight, and now presents to the world the spectacle of a man, blessed with opportunities, that if rightly used would have inscribed his name high on the pillar of fame, as a benefactor of his nation—now a fugitive and an exile, whose brightest hope can only be that *history* may find no place for him. Yet all this was but the result of a single error, that of "*loving power better than freedom,*" and consequently "*opposing the onward march of man's emancipation.*"

Truly, there is an overruling Power, that defeats all the designs of the selfish and evil-minded; and although human laws have enslaved man, fortunately, providentially I would say, such slavery in our republic has enlightened millions, who, otherwise, might never have enjoyed the opportunity of acquiring knowledge. May not this immense development of free soil on the Pacific be incidental to a new jubilee for 1850—for a new era in the history of human progress? Surely the enlightened laws of christendom are not more harsh and severe than the old Mosaic dispensation; and although it might be argued that Moses claimed the sanction of the Almighty to enslave man, still there was a qualification that the bond man should be of the heathen and stranger only; and with that there was social and political equality, with the exception for the circumcised slave, who could say our brother, our country and our God; he was sure of the fiftieth year—the year of freedom—the year of Jubilee. Observe the Levitican law—"AND IF HE BE NOT REMEMBERED THESE YEARS, THEN HE SHALL GO OUT IN THE YEAR OF JUBILEE, BOTH HE AND HIS CHILDREN WITH HIM. AND YE SHALL HALLOW THE FIFTIATH YEAR, AND PROCLAIM LIBERTY THROUGHOUT ALL THE LAND, UNTO ALL THE INHABITANTS THEREOF; IT SHALL BE A JUBILEE UNTO YOU." A portion of this verse was inscribed on the bell of old Independence Hall, and it called free men together for free suffrage, until the miscalled democratic party in the late reform convention of Pennsylvania, disfranchised a portion of its native born citizens—and then the old bell of the revolution, which had tolled when our fathers proclaimed that "all men were created equal," lost its bold and clear sound—the silvery tone of freedom became dissonant, jarring and discordant, and its grating, tremulous ring, mournfully wailed the *temporary* selfish victory of cruel prejudice over republican christian principle.

The first Washington was called upon to harmonise and unite the crude principles of government, springing from the revolution, and thrown upon the existing chaos of the times. The second Washington, in the middle of the nineteenth century, a most wonderful era of philosophical, mechanical, and legislative improvement and discovery, is expected to continue the progress of these opinions, and spread them over the immense territories, won by the valor of himself and companions in arms; and here I would allude to the enlarged and prudent foresight of Jackson, Johnson, Tyler and Polk, the immediate predecessors of Taylor and Fillmore. Incidental to our triumphs in Mexico has been the downfall of Louis Philippe, with the whole line of Bourbons. But for the decided position assumed by these great men in pressing the annexation of Texas, occupation of Oregon and California, *the fancied European balance of power*, was to have sustained the Holly Alliance in fresh encroachments on the liberties of the human race on this continent; and the toiling millions who have lately elected Louis Napoleon, and who have since struck still unsuccessfully for liberty in other parts of Europe and Asia, watched the tide of battle under Taylor and Scott with more interest, and felt more solicitude in the result than the narrow-minded croakers about the injustice of the Mexican war, would be willing to admit of. It was the proud boast of our brave men in Mexico—

"With the Press and the Pen we've done far more
Than ever was thought of by layman or priest,
To give to the masses of knowledge a feast."

In fact, the wonderful organisation and Exodus of the disciples of the Book of Mormon, and their being the first to occupy the new land, flowing with milk and honey, and abounding in gold and precious stones, is an evidence that the present is emphatically an age of wonders, and "that however men may suppose, God will dispose."

The genial Sun of education has penetrated all minds; before its warmth has dissolved the bigotry and superstition of ages; upon all subjects connected with government especially, have the mists and prejudices of past times been cleared away, *and man even in His humblest condition, has learned to esteem himself the creature of a just and impartial God, created in his own image, and destined by Him to the enjoyment of social and political equality.* To advance these great principles, and at the same time diffuse them over the extensive countries yet unvisited by civilisation, the people in the late election have abandoned their attachment to faction, and united to elevate, not a party, but themselves, as freemen—a Zachary Taylor—a sovereign among three millions of equal sovereigns, to power, *believing there was no thrall on his flesh or spirit, and confiding in his liberality, trusting that his "mission might be to hasten the time when all men might enjoy the same glorious distinction."*

Let us congratulate ourselves upon the election of a republican soldier, educated in the great school of liberty, taught by the sires of the revolution, a disciple of Thomas Jefferson. One whose highest ambition has been to serve his country whenever she might demand his exertions. "A man, so meek withal," as to permit talents of the first order to sleep unnoticed and unknown, until time has silvered his brow and matured his judgment. One who comes fresh from the great mint of the vox populi, a true sample of the republican coinage of the olden time, unsullied by faction, unstained by intrigue. A man who has no enemies to punish, no friends to reward, nothing to serve but his country.

The friends of General Taylor feel confident that he will exercise the wisdom and firmness necessary to the consummation of their patriotic expectations; that the Providence which appears to have watched over and guided us under the first Washington; that stood by and upheld our leader, amid the dangers that beset him on the blood-stained field of Buena Vista, will continue to bless him. Then will his ad-

presence on this occasion is ... of the zeal he has displayed in the recent contest, and his determination to sustain the incoming administration.

The following sentiment was received at the Chestnut Street Theatre from their brethren at Boston:—

"The friends of General Taylor assembled in Faneuil Hall on this glorious anniversary of the birth-day of Washington, send greeting to the friends of General Taylor, convened together in Philadelphia, Pennsylvania, to the indefatigable exertions of the independent friends of the hero of Buena Vista, is the country mainly indebted for his election to the Presidency."

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General Taylor—For heroic deeds, emulating the fame, he was elevated by the people to the station, of Washington; in the execution of its duties, he will respect the example of the Father of his Country.

By the Association—

Hon. Charles S. Coxe—A veteran in politics and an honor to his party.

WASHINGTON AND TAYLOR.—It is the firm conviction of the friends of Gen. Taylor that as the principles of the one have been developed, so will they be carried out by the latter.

With sentiments of respect, your obedient servant, SAMUEL WRIGHT.

By the association—

SAMUEL WRIGHT, ESQ.—An early and devoted friend of the President elect—and an honest advocate of the rights of the people:

THE BRANDON POST:
Published Every Thursday, Brandon, Vt.

TERMS:

One Copy, in advance, ... $1 00
Eleven Copies, ... 10 00
Twenty-Four Copies, ... 20 00

Where payment is delayed, Subscribers will be charged at the rate of two dollars per annum.
Village Subscribers can have their papers left at their residences. Those out of the Village at the Post Office, free of charge.

E. D. BARBER, Corresponding Editor. | *With Us Democracy is n... Political Liberty, B...*

VOLUME II.

THE CORN SONG.

BY JOHN GREENLEAF WHITTIER.

Heap high the farmer's wintry hoard!
Heap high the golden corn!
No richer gift has autumn poured
From out her lavish horn!

Let other lands, exulting, glean
The apple from the pine,
The orange from its glossy green,
The cluster from the vine!

We better love the hardy gift
Our rugged vales bestow,
To cheer us when the storm shall drift
Our harvest fields with snow.

Through vales of grass and meads of flowers,
Our ploughs their furrows made,
While on the hills the sun and showers
Of changeful April played.

We dropped the seed o'er hill and plain,
Beneath the sun of May,
And frightened from our sprouting grain
The robber crows away.

All through the long, bright days of June,
Its leaves grew green and fair,
And waved in hot midsummer's noon
Its soft and yellow hair.

And now, with Autumn's moonlit eves,
Its harvest time has come,
We pluck away the frosted leaves,
And bear the treasure home.

There richer than the fable gifts
Apollo showered of old,
Fair hands the broken grain shall sift,
And knead its meal of gold.

Let vapid idlers loll in silk,
Around their costly board;
Give us the bowl of samp and milk,
By homespun beauty poured.

Where'er the wide old kitchen hearth,
Sends up its smoky curls,
Who will not thank the kindly earth,
And bless our farmer girls!

Then shame on all the proud and vain,
Whose folloy laughs to scorn
The blessings of our hardy grain—
Our wealth of golden corn.

Let earth withhold her goodly root,
Let mildew blight the rye,
Give to the worm the orchard's fruit,
The wheat field to the fly:

But let the good old crop adorn
The hills our fathers trod;
Still let us, for his golden corn,
Send up our thanks to God!

