TWENTY-FIFTH CONGRESS.

THIRD SESSION.

IN SENATE.

WEDNESDAY, Jan. 9, 1839.

The President presented a communication from the President of the U. States, in compliance with a resolution of the Senate of the 21st December last, containing information relative to the several Departments, called for by said resolution; which was laid on the table, and ordered to be printed.

Also, a communication from the President of the United States, enclosing a report from the Secretary of the Navy, in answer to the resolution of the Senate of the 3d instant, calling for information in regard to the examination of inventions designed to prevent the calamities resulting from the explosion of steamboats, directed by the acts of June 26th, ordered to be printed.

Also, a communication from the Secretary of the Treasury, in relation to the number & compensation of clerks in his Department during the year 1838; which was laid on the table, and ordered to be printed.

Mr. Prentiss presented certain resolutions of the Legislature of the State of Vermont, instructing their Senators and requesting their Representatives to use their efforts to prevent the passage of any law for the annexation of Texas to the Union, and to procure the passage of a law for the abolition of slavery and the slave trade in the District of Columbia and the Territories of the Union—and of the slave trade between the several States; and also protesting against certain resolutions [ATHERTON'S] adopted by the House of Representatives, as unconstitutional, which Mr. P. moved should be laid upon the table, and ordered to be printed.

The question was, on motion of Mr. Foster, divided, and the first division was agreed to.

The question coming up on the second division, viz: to print the resolution,

Mr. Prentiss said he had made the motion to print these resolutions, because he supposed it would be an act of proper courtesy to the Legislature from whom they came.—When he presented them he had not the slightest idea that any serious objections would be made to them, or that they would excite any debate, and he would say to the gentlemen of the South, that the course which they were pursuing was precisely the course to increase the number, and augment the strength of the Abolitionists; and he thought it in other respects impolitic and injurious, as well as wrong and unreasonable in itself.

The virtual rejections of petitions here was regarded as an infraction of the right of petition, and this was connected with the great subject of abolition; and had given to it a power not properly its own, so that those op[illegible] ment and agitation, found themselves powerlest in consequence of this connection; and if this course were persisted in, they would be obliged to give way entirely. Mr. P. trusted these resolutions would be printed as an act of common courtesy, and he called for the yeas and nays on the question; which were ordered.

Mr. Calhoun confessed that he was amazed when he saw a gentleman of the calmness and correct judgment of the Senator from Vermont, pursuing the course that he did.—That there should be any man of any intelligence whatever who did not see that this question strikes at the very foundation of the Union, alienating one portion of it from the other, and that it tended to the overthrow of the best hopes of mankind, indeed, surprised him. Nor was it less wonderful to him that any gentleman of that description should pretend to say that the best course of Southern gentlemen was to permit the Abolitionists to come here and urge the question whenever they pleased. They tell us, said Mr. C., that we have no right to our own estates; that a large part of our property is held without law; and that they have the right to come here week after week, year after year, questioning our right to it, and calumniating our character, while the best mode for us to pursue is to be quiet. Sir, said Mr. C. I would not have made these observations if the remarks that called them forth had not come from a respectable quarter. The course of the gentleman from Vermont was a striking proof that on all questions of deep excitement the strongest minds may be carried away. Mr. C. would say to the senator from Vermont that this thing must be arrested at home, by strong measures, or the South would take care of itself.

Mr. Prentiss said he had simply asked that these resolutions might be printed, as a mark of the courtesy usually evinced to the States in the Union. He did not enter into any argument on the question of Abolition. Neither him nor any other Senator from the North had, on any occasion, been found to agitate that question. The fault, if it was one, lay in another quarter. He wished merely to discharge an obvious duty. If he found it certain that he could not carry out his own opinions on the subject of slavery, which he trusted were well known, he thought it best to defer the attempt to a more favorable opportunity. These resolutions were passed by the Legislature of Vermont, in consequence of petitions requiring their passage. They were resolutions of instruction, and so far as he was concerned, he wished to discharge the duty imposed upon him.