THE NEXT CONGRESS.

The elections thus far render it sure that the next Congress will contain a large majority of members opposed to the Whig policy. In the Senate, the opposition to the Whigs will be as two to one; and in the House of Representatives, the opposition will have a majority of two score and upwards.

The following table of members elected to the House, we copy from the New York Tribune. The names of the Democrats are in Roman letters; those of the Whigs in *Italics;* while the names of the Free Soilers, independent of both parties, are printed in SMALL CAPITALS. The figures indicate the districts.

MAINE.

1. Moses McDonald.
2. John Appleton.
3. *Robert Goodenow.*
4. Chas. Andrews.
5. Ephraim K. Smart.
6. *Israel Washburn, Jr.*
7. Thos. J. D. Fuller.

MASSACHUSETTS.

1. Wm. Appleton.
8. HORACE MANN.
9. Orrin Fowler.
[Other districts no choice]

VERMONT.

1. *Ahiman L. Miner.*
2. *William Hebard.*
3. *James Meacham.*
4. T. BARTLETT, JR.

NEW YORK.

1. John G. Floyd.
2. *Obediah Bowen.*
3. Emanuel B. Hart.
4. *J. H. H. Haws.*
5. *Geo. Briggs.*
6. *James Brooks.*
7. A. B. Stevens.
8. Gilbert Dean.
9. Wm. Murray.
10. *Marius Schoonmaker.*
11. J. Southerland, Jr.
12. D. L. Seymour.
13. *J. L. Schoolcraft.*
14. *J. H. Boyd.*
15. Joseph Russell.
16. *John Wells.*
17. A. H. Buell.
18. Preston King.
19. Willard Ives.
20. Timothy Jenkins.
21. Wm. W. Snow.
22. *Henry Bennett.*
23. Leander Babcock.
24. Daniel T. Jones.
25. Thos. Y. How, Jr.
26. *Henry S. Walbridge.*
27. *Wm. A. Sackett.*
28. *A. W. Schermerhorn.*
29. *Jedediah Horsford.*
30. Reuben Robie.
31. *Frederick S. Martin.*
32. *Solomon Haven.*
33. *Augustus P. Hascall.*
34. *Lorenzo Burrows.*

NEW JERSEY.

1. Nathan T. Stratton.
2. Chas Skelton.
3. Isaac Wildrick.
4. *Geo. H. Brown.*
5. Rodman M. Price.

PENNSYLVANIA.

1. Thos B. Florence.
2. *J. R. Chandler.*
3. *H. D. Moore.*
4. J. Robbins, Jr.
5. J. McNair.
6. Thomas Ross.
7. Dr. J. A. Morrison.
8. *Thaddeus Stevens.*
9. G. Jones.
10. M. Dimmick.
11. *M. Fuller.*
12. sha A. Grow.
13. James Hamble.
14. *Thos. M. Bibighaus.*
15. Wm. H. Kurtz.
16. Jas. X. McLanahan.
17. Andrew Parker.
18. G. L. Dawson.
19. *J. H. Kuhns.*
20. [illegible]
21. *Thos. H[illegible]re.*
22. JOHN W. HOWE.
23. C. B. Curtis.
24. Alfred Gilmore.

DELAWARE.

George R. Riddle.

OHIO.

1. David T. Disney.
2. JEWETT D. CAMPBELL.
3. [illegible] Bell.
4. [illegible]min Stanton.
5. [illegible]ted P. Edgerton.
12. *John Welsh.*
13. James M. Gaylord.
14. *Alex. Harper.*
15. Wm. [illegible]. HUNTER.
16. Jose[illegible] Cable.

JOURNAL OF THE

THIRD HOUSE.

Monday, Nov. 4, 1860.

The members of the Third House assembled, according to usage, in the Library at the State House, and were called to order by the Librarian and proceeded to ballot for Speaker.

C. B. Harrington, Esq., nominated E. J. Phelps, Esq., of Burlington.

Horace Clark, Esq., nominated D. A. Smalley, Esq., of Burlington.

The ballots being taken, sorted and counted, were as follows:

	1st bal.	2d bal.	3d bal.
C. K. Field,	75	75	76
E. J. Phelps,	63	69	73
D. A. Smalley,	12	6	1

C. K. Field, Esq., having, on the third ballot, received a majority of the votes given, was declared elected, and was conducted to the chair by Messrs. Phelps and Smalley, and, on assuming the duties of his office, addressed the House as follows:

Gentlemen of the Tier Etat or Third House:

Being unexpectedly called upon, by your unsolicited, and unbought suffrages, to assume the ardous duties and responsibilities of the presiding officer of the highest, most dignified, and most learned body known to the constitution and laws of the Commonwealth, I accept, with the most profound acknowledgment of the great honor conferred upon me, the station to which your partiality has elevated me. When I consider that the appropriate function of this House is to watch over and supervise the proceedings of the two lower Houses, now in session, and to see that whatever is in derogation of common honesty in their proceedings, should be fully exposed and held up to the execration of the freemen of the State, whatever is in violation of the known wishes and will of the people, should be ferreted out and the authors of the same be marked and made objects at which to point the "slow unmoving finger of scorn;" and whatever is conceived in the spirit of peculation, upon the treasury of the State, should be arrested in "mid career;" I am oppressed with the sense of the great responsibility, which is devolved upon me, as the organ of this House. But, gentlemen, having been educated in the school of the fathers of the State, who "frowned indignantly" on every species of dishonesty and corruption, and having the full assurance that I shall be sustained by you, in any attempt to sustain the interests of the people and the rights of this supervisory body, I shall not shrink from the discharge of the duties assigned me by your unmerited kindness and confidence. I shall need, gentlemen, your most favorable consideration for the many imperfections which will naturally flow from my inexperience in the duties of the chair, but believing that you will united labor to sustain the dignity of this august body and its presiding officer, I now proceed to take upon myself the obligation which custom has prescribed for the Speaker of the Third House, provided that it is distinctly understood that I am not a son of Temperance, but of Patience.

The Speaker having been duly qualified, the House proceeded to business.

Mr. Phelps, of Burlington, introduced the following resolution:

Resolved, That Standing Committees of this House be appointed by the chair on the following subjects:

1. A Committee on *Useless Information*, with power to collect and preserve "things lost upon earth."

2. A Committee on *Flood Wood*, with power to answer the report of the Adjutant General upon the dilapidated condition, forlorn and disconsolate appearance of the Vermont Floodwood, "that right arm of our national defence."

3. A Committee to devise *additional taxes* upon Banks, Colleges, Female Seminaries, Methodist Chapels, Two Story School Houses, Lunatic Asylums, Lying-in-Hospitals, and such like aristocratic institutions.

4. A Committee on *Shinning*, with power to provide *Ways* for paying off the debentures of the *Tiers Etat* or Third House, without any *Means*.

5. A Committee on *Log Rolling*, with power to report upon the expediency and propriety of Banking without specie, trading without capital and lobbying with-

[illegible] day.

6. A Com[illegible]

EDITED BY
THOMAS RITCHIE.

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The Daily Union.

VOLUME VI. "LIBERTY, THE UNION, AND THE CONSTITUTION." NUMBER 221.

CITY OF WASHINGTON, FRIDAY MORNING, JANUARY 17, 1851.

Hon W H Seward

*P

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CONGRESSIONAL.

SPEECH OF MR. WALKER, OF WISCONSIN,

On the bill to cede the Public Lands to the States in which they lie, on condition that such States shall severally convey the same to actual occupants only, in limited quantities, for cost of survey, transfer, and title muniments, merely; made in the Senate of the United States, on the 14th and 15th of January, 1851.

Mr. WALKER said: Mr. President, it will not be denied by any one that the senator from Michigan [Mr. FELCH] has entertained us with an able argument on his side of the subject under consideration. But his side—as I expected it would be—is the financial or money side *only*; and he has shown us but *one* side of that, but has done this with much ability. My side of the question is that which lies deep in the principles of political economy and the rights of the citizen; not, however, disregarding financial or pecuniary considerations, but holding these but secondary to the other. In presenting these, I shall present the view neglected by the senator. He shall also hear an answer to everything he has said, in the remarks I propose to submit; but as to any special answer or reply, it will be but incidental in passing. My main object at this time is to advocate the rights of labor as connected with the measure under discussion. I must, therefore, crave the senator's pardon and forbearance when I take leave of his speech, able as it is of its kind, with the observation that it was such conservatism as his which so long perpetuated the practice of imprisonment for debt, and still perpetuates in *too many localities the right of the creditor to tear the bed from the feeble mother, and the cradle from the still more feeble and defenceless infant. It is the rust upon the shield of a by-gone age; it must give place to the motto upon the shield of the present—"*ONWARD! ON*WARD!"*

The doctrine and theory of all civilized governments have been, that the *absolute or positive rights* of the people should be deemed of *first and paramount importance*, and the first to be *defended and protected*. The difficulty has always been, however, that this principle was known in doctrine and theory *only*, but never carried out in *practice*. Nor, sir, will it ever be so carried out until rulers and statesmen discover and acknowledge another truth: that from these absolute or positive rights—by which I mean life and personal freedom—there result also *certain absolute or positive wants and necessities*—alike in all men, whether affluent or destitute, and which cannot be resisted—such as of *food, clothing, and shelter. These* wants and necessities should receive the *first* care and attention of government; while such desires merely as are of a *relative* or *incidental* kind—by which I mean such as concern and pertain to trade, commerce, wealth, and luxury—should receive but a secondary consideration. The first *cannot* be neglected and man enjoy his *positive rights*; but the second *may*, and his *pleasures* only suffer. But every political historian and economist knows that the case has been directly reversed in practice—that man's absolute wants and necessities have been comparatively neglected, while the relative, incidental wants and desires of great classes have been met and provided for by the best energies of government. Hence we find under the British crown—particularly in Great Britain and Ireland—that while thousands upon thousands have starved, or gone without necessary food, clothes, shelter, and education—wealth and luxury, trade, commerce, and manufacture, have been promoted, protected, and fostered by all the machinery of summary eviction and clearance; distress for rent; primogeniture and strict-entail; game laws, church rates and tithes; uncontrollable banks, with more uncontrollable national debts; the most expensive navy of the world, with burdensome taxation and onerous duties—and these, too, upon the very bread of life until recently.

The same crushed condition of the people, so far as regards their positive necessities, will be found under all the governments of Europe; and, contemn the idea as you will, the fact exists—that the great cause of this is, *the disregard shown to these necessities of the people, in class-legislation, and the encouragement given by government to* LAND MONOPOLY AND AGGREGATION. But why this implied censure upon England and Europe, when, turning our eyes to our own country, we find so little less to complain of? Here, as in Britain, are thousands, and will be millions, in want and destitute misery. Here, as there, the mere incidental wants and desires of wealth, luxury, class, commerce, and manufacture are fast engrossing the fostering care and protection of government, to the entire exclusion and disregard of the resistless wants of human nature. In pursuit of this policy you have already created a naval establishment, the expense [illegible] hundred millions more; and the administration of our Customs costs, in addition, two millions *annually*! our army list and war establishment cost *ten and a half millions more*, and increasing as time and years roll on: How much you have expended and will expend for the protection of commerce on the Atlantic and Pacific coasts, for harbors, fortifications, sea walls, breakwaters, buoys, beacons, light-houses, dry-docks, and coast surveys, God only knows! But when you come to western lakes and rivers—to the region of agriculture and labor—where the *producer* is interested in facilities for shipping his products, and in receiving with facility, safety, and cheapness, imported articles and home manufactures for consumption, *there* you would have it *unconstitutional* to expend a dollar for the protection of commerce. You have [illegible]

assures him *this* can never be done, and refers him to the last PATENT REPORT, where it is actually recommended that the fees, deposites, and forfeitures be increased—some of them *one hundred per cent.*

After having every impediment thrown in his way, and receiving neither look nor deed of encouragement, the man turns away with unavailing sorrow and disappointment—the anticipations and hopes of years, perhaps of life, blasted by the blow. He casts a furtive glance at the Capitol—*it is, indeed, but furtive!* He sees no hope of favor there; he is neither an official professor, nor a naval or army officer. He mentally muses with himself, and wonders what crime he or *his class* can have committed, that there should be such a distinction made. He thinks of the plow, the steam-engine, the cotton-gin, power-loom, and locomotive; he looks round upon your public edifices, and dwellings of ease and comfort, upon your ships of war and commerce, upon the very stones of the pavement at his feet, and remembers *that all were produced, constructed, or placed by minds and hands like his.* He therefore feels more keenly the injustice of your partiality—tastes more bitterly his own subject-inferiority.

Sir, I refer to these instances and cases only to illustrate your unjust and impolitic discriminations in favor of wealth, class, or station. I could proceed for the day to enumerate instances and classes of cases to prove that the wants of the necessitous working classes are either totally neglected or insultingly slurred, at the same time that the merest incidental desires of wealth and station are cared for and gratified with the most scrupulous politeness and promptness.

Sir, would you learn and practise the remedy? Would you produce content and happiness, and render firm and secure the institutions of your country? You must reverse your policy and practice—turn your attention *first to the wants and necessities of the people as* MAN, *irrespective of his relations to* wealth or station. Meet and provide for *these* wants, "and all things else will be added." I do not mean by this that you should provide by direct contribution; far from it. The intelligent workingmen of the country desire no such thing; they would scorn the proposition. Besides, they know full well, and by experience, that most of what you have to contribute—as in the case of the patent fund—was first drawn from their labor and pockets. But what they do desire—what they *demand* is, that you cease your class and job legislation; that you pass laws to operate equally upon all, and execute them with impartiality; that *they* may not be starved, but may have a fair chance in the race of enterprise. But above all, and as a means to this end, they demand that you shall no longer usurp the useful domain of the soil, and exclude them from a *rightful* occupancy of earth—leaving them but charity or sufferance tenants to those upon whom you now lavish your unneeded bounty; but that you surrender it to their free occupancy, as a means to them of life and independence—securing, at least, the indispensables of food, raiment, and shelter, through the exercise of their own energies and industry. They demand your negative action only—that you shall not *affirmatively* or *positively* oppress them. To this they are entitled—this they *will* have. In their name I now tell you that you must and *shall* reform the government to this extent; the reasons shall appear more manifest before I close. Grant *this* reform, and they will never ask *you* for contributions.

But you may say the scheme as proposed—embracing free land, homestead exemption, and land limitation—is impracticable. Sir, this is but the tyrant's answer to the call for reform in every age. Impracticable? Why, sir, it is not new; it was practised centuries ago. Its reverse—land monopoly—was only introduced with kings and monarchs; and its abandonment was the main cause of the fall of more than one ancient republic. The wonder of the wisest men has been that it should *not* have been practised through all ages since! I will present the views of one of those—than whose, the mind of no man ever ranged more widely through Nature—I mean the great and good ST. PIERRIE. I read from his "STUDIES OF NATURE," No. 7. In speaking of the evils and wretchedness occasioned by large landed accumulations in France, he says:

> "I have been astonished that there is no law in France to prevent the unbounded accumulation of landed property. The Romans had censors, who limited the extent of a man's possessions to seven acres, as being sufficient for the subsistence of one family." "As ROME increased in luxury, it was extended to 500; but even this law was soon infringed, *and the infraction hurried forward the ruin of the republic!*"

He might have said the same of ATHENS and SPARTA.

> "Conquerors have always met with feeble resistance in countries where property is unequally divided. Overgrown estates destroy the spirit of patriotism in those alike who have everything and those who have nothing. [illegible] field is a prize exhibited in the middle of the stage to crown the conqueror."
>
> "Such is the danger to which excessive accumulation of property exposes a State outwardly; but the internal mischief it produces among the citizens, and on the state of lands, is not less to be deplored. It is not upon the face of vast dominions, but in the bosom of industry, that the FATHER of mankind pours out the precious fruits of the earth."
>
> "Enormous property causes poverty all over the kingdom. * * * In many places there is no employment for the peasantry during a great part of the year; but I shall insist only on their *wretchedness, which seems to increase with the riches of the district they inhabit.*"
>
> "The district of Caux is the most fertile country in the world. Agriculture on the *great* scale is there carried to the height of perfection; but * * * [illegible]

the class you would send there, to purchase and consume the fabrics of the North and the peculiar fabrics of the South. If the population and production of the West should be doubled, the mutual interests of the North and South, in all these particulars, would be doubled [illegible]; and so on, in like progressive and corresponding proportions.