Mr. King found no fault with the Senator from Vermont for discharging his duty to his State, in presenting such resolutions as they thought proper to charge him with. He waived, therefore, under these considerations, any objections to receiving the resolutions.—They came from a sovereign State; but whether the State was true to the principles which should govern every member of the Confederacy, was another question. With regard to the prayer of these resolutions; every man of common intelligence knew that if it were granted, this Union would not last twenty-four hours. He knew that he, and every man from that section of the Union which would be so grossly outraged by such a measure, would instantly, on the adoption of it, retire from their seats. He would, in such an event, return to his constituents, and tell them that the compact was broken, the Constitution violated and their property taken away from them, and that he, as their representative, could render them no further service by remaining where he was. Believing that such would be the inevitable consequence of carrying out the doctrines contained in these resolutions, he could not consent to give them any circulation. What was the object of the Senator from Vermont, in wishing to have these resolutions printed? The Senator himself declared himself that he did not expect any such thing as action on those resolutions; and yet he wished to have them printed: for what? To give engagement to these people, to send out more memorials to act on their Legislature, inducing them to interfere with matters which do not belong to them.—If that was the object of the gentleman, and he trusted and believed that it was not he might have some reason for urging the printing of these papers; but as he had a great respect for the gentleman, and believed that he had no such object in view, he was at a loss to conceive why he persisted in the motion. He thanked the gentleman for warning the South of what became their duty under the present state of excitement on this subject.—Sir, said Mr. K. we will discharge our duty to ourselves and our constituents, without asking advice from the gentleman from Vermont, or from his Legislature, or the Legislature of any other State. He had hoped that they would have been spared, in this body, the agitation of this exciting subject. He knew that it had taken place elsewhere in a manner highly disgraceful, but he had confidently expected that this body would escape it, and that the Senator from Vermont would be the last man to bring it up. He regretted the necessity of making these few observations, but he was compelled to do so, because he thought the Senator from Vermont was forcing this matter beyond what was necessary.

[illegible] to move that the motion to print be laid upon the table. But before he submitted that motion, he would remark that he fully concurred in the remarks of the Senators from South Carolina and Alabama [Mr. CALHOUN and Mr. KING.] And that he felt no disposition to countenance or respect attempts to agitate the question of slavery, the more, because it was brought before the Senate by the proceedings of a sovereign State. No, sir, said Mr. L. the agitation of this question, by obscure and ignorant individuals, is harmless and innocent, when compared with the proceedings of the Legislature of Vermont. Yet the Senator from Vermont [Mr. PRENTISS] admonishes the South to be cool and quiet, to disregard the efforts of those who are constantly warring against their rights and interests.—Sir, said Mr. L. this advice reminds me of a robber, who, while he has his hand in my pocket, taking from me that to which he has no just claim, ceases not to admonish me to be quiet, be easy—he will do me no harm. Every lover of this Union should cease to agitate this question. The interference of the Abolitionists and their supporters with the domestic concern of the South is daily becoming more offensive. These proceedings are rapidly alienating the affections of one portion of the Union from the other. We should circulate nothing from this Senate calculated to increase excitement and prejudice. Under this view of the subject, I move to lay the motion to print on the table.

The question was then taken on Mr. Lumkin's motion to lay the motion to print on the table, and carried—yeas 29, nays 8, as follows:

YEAS—Messrs. Allen, Bayard, Brown. Buchanan, Calhoun, Clay of Alabama, Crittenden, Foster, Fulton, Hubbard, King, Linn, Lumpkin, Merrick, Monton, Nicholas, Norvell, Pierce, Preston, Rives, Roane, Robinson, Smith of Connecticut, Southard, Tipton, White, Williams of Mississippi, Wright and Young—29.

NAYS—Messrs. Davis, Knight, McKean, Morris, Prentiss, Robbins, Smith of Indiana, and Swift—8.

THE OUTRAGE AT LOUISVILLE.

The Gazette of that city, under date of the 29th ult. says—The case of the Messrs. Wilkinson and Murdaugh, for the killing of Rothwell and Meeks, has just closed before the Examining Court—Judge Joyes presiding.—Doctor Wilkinson was discharged, Judge Wilkinson and Mr. Murdaugh were held to bail; the former in $50,000, the latter in $5,000. The bail was given and the prisoners left the Court House, without disturbance.

Correspondence of the Balt. American.

MARYLAND LEGISLATURE.

HOUSE DELEGATES.

January 5, 1839.

After the usual morning business had been gone through with, the House proceeded to the consideration of the unfinished business of yesterday, which was the order submitted by Mr. Spencer, and the substitute submitted therefor by Mr. Causin, relative to Mr. Lassell's claim to a seat on the floor of the House of Delegates, as a member for Kent county. A debate ensued, which was conducted with great ability by Messrs. Handy, Bowie, Page, Causin, Spencer, Spence and Schley.