But, if the argument be still deemed fallacious, let me test it by another general argument. What, sir, is it but a knowledge and acknowledgment of my positions that have caused the Atlantic States to vie with each other in extending their public works toward the western country? Can it be possible they would have done so had there been no West? No; they have been and are so acting with a view to making their works the channels and their cities the marts of western trade. Would New York and Massachusetts now, if they could have rolled back upon them all their immigrant people, with the wealth they took away, consent, in view of their pecuniary interests, to see the West depopulated, and its production stopped? No, sir—not if you would give them to boot the entire cost of their western public works in money. If there were no West, they would have to lay up one-third of their boats and shipping, and diminish full one-third their manufactures. Comparative silence would reign where now the tireless locomotive, never resting, rolls, and commerce floats. When the West has advanced fifty years, they would not, for the sake of their commercial and manufacturing interests, set her back ten if they could; and it would promote their true interest to advance her in population and production fifty years in five, if in their power. Away, then, with your petty jealousies of the growing greatness of the West! While we remain of the same family politic—and God grant we may ever so remain!—our greatness is your greatness; the prosperity of each is mutual—our destiny the same.

[The Senate here adjourned, and on the next day Mr. WALKER resumed as follows:]

Mr. President, I have so far used general arguments only to prove the interest which the old States have in the measure before us. But let us try figures. The net proceeds of the public land sales for 1849 were $983,343. If this were distributed directly to the States according to population, New York would receive about $143,000 only, supposing the population of that State to be 3,250,000, and of the Union 22,500,000. Now, assuming the freight on the Erie canal for the same year to have been no greater than for the year 1846, the down-freight from Lake Erie was 506,830 tons, and the up-freight 49,000 tons, making an aggregate of 555,830 tons *for the new States alone.* On this the State toll was 24 cents per hundred pounds, yielding to the *State* $2,667,984 in tolls only. The freight on this tonnage, over and above the toll, was 15 cents per hundred pounds, making $1,667,490 more, paid to the *citizens* of New York for freight. The whole amount of tolls on the Erie canal for 1847 was $3,333,347, and on the other canals of the State $302,033—total, $3,635,380. To show that I have not over-estimated the relative proportion of western commerce to the aggregate, I will state that 1,431,252 tons were forwarded in the same year from Lake Erie alone, and reached tidewater; while only 313,031 tons reached tidewater in New York from all other quarters. No one can fail to perceive the immense importance of this trade to the State of New York, notwithstanding the West is yet in her infancy. What further New York and her people received from the thronging travel to and from the West; what more from the manufacture of western products; and what still more from the barter trade connected with them, here and in foreign markets, cannot be known; but the amount must have been immense indeed. Immense as it may have been, however, it would be doubled in future by doubling the production and population of the West.

The same may be said, to a great extent, in regard to most of the Atlantic States—classing Pennsylvania among them—if they will but strive for western trade as have New York and Massachusetts. Can they, then, desire to retard the growth of the West? Can such a degree of fatuity have seized upon them as to have rendered them blind to the deep and perpetual interest they have in settling the West with laborers and producers, and putting her lands under cultivation? Sir, if they owned those lands exclusively, it would redound to their interest to grant them free to actual settlement, and I have no doubt they would do it. France did so in Louisiana; Spain did the same in Florida and Mexico; and Mexico the same in her intendencies.

There is, then, no argument against the measure under consideration to be drawn from any supposed injustice in it. It contains not only compensating equivalents, but remunerating inducements to the old States to yield their acquiescence in its adoption.

[illegible] a question of justice [illegible] argument sounds like one of right, based upon [illegible] of our *necessities*. However, let it pass. That you possess these advantages I concede; that you can per force retain them, I deny. But suppose you could: is there no importance to you in having them doubled in ten instead of fifty years? Is the annual double of $2,667,984, nothing to New York as a State, compared with $143,000—her distributive share of the land-sale proceeds—and this received not directly, but incidentally only? But you cannot retain these advantages by your present policy. You will force us to become a manufacturing as well as an agricultural people; when woe-betide the com[illegible] and manufactures of New York and N[illegible] least so far as the W[illegible]

like an ample remuneration for liberal treatment and a just policy.

Now, sir, keep your lands, and what will they net you for the whole ten years? Let us see: As before stated, the net money-proceeds for 1849 were $983,343. This is greater than they will ever be again, particularly if you make the last issue of bounty land warrants negotiable. But take this amount, and multiply it through the whole term, and you have but $9,833,433 for the *entire period*, compared to $8,336,152, the increase and saving of *one year alone* under the measure proposed, and the additional saving for the time, of $7,525,368—making an aggregate of $15,861,520.

Such would be the comparative results under your present revenue system; but if resort be had to direct taxation, the revenue advantages of this measure to the government over the policy of keeping the lands unproductive and untaxable would still be great. The extent cannot be calculated with certainty, but may be approximated. Then assuming that the amount of land which would become individual property and subject to taxation would be only three times the amount that would become so under your present policy, and the amount in ten years would be about 150,000,000 of acres. Supposing this to be worth, settled, $10 per acre, an *ad valorem* tax of only one mill to the dollar or ten cents to the hundred dollars would yield a revenue of $1,500,000, increasing annually in amount, but diminishing in rate; and which, added to the expense saved, $836,152, makes an aggregate of $2,336,152, to be compared again with $983,343 only, and that continually decreasing in amount to the government. Add to all this the vast national wealth which would be created by the encouragement and impetus given to agricultural production, and the pecuniary and revenue advantages of the measure we are discussing will appear incalculable. Let one item suffice as an example: Suppose but one-fourth of the land I have mentioned to be cultivated in wheat in 1861, and to produce but ten bushels per acre, (it will produce from twenty to forty)—the value of this, at 80 cents per bushel, would be THREE HUNDRED AND TWENTY MILLIONS OF DOLLARS! And yet we have said nothing of horses, cattle, sheep, beef, pork, wool, cotton, sugar, rice, tobacco, hemp, flax, and the various other products of labor and agriculture, all of which constitute a vast source of revenue as well as of individual comfort.

Perhaps the senator from Michigan begins to perceive by this time that there are two sides to this view of the question. If not, I must notice one other objection urged by him. It was this: "that the measure would depreciate property now held by States and individuals." Why, sir, the very opposite would be its effect. In the country, as in the city, it is not the *price* demanded or paid for one lot of land that increases the value of that adjoining; but the *improvements made and the business done upon it.* Take the land owner in a sparse settlement of the West; and could you do him a greater favor than to give the lands about him to those who would settle and improve them?—create a necessity for, and the means to support, schools, roads, mills, workshops, and villages? Or, take the New York and Boston Land Company, whose lands stretch across the State of Illinois; and could you benefit them more than by settling the lands about them, and hemming in theirs with improved farms? The same may be said of the school and other lands of the States. Why, really, sir, if I had not known better, I should have supposed, when the senator was urging *this* objection, that he yet lived in *Maine*, instead of Michigan. As it is, I must think he has lived a very superficial observer. The property of the non-landholding State would be increased in value, through the increased importance of the commerce and trade of those States, as before stated. To you of the old States I repeat: You have every inducement to yield the measure under consideration. Why *do* you—why *will* you withhold it? It can be but from two other considerations: *that of political power, and that of herding and crowding your laboring population,* UNTIL YOU CAN FORCE DOWN THE WAGES OF LABOR TO THE EUROPEAN STANDARD.

In regard to the first of these, I again think you reason from false premises to erroneous conclusions. You may lose *relative* political power through this measure, by promoting the growth of the West; but this is inevitable, whatever policy you may pursue; for if the West do not receive your surplus poor and suffering population, it will receive, though not so soon, a full equivalent in numbers of your abler population. If you fear to suffer a *positive* loss of political power by a diminution of your present numbers, remember this would equally be the case whichever class the West might receive. But is this possible, or at least probable? When, for the same period of time, have you ever given off so many of your numbers to people the West, as since 1840? And when, for a like period, have you ever increased so rapidly in population? [illegible] developed to the *whole* country; which immigration, together with your natural increase, more than makes up your *loss* and *usual* increase.

If to accumulate and crowd a surplus laboring population, until you have driven it to European want and misery, until you have forced down wages to a European standard, be your motive for withholding the public domain from free settlement, you might as well—you had better abandon it, if you love your country. I tell you but what you know: this can never be done under *this* [illegible]—it can never be done, *and this republic stand.* [illegible] it into a tyranny or despotism first [illegible] here, as in England, to

glory of his country, while he rejoices that wealth exists to advance as well its splendor.

Who would not rejoice at so pleasing and peaceful a harmony in the political and social system? And yet it is but the consummation of true democracy—but the fulfilment of the designs of our fathers when they declared "that governments were established among men to secure the *absolute*, the inalienable right to life, liberty, and the pursuit of happiness, with which men were endowed by their CREATOR." Cement thus the affections of the people to your government and institutions, and the eternal pyramid stands not more firmly on its base, than will this republic and the UNION stand upon their foundation

But as things now progress and tend, we can console ourselves with no so pleasing contemplation. We are hurrying on to a day of destitution and dependence to the laboring multitude, and of danger to the country, much faster than many would suppose who suppose without reflection or investigation. We are approaching it much more rapidly than the flight of time, the increase of population, and the aggregation of land would seem alone to indicate. Improved machinery—a great and providential blessing in itself, under a properly regulated political and social system—is now performing labor which the most numerous laboring population could not perform. True, there is a slight compensation in the fact that this does not consume the necessaries of life, and affords cheaper fuel and some other necessaries to the laboring poor in large cities; but if you exclude the poor and landless from the soil, and monopolize their labor elsewhere by machinery, how are they to obtain of these necessaries even the superflux of luxury?

In a report on manufactures, made in 1832, Mr. ADAMS estimates the mechanical machinery of Great Britain to have been equal to the labor of two hundred millions of persons! It will now at least double the amount of that number, as will also that of this country. From data furnished by McCulloch, it appears that, with the present machinery, each hand in a cotton mill performs more work than two hundred could without it eighty years ago. We have the testimony of FAREY and DR. TAYLOR to the same purport. Reduce these performances to those of individuals, and you will find that the manual energies of ten-fold our present population would be unequal to them. From this we can appreciate our rapid increase in labor-numbers. Now, bear in mind that this machinery works in competition *with* the laborer, but rarely *for* him, and you will perceive the extreme justice and necessity of allowing him to turn for subsistence to the soil, when you have supplanted him in his labor by a machine. But much more plainly will you perceive this when you reflect that, in addition to the other embarrassments of the laborer from competing machinery, you compel him to *sustain and foster that competition, by forcing him to pay a tribute or tariff of ten to forty per cent. upon its products!* Could there be a more glaring instance to show that not only are the mere incidental wants of *wealth* held superior to the absolute wants or necessities of *man*, but that his very life's blood itself, or, if not his blood, his bread, must be taken to minister to and gratify them. In justice, cease to demand this tribute of the laborer, or make its payment optional, by allowing him the alternative of digging subsistence from the earth. Tariff protection, *with* free land, *might* be consistent, but *without* it—NEVER!

But it may be said that the laborer receives an equivalent for the competition of machine labor in the reduced price at which he is enabled to purchase the products of that labor for his own use and consumption. This would be *somewhat* true if it were not also a fact, *that a reduction of the price of machine products, produces a corresponding or greater reduction in the price of manual labor.* Machinery over-produces, and consequently its products fall. The machine owner *will not* produce without a *profit*; he *cannot* lie idle without a *loss*. He therefore takes from the wages of his manual labor, not only what will meet the fall in machine products, but what will leave him a profit besides; and so goes on *producing* and *reducing*. A little struggle follows—a "strike" perhaps—but hunger, and the tearful appeals of hungry children or of aged parents, soon bring back the toiler to her scantier crust.

Now, sir, if land be dear, what alternative has the landless laborer in such an extremity but to surrender his life or his freedom?—but to *starve*, or to become an abject dependant? And land is sure to become dear. Machinery having driven so many from the bench, the anvil, and the workshop, to take refuge in the soil, like everything else the soil becomes scarcer and scarcer in proportion to the demand, till at last it can no longer be had at living rates; for, unlike everything else in which wealth is permitted to speculate, its quantity cannot be increased as the demand is enlarged. Starvation or passive dependence is the result to landless industry, while, in the language of LORD JOHN RUSSELL, "the world [illegible] looks on, aghast, and wonders why it is so. The true remedy [illegible] is rarely heard, and still more rarely [illegible] tell the cause, and point out the remedy; but no one hears—no one pities! Over the dying and the dead the wheel, remorseless, rolls along! Great men sit supinely by and cry "All's well!" or console themselves and their country with the reflection, that the *future* wretchedness and enslavement of their *own* race are to prove the more wretched emancipation of *another, now* enslaved. Others will sneer at truths and facts so manifest—and which they cannot refute or answer—while they urge on labor to the brink and gulf I have mentioned, and claim at the same time that they are the only liberty-loving patriots of the land.

sections, or 640-acre tracts. The sale in half and quarter sections was not authorized till 1804; and in half-quarter sections, or 80 acre tracts, not until 1820—down to which time the price was continued at $2. It was not until the 5th of April, 1832, that the man with $50 only could obtain an acre of the vast public domain; for it was then only that the sale in quarter-quarter sections, or 40-acre tracts, was allowed. Even then, or the next year, you required the humble purchaser to take an oath appalling in its terms! This is the oath:

> "I do solemnly swear that the land is intended to be entered for my *personal* benefit, and not in trust *for another*, and that the same is intended *for the purpose of cultivation*; and that I have not entered under the act of 5th April, 1832, or under the act of 2d March, 1833, at this or any other land office of the United States, any land in quarter-quarter sections in my own name, or in the name of any other person—so help me God!"

Surely one would have thought the country might have spared the humble seeker of a home for himself or child this last embarrassment and humiliation. From him who had the means and desire to purchase ten thousand acres with which to speculate upon the necessities of his FELLOW-CITIZENS, no oath was required; but he who possessed but $50, and who, from seeking to expend it for land, gave the best evidence of an intention to make it a home, and from it obtain an independent living, must *swear*, notwithstanding, that such was his design.

It has been your practice for a quarter of a century to appropriate land by millions of acres, in alternate sections, to construct channels and avenues of commerce, and to make the laboring and producing settler [illegible] for the alternates not appropriated.

But, sir, *as if all this were not enough to foster speculation and embarrass productive industry*, you have for the last four years been *running wanton riot* in your legislation to promote the ends of land monopoly. You have issued millions upon millions in amount of assignable Mexican bounty-land warrants, operating, not for the benefit of the soldier, but of capital, as a paper medium with which to monopolize on speculation the fairest portion of the people's heritage. As if this were still not enough, last session you authorized the issue in warrants of unknown millions more; and because you did not make *these* negotiable, mad fury rages among the horde of night-besetting, hound-tongued agents and speculators throughout the land; and members, as if casting no look to the future, are striving at this session to cut loose this last and only security to the soldier's boon, that it, too, may be coaxed or torn from the hand of war-worn need. But above and beyond all, as the very crowning thought of wrong and folly—as if determined to plunge the country into Russian-labor bondage—some are now entertaining, with serious complacency, the hideous project of giving, for a few cents per acre, OVER ONE HUNDRED MILLIONS OF ACRES TO ONE MAN, to "*enable*" him to make a railroad!—a territory equal in extent to the States of New York, Pennsylvania, Virginia, and Delaware!

Sir, if I read aright the signs of the times, the working masses of the people have resolved that you shall change your policy and practice—that you shall partly turn your cares from the exclusive thrall of luxurious incident. They are discontented and unhappy. Aside from present care and want, and that sense of dependence and subjection with which your class-discriminations have depressed them, they feel and know—they cannot close their eyes to the fact—that the policy you are now pursuing portends a gloomier day in the future for them or their children. Already, where most crowded, the more favored are but able to obtain through the week what at its close will procure the meanest comforts for their families. If sickness overtake them, or misfortune come, or if for a few days work cannot be had, real destitution and suffering or insolvable debts are the result. If they would go West, to the public lands—the asylum and refuge of distress—and have the present means to make the journey, they have no more; or, if they have a little more, knowing the expense and time of putting in even a small farm, they know *that* little will be exhausted; they despair of ability to buy the land when it shall come into market. They know that when their first stack is gone it will require all their earnings to support increasing family; that for some years they can lay up nothing to save their labor and improvements from the blood-lured grasp of the speculator. They consequently remain where they are, toiling on to an uncertain destiny, with no consolation from the past, few comforts or enjoyments for the present, and less but more gloomy hopes for the future. They see that machinery is fast pushing them from the stage of human labor—that already their bread, to some extent, depends upon the price of machine products, and that [illegible] to keep [illegible]. As a substitute, they are offered no resource in the FIFTEEN HUNDRED MILLIONS of the public land; but are compelled to meet the certain, dread alternative of starvation, or comfortless dependence! Sir, disguise it as you may, there is none other left, unless you soon concede their right to freely dig subsistence, independence, and comfort from the earth. Do this, and their well-founded fears will be removed. Cease your favoritism in the blessings and bounties of government, and they will lose the sense of subject-inferiority with which your unjust discriminations have bowed them down.

But, sir, you will never do these things *willingly*, yet you *will do them*. The working number—thanks to God and the [illegible]

...that while thousands upon thousands have starved, or gone without necessary food, clothes, shelter, and education—wealth and luxury, trade, commerce, and manufacture, have been promoted, protected, and fostered by all the machinery of summary eviction and clearance; distress for rent; primogeniture and strict-entail; game laws, church rates and tithes; uncontrollable banks, with more uncontrollable national debts; the most expensive navy of the world, with burdensome taxation and onerous duties—and these, too, upon the very bread of life until recently.

The same crushed condition of the people, so far as regards their positive necessities, will be found under all the governments of Europe; and, contemn the idea as you will, the fact exists—that the great cause of this is, *the disregard shown to these necessities of the people, in class-legislation, and the encouragement given by government to* LAND MONOPOLY AND AGGREGATION. But why this implied censure upon England and Europe, when, turning our eyes to our own country, we find so little less to complain of? Here, as in Britain, are thousands, and will be millions, in want and destitute misery. Here, as there, the mere incidental wants and desires of wealth, luxury, class, commerce, and manufacture are fast engrossing the fostering care and protection of government, to the [illegible]

...free land, homestead exemption, and land limitation ... impracticable. Sir, this is but the tyrant's answer to the call for reform in every age. Impracticable? Why, sir, it is not new; it was practised centuries ago. Its reverse—land monopoly—was only introduced with kings and monarchs; and its abandonment was the main cause of the fall of more than one ancient republic. The wonder of the wisest men has been that it should *not* have been practised through all ages since! I will present the views of one of those—than whose, the mind of no man ever ranged more widely through Nature—I mean the great and good ST. PIERRIE. I read from his "STUDIES OF NATURE," No. 7. In speaking of the evils and wretchedness occasioned by large landed accumulations in France, he says:

"I have been astonished that there is no law in France to prevent the unbounded accumulation of landed property. The Romans had censors, who limited the extent of a man's possessions to seven acres, as being sufficient for the subsistence of one family." "As ROME increased in luxury, it was extended to 500; but even this law was soon infringed, *and the infraction hurried forward the ruin of the republic!*"

He might have said the same of ATHENS and SPARTA.

"Conquerors have always met with feeble resistance in countries where property is unequally divided. Overgrown ... have everything and those who have nothing. The shocks of corn,' said Xenophon, 'inspire those who *raise* them with courage to *defend* them. The sight of them in the field is as a prize exhibited in the middle of the stage to crown the conqueror.'"

"Such is the danger to which excessive accumulation of property exposes a State outwardly; but the internal mischief it produces among the citizens, and on the state of lands, is not less to be deplored. It is not upon the face of vast dominions, but in the bosom of industry, that the FATHER of mankind pours out the precious fruits of the earth."

"Enormous property causes poverty all over the kingdom. * * * In many places there is no employment for the peasantry during a great part of the year; but I shall insist only on their *wretchedness, which seems to increase with the riches of the district they inhabit.*"

"The district of Caux is the most fertile country in the world. Agriculture on the *great* scale is there carried to the height of perfection; but * * * you find *unbounded affluence* on the one hand and *extreme indigence* on the other."

I shall not now go further into the general principles of this measure, but shall content myself with discussing, more in detail than formerly, its practical bearings and the necessity of its adoption for the safety of the country and the people. It will be found far more practicable to adopt and enforce it than to perpetuate the republic a century longer without it.

Its practical bearings are most important in their effects upon the old States which contain no public land, and should be considered first, in view of the objection *that the measure proposes to take what belongs to the whole and give it to a part.* This objection involves a consideration of two questions: first, that of constitutional power; second, that of justice and expediency.

The first question is easily disposed of; for, by the constitution itself, Congress has the express power "to dispose of, and make all needful rules and regulations respecting the territory and other property belonging to the United States." It is, after all, but a question of discretion in Congress, to be determined by the answer to the second question—that of justice and expediency. This, again, must turn upon a just conception of the compensating equivalents of the measure, considered in its broadest view. Now, if it can be shown that there are equivalents in the measure, fully or more than compensating the old States for the loss they would sustain by it, then the question is settled in the affirmative—that the measure is both just and expedient, so far as those States are concerned. I shall now endeavor to show this; and, to do so, shall show it to be their true interest to promote the production of the West.

The old northern States are, properly speaking, not agricultural-producing, but commercial and manufacturing States. Most of them, it is true, engage more or less in agriculture; but they are not, and never can be, the chief producing States. These, for one class of products, must ever be the inland States—mostly those of the Mississippi valley. The old States of the North are commercial, by reason of their proximity to the Atlantic seaboard; they are manufacturing, because of their great supply of water-power, coal, and minerals; they are *both* commercial and manufacturing, because both pursuits combined constitute for them a better interest than agriculture, if their lands were even adapted to the latter pursuit.

As to the old southern States, the North and West produce what they *do not*—they produce what the North and West *cannot*. Each is interested, therefore, in the largest production by the other.

Now, every commercial and manufacturing community is interested in having country tributary to it which produces, largely, the raw material of its fabrics and the staples of its commerce. I do not use the term *tributary* in its national-law sense; but in that sense only which implies a necessity, from natural causes, of dependence in the tributary country for *facilities* in its main pursuit. In this sense, we of the West—particularly of the Northwest—are, and ever shall remain, tributary to the Atlantic States, if we adhere to agriculture. We must always use and pass their channels and avenues of commercial transport in reaching market with our surplus. In a country producing a large agricultural surplus, neither the greatest profit nor loss is made or sustained in the mere production, but in the manufacture of the products, and in the carrying and barter trades connected with them. With our tributary position, these profits must always be monopolized by the old States; and the greater our production, the greater the profit thus realized by them. Hence it is plain that the more western land you can put under cultivation, and the more producers you can establish there, the more you enhance the interests of the commercial and manufacturing States in the items mentioned. But, further, you vastly increase the ability of

...the West ... products; and what still more from the ... trade connected with them, here and in foreign markets, cannot be known; but the amount must have been immense indeed. Immense as it may have been, however, it would be doubled in future by doubling the production and population of the West.

The same may be said, to a great extent, in regard to most of the Atlantic States—classing Pennsylvania among them—if they will but strive for western trade as have New York and Massachusetts. Can they, then, desire to retard the growth of the West? Can such a degree of fatuity have seized upon them as to have rendered them blind to the deep and perpetual interest they have in settling the West with laborers and producers, and putting her lands under cultivation? Sir, if they owned those lands exclusively, it would redound to their interest to grant them free to actual settlement, and I have no doubt they would do it. France did so in Louisiana; Spain did the same in Florida and Mexico; and Mexico the same in her intendencies.

There is, then, no argument against the measure under consideration to be drawn from any supposed injustice in it. It contains not only compensating equivalents, but remunerating inducements to the old States to yield their acquiescence in its adoption.

But you may say you possess and can retain all these advantages without ceding the public lands. We are arguing a question of *justice; this* argument sounds like one of right, based upon the score of our *necessities.* However, let it pass. That you possess these advantages I concede; that you can per force retain them, I deny. But suppose you could: is there no importance to you in having them doubled in ten instead of fifty years? Is the annual double of $2,667,984, nothing to New York as a State, compared with $143,000—her distributive share of the land-sale proceeds—and this received not directly, but incidentally only? But you cannot retain these advantages by your present policy. You will force us to become a manufacturing as well as an agricultural people; when woe-betide the commerce and manufactures of New York and New England, at least so far as the West and South shall be concerned! We have equal facilities with you in water-power, and greater in steam, for we have cheaper combustible. Our resources in coal, iron, lead, copper, timber, lumber, clay, and limestone are inexhaustible. We can beat the world in wool growing, and are nearer than you to the cotton region—with the broad Mississippi to float our interchanging products; its contributing branches—the Arkansas, Red river, Ohio, Wabash, Illinois, Missouri, and Wisconsin, and their tributaries—winding past our every domicil and hamlet; with railroads and canals in progress, to unite the whole. All we lack is capital, which we are fast acquiring, and shall soon have—the sooner by the defeat of this bill: for if we do not by its provisions receive as population such as desire and will be contented with *small* posessions, we will receive those who, lured by the increasing value of western lands and resources, will bring capital with them, and employ it where there is less competion, with a view to obtaining *large* possessions. When we shall have capital you will find no mean competitor in the mighty West in manufacturing; nor will Boston, New York, Philadelphia, and Baltimore find trifling competitors in Charleston, Mobile, and New Orleans, as commercial marts. The latter is our *natural* mart anyhow, by reason of the down-stream navigation, without toll or storms, to her very wharves; and the two former will be *more* naturally so than the eastern cities named, when the great central railroad from Chicago to Mobile, with its branch roads, shall have been completed. As manufacturers, too, we will be in the centre of population and a home market, while we are far removed from competing imports, with which you will have to contend after the embarrassing withdrawal of your now western and southern market.

It will be perceived that we may be kept *voluntary*, but can never be made *compulsory* tributaries of the old eastern States. Settle the public lands with an agricultural people, and we remain the former; *drive* us to manufacturing, and we will neither be that nor the latter.

The practical bearing of the measure upon the revenues of the government is of next importance. I will repeat a truism and opinion, expressed by me on a former occasion, for the purpose of briefly enlarging upon it, premising, however, that it is a little wonderful that it should not have struck the senator from Michigan while presenting *his* side of the same subject. It is this:

"Until direct taxation shall be resorted to, the great and important source of revenue to the government must be duties on foreign imports. Now, every one knows that the amount thus to be received is enhanced as the number of consumers of foreign imports is increased. Hence I contend that the revenue would be increased by the policy proposed; for, by increasing the number of agricultural producers, you increase the number of import consumers, and their ability to consume—or, in other words, their ability to *purchase* for consumption. The government, I have no doubt, would be the gainer in her revenue after *sacrificing* her receipts from the public lands"

No one except the senator will deny, I presume, that the measure would establish as producers, within the next ten years, at least five hundred thousand persons. Now, supposing that by the tenth year the ability of these persons to purchase and consume dutiable articles would be increased but $50 each, here would be an increased consumption in value of $25,000,000. The increase of revenue from this source alone, at the present tariff of 30 per cent., would be $7,500,000 for the year 1861. Add to this $836,152—the annual expense of the present land system, which would be saved to the government—and you have an aggregate increase of revenue for that year alone, without estimating the intermediate increase and saving, of $8,336,152. The *saving* alone for the whole period would be $8,361,520. This is an increase of revenue, as BURKE would say, "through the political secretions of the country;" but the senator from Michigan says it is but *one part of the community paying for what is enjoyed by the other.* It looks to me a good deal

...had lived in *Maine*, instead of Michigan. As it is, I must think he has lived a very superficial observer. The property of the non-landholding State would be increased in value, through the increased importance of the commerce and trade of those States, as before stated. To you of the old States I repeat: you have every inducement to yield the measure under consideration. Why *do* you—why *will* you withhold it? It can be but from two other considerations: *that of political power, and that of herding and crowding your laboring population,* UNTIL YOU CAN FORCE DOWN THE WAGES OF LABOR TO THE EUROPEAN STANDARD.

In regard to the first of these, I again think you reason from false premises to erroneous conclusions. You may lose *relative* political power through this measure, by promoting the growth of the West; but this is inevitable, whatever policy you may pursue; for if the West do not receive your surplus poor and suffering population, it will receive, though not so soon, a full equivalent in numbers of your abler population. If you fear to suffer a *positive* loss of political power by a diminution of your present numbers, remember this would equally be the case whichever class the West might receive. But is this possible, or at least probable? When, for the same period of time, ... ever given off so many of your numbers ... increased so rapidly in population? New York? The reason is, the natural richness of the *West*, developed within that time, gives reputation and invites immigration to the *whole* country; which immigration, together with your natural increase, more than makes up your loss and *usual* increase.

If to accumulate and crowd a surplus laboring population, until you have driven it to European want and misery, until you have forced down wages to a European standard, be your motive for withholding the public domain from free settlement, you might as well—you had better—abandon it, if you love your country. I tell you but what you know: this can never be done under *this* government—it can never be done, *and this republic stand.* You must fuse it into a tyranny or despotism first. Thank God, you have no power here, as in England, to transport men to Van Dieman's Land for seeking to obtain by combination a pittance for their labor sufficient to allay the cravings of nature. Nor dare you *do* what Louis Philippe *did* in '45—send the soldiery to work in place of the carpenters who had abandoned their employment because they could not obtain for their labor a like pittance. You know too well the results of this to him.

But it can hardly be that this is with any one an actuating motive in his opposition to this measure. It would barely seem possible that an American could desire to see his countrymen rendered so wretched as to be driven to labor in the mines or at the forge for fourteen cents a day, as in Sweden the laborer is compelled to do; or as in Russia, where, by the testimony of Erman, the laborer is compelled to toil at the forges or the mines of the Ural mountains, thirteen and a half hours per day, for eight and a quarter kopeks, (*less than a penny,*) if single, but with the addition of eighty pounds of rye-meal per month *if he be a man of family*; where the yearly wages of labor are but *four Prussian dollars!* Though this is bitter, cheerless toil to the laborer, its fruits are sweet to the Russian tyrant, as they doubtless would be to the American who might desire a similar state of things at home. Those fruits are, that the Russian iron-master is enabled to manufacture iron, to transport it from the Urals in boats, three thousand miles to St. Petersburg—descending on the route nine hundred feet, and ascending again six hundred more to the point of shipment—and to ship it thence four thousand miles to our shores; and here, after paying a duty of thirty per cent., to undersell the American iron-master, and return with wealth to revel in Russian luxury. These are the wages and these the fruits of that system of toil which such an American—*if such there be!*—would impose upon gaunt and houseless poverty. May Providence put far hence the sunless day! When it shall come—and come it must as things now tend—the prophetic words of the senator from Kentucky, [Mr. CLAY,] in his late speech at Lexington, will have been fulfilled. In speaking of the future, he says:

"The density of the population of the United States will be so great, there will be such reduction in the price and value of labor, as to render it much *cheaper* to employ *free* than *slave labor*; and slaves becoming a burden to their owners, will be voluntarily disposed of, and allowed to go free."

And are we, then, approaching so mournful a condition in the affairs of the working classes? Yes, it is too true! and as surely *will* we reach it as that other countries *have*, unless we use the preventive before it be too late. But before we reach it—though it may be soon—the triumph of oppression, accumulated wealth, and heartless luxury, over the struggles of the destitute for food and freedom, will have thrown this republic, with its liberty and glory, into the dark receptacle of things that are no more—the past! Before this final triumph poverty and toil will have made many fitful efforts for relief, and to be free; but power will gather power, and wealth increase in wealth, till crowded want, at last worn out and starved, must sink down in hopeless need and servitude. This has ever been the result in every land; it *will* be the result in this, unless you now, or soon, to some extent, withdraw your cares from the mere incidents of life, and class and luxury, and turn them to the absolute and never-ceasing wants and demands of *man* and *nature*. To do this to any effect, you must secure to man *as man* a *rightful* place on earth. Leave the great *mass* dependant upon the *few* for a mere *charitable* tenure in the soil, and you leave them with but a charitable tenure in their lives or their liberties. But allow them a *certain tenure and right to its possession*, and they can use it for the purpose, at least, for which the Creator gave it—that of *independent self-subsistence*. From the earth each individual can obtain, if no more, his *food* and *raiment*, and on it have a *home*. With these he can hurl a yeoman's defiance at petty tyranny, defend the State, and advance the true

...of that labor for his own use and consumption. This would be *somewhat* true if it were not also a fact, *that a reduction of the price of machine products, produces a corresponding or greater reduction in the price of manual labor.* Machinery over-produces, and consequently its products fall. The machine owner *will not* produce without a *profit*; he *cannot* lie idle without a *loss*. He therefore takes from the wages of his manual labor, not only what will meet the fall in machine products, but what will leave him a profit besides; and so goes on *producing* and *reducing*. A little struggle follows—a "strike" perhaps—but hunger, and the tearful appeals of hungry children or of aged parents, soon bring back the toiler to her scantier crust.

Now, sir, if land be dear, what alternative has the landless laborer in such an extremity but to surrender his life or his freedom?—but to *starve*, or to become an abject dependant? And land is sure to become dear. Machinery having driven so many from the bench, the anvil, and the workshop, to take refuge in the soil, like everything else the soil becomes scarcer and scarcer in proportion to the demand, till at last it can no longer be had at living rates; for, unlike everything else in which wealth is permitted to speculate, its quantity cannot be increased as the demand is enlarged. Starvation or pau[perism] ... in the language of LORD JOHN RUSSELL, "the higher classes advance in luxury beyond measure." The world looks on, agape, and wonders why it is so. The true reformer—whose voice is rarely heard, and still more rarely heeded—may see and tell the cause, and point out the remedy; but no one hears—no one pities! Over the dying and the dead the wheel, remorseless, rolls along! Great men sit supinely by and cry "All's well!" or console themselves and their country with the reflection, that the *future* wretchedness and enslavement of their *own* race are to prove the more wretched emancipation of *another, now* enslaved. Others will sneer at truths and facts so manifest—and which they cannot refute or answer—while they urge on labor to the brink and gulf I have mentioned, and claim at the same time that they are the only liberty-loving patriots of the land.

To illustrate the effects of land monopoly and machine labor, let us advert to the history of labor in England.

By a statute of EDWARD III, passed in 1350, the daily wages of farm-laborers were fixed at 3½d. At that period wheat was worth 5d. per bushel. Reapers wages were fixed by HENRY IV at 5d. per day; wheat being worth 6d. to 7d. per bushel; oxen, 12s. to 16s.; and butter three farthings per pound. In harvest-time a laborer could pay for a pair of shoes with a day's labor, and with the wages of a week could buy cloth for a suit of clothes, or with the same could buy four bushels of wheat. At a little later period, we find the British statutes mentioning "beef, pork, veal, and mutton" as "being the food of the poorer sort." Now the value of a bushel of wheat is, and has long been, $1 95; while a week's wages are but about $1 93. Beef is worth thirteen cents per pound; mutton, fourteen cents; a fat sheep, $10 to $12; butter, twenty cents per pound; and cheese, fourteen cents. Of course the laborer can have no comforts. "The farm-laborer is compelled to feed his family on potatoes and salt—a very little bread and lard, with some scalded milk." He must toil incessantly to preserve mere animal existence; for the mind or the future he can make no provision. And this is labor's life in Britain! The British Queen might well exclaim, with old King Lear—

> "Poor, naked wretches, wheresoe'er you are,
> That bide the pelting of this pitiless storm,
> How shall your houseless heads and unfed sides,
> Your loop'd and window'd raggedness, defend you
> From seasons such as these? Oh! I have ta'en
> Too little care of this."

Cross the channel from England, and in Ireland the case is still worse. We have the authority of a speech made in Parliament by Mr. HENRY GRATTAN for saying that there perished of starvation *over one hundred and sixteen thousand persons* during the late famine. Nearly as many perished in the famine of 1822. These are some of the frighful results of the causes I have mentioned, under the very throne of England, and within seven days' sail of America!—in a country, too, with a population not exceeding thirty millions; while her best authorities admit her land to be capable of sustaining in high comfort a population of *one hundred and eighty millions*, if the people were *allowed* to cultivate it—in a country, furthermore, where "the higher classes have advanced in *luxury* BEYOND MEASURE!"

If since Henry VIII England has advanced beyond precedent in luxury, useful knowledge, and the arts and sciences, it has been at this fearful expense to life and human comfort, through an almost total neglect of the wants and necessities of her people. While machinery has usurped the province of human labor, and cut off that source of human subsistence, legislation and land monopoly have cut off the only other—a resort to the bosom of the earth. We are treading fast upon her footsteps, and, under our present course of policy, cannot long boast a happier condition for our working poor. Still, there has existed no necessary cause in England why her laboring population should be so wretched; and much less does such a reason exist here why ours should ever be so. There are yet time and opportunity to prevent it, by removing the unnecessary cause which, unremoved, must *inevitably lead to it.*

But hitherto your policy and practice have been all wrong. Besides the partial and class legislation of which I have spoken, your public-land policy has been, from the beginning, to encourage large landed proprietorships and speculation, and to discourage settlement in small subdivisions for purposes of self-subsistence. By the ordinance of 1787, with which you began, you required the governor of the Northwestern Territory to be an owner of 1,000 acres of land; the secretary 500; three judges each 500; each member of the legislative counsel 500; and each representative 200. You first ordered the lands to be sold at $2 per acre—one-half in quarter townships, or 5,760-acre tracts—the other half in

...cannot close their eyes to the fact—that the policy you are now pursuing portends a gloomier day in the future for them or their children. Already, where most crowded, the more favored are but able to obtain through the week what at its close will procure the meanest comforts for their families. If sickness overtake them, or misfortune come, or if for a few days work cannot be had, real destitution and suffering or insolvable debts are the result. If they would go West, to the public lands—the asylum and refuge of distress—and have the present means to make the journey, they have no more; or, if they have a little more, knowing the expense and time of putting in even a small farm, they know *that* little will be exhausted; they despair of ability to buy the land when it shall come into market. They know that when their first stack is gone it will require all their earnings to support increasing family; that for some years they can lay up nothing to save their labor and improvements from the blood-lured grasp of the speculator. They consequently remain where they are, toiling on to an uncertain destiny, with no consolation from the past, few comforts or enjoyments for the present, and less but more gloomy hopes for the future. They see that machinery is fast pushing them from the stage of human labor—that al... [price] of machine products, and that price upon the amount of tribute or tariff they themselves are *forced* to pay to keep it up. As a substitute, they are offered no resource in the FIFTEEN HUNDRED MILLIONS of the public land; but are compelled to meet the certain, dread alternative of starvation, or comfortless dependence! Sir, disguise it as you may, there is none other left, unless *you* soon concede their right to freely dig subsistence, independence, and comfort from the earth. *Do* this, and their well-founded fears will be removed. Cease your favoritism in the blessings and bounties of government, and they will lose the sense of subject-inferiority with which your unjust discriminations have bowed them down.

But, sir, you will never do these things *willingly*; yet you *will do them.* The working number—thanks to God and the *form* of our government—hold the means to compel you. They hold the *ballots* through which you now hold *power*. The means which exalted you can humble you; and these means they have determined to employ. They have *already* begun; and the results are known, if the means of their accomplishment are not. If you would know what I mean, I refer you to the elections of last fall, held in New York, New Jersey, and Delaware. If you did not know it before, you are now told THAT NATIONAL REFORM DEMOCRACY ELECTED THE MAJORITIES ELECTED IN THOSE STATES! I will tell you another truth, little as it is known—*that* HORATIO N. SEYMOUR *might now be governor of the Empire State if he had not remained a mere negation upon the subject of human rights and necessities.* The working multitude have been long enough depressed by false and oppressive practices, following sweet and honeyed professions—they can be deceived no longer. They form no party of their own, but in combination practise what they preach. They have resolved to save their race from slavery, and their country from *worse* than monarchy. To these ends they have turned their attention in earnest to the absolute *rights* and positive *wants* of mankind. They have determined that *you* shall do the same, or surrender to those who will. It is for you to choose your alternative; for, as certain as the Lord liveth, you cannot much longer persecute, as you have done, the mass of America's workmen for the "unreal wants" of luxury.

Sir, do not contemn this labor-movement of the people—it is not to be contemned. It is the same in spirit—made manifest by works—which so lately hurled Louis Philippe from the throne of France, and drove him, exiled, to another land to die; which more recently braved in Hungary the terrors of Russian and Austrian arms and power, and but for treachery would have triumphed; and which as recently caused the German Principalities to quake, and their princes to tremble on their castled heights, and which will yet dash them down, to feel the terrors of the fall! All this was and will be done to gain, as a means, but what Americans now hold—the elective franchise. Having obtained this, do you suppose the Frenchman, the Magyar, or the German would starve, or live in pittance-servitude, simply because elective rulers said he must? No. Nor, having it, will Americans do either, ... easily, and without blood or struggle, force you from the stage of power.

To afford you a manifestation of this, they carried, in two short months from the last adjournment, one-tenth of this Union by storm. But it was a calm storm—no swords, no bayonets, no cannon or musketry. The soldiery were those who live by labor, and who desire but labor and wages that they may live. Armed with the dreadful ballot—but dreadful to oppression only—they marched to what gold-plated conservatism thought its impregnable rampart; fired but one round—and that scarcely heard at the time; but some of the enemy who fell behind that rampart were not ignorant of what hurt them. I said, in my speech of last session, there should be a petition here at this which "would be heeded." You have it in the political results I have mentioned. Neglect the admonition *if* you *will*—but you *cannot* but at your *peril*. It is a death-toll warning in your ear, that *you*, too,

"Have ta'en too little care of this!"

REMARKS OF MR. BENTON,

OF MISSOURI,

On the same subject; delivered in the Senate on the 15th instant.

Mr. BENTON said: I am very glad that the senator from Wisconsin who sits before me [Mr. WALKER] has brought forward this bill. I concur with him in some of his objects. The general object of this bill is to extinguish the federal titles to the lands within the new States, and pass them easily into the hands of cultivators. I concur in that object, but I wish to accomplish it by means somewhat different from his. I also wish to com-