Mr. Handy moved to postpone the further consideration of the subject till the 1st of February next, which was lost, yeas 34, nays 34.

Mr. Williams, of Harford, moved to strike out the word 'not' from the substitue as offered by Mr. Causin, which, if adopted, would have the effect to give Mr. Lassell his seat on the floor as a member.

Mr. Williams commenced a spech in favor of his amendment, but gave way for a motion for an adjournment, which was carried.

The debate has not assumed a party character.

IN SENATE.

January 7, 1839.

On motion of Mr. Scott, leave was granted the Committee on the Judiciary to report a bill to reform the Judiciary of this State, and to diminish the expenses thereof.

Mr. Scott offered a Message for the appointment of a Joint Committee of the two Houses to inquire into the causes which have increased the expenditures of the State Government, and report what retrenchment may be made by the abolition of useless offices or otherwise, so as to reduce the public expenses to a standard suited to the revenue and resources.—Adopted—Messrs. Scott, Stewart and Purnell, the Committee.

In the House, the case of the Contested Election was not considered.

January 9.

The bill to incorporate the American Silk Company was passed. After some other business of a local character the Senate adjourned over to Monday, in consequence of the indisposition of several of the members.

The unfinished business of Saturday, relative to the Contested Election in Kent County, was taken up—Mr. Causin asked permission of the House to withdraw his substitute for the original Order, which was granted.—The question then was upon the Order declaring Mr. Lassell entitled to his seat. Mr. Williams of Harford, who was entitled to the floor, made a speech of considerable length in support of the Order. He was replied to in a short but very pertinent speech by Mr. Handy, Chairman of Committee of Elections.

[illegible] the mover of the Order, then took the floor, and made a speech of much force in support of his Order. He was replied to by Mr. Ridgely, who proved himself by his first effort a ready and able debater. He was followed by Mr. Pitts on the same side.

The vote was then taken on the Order, and it was rejected, yeas 33, nays 37, which leaves the whole matter in the hands of the committee.

DELAWARE LEGISLATURE.

Tuesday, 10 o'clock, A. M.

The House met pursuant to adjournment.

On motion of Mr. Jones the joint resolution introduced by him yesterday, fixing the time in joint meeting of both Houses, in the Hall of the House of Rep's., for holding an election by ballot, for the purpose of choosing a Senator from this State, in the Senate of the U. States, for the constitutional term, to commence on the fourth day of March next, was taken up for consideration.

He then proposed the following amendment thereto, to wit: by striking out the words Thursday the third 'instant,' and inserting in lieu thereof, the words 'Tuesday the 8th instant.'

Mr. Frame then proposed to amend the amendment, by inserting in lieu thereof, the words, the seventeenth instant.

The House being divided on the amendment, Mr. Frame demanded the yeas and nays, which were as follows—

Yeas—Messrs. Cooper, Fiddeman, Frame, Frazer, Houston, Jefferson, Neal, Pratt, Rees and Spruance, 10.

Nays—Messrs. Biddle, Boulden, Dilworth, Jas. Hopkins, Robert Hopkins, Jones, Kerr, Marshall, Rogers, Williamson & Mr. Speaker, 11.

So the amendment was lost—the question then recurring to the original amendment, said amendment was adopted.

Mr. Frame then made a motion to lay the said resolution as amended on the table.

The House being divided, Mr. Frame demanded the yeas and nays, which were as follows—yeas 11, nays 10.

So the resolution was laid on the table.

Adjourned.

Friday, 3 o'clock, P. M.

Mr. Laws, Clerk of the Senate, being admitted, laid on the table the following resolution, which on motion of Mr. Dilworth read, to wit:

SENATE, Jan. 4, 1839.

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the Legislature of this State will on Thursday the 17th day of the present month, (January) at 4 o'clock in the afternoon, in joint meeting, in the chamber of the House of Representatives, hold an election by ballot for the purpose of choosing a Senator from this State, in the Senate of the United States, for the constitutional term, to commence on the fourth day of March next. Extract from the journal

Mr. Frame moved to lay said resolution from the Senate on the table.

On which motion the House being divided, Mr, Spruance demanded the yeas and nays, which were—yeas 11,—nays 10.

So the resolution was ordered to lie on the table.

From the Delaware Gazette.

THE LEGISLATURE.—From Dover we learn that the House has not yet acceded to the proposition made by the Senate, fixing upon the 17th instant, as a proper time for a joint meeting of both branches to go into an election for United States Senator. The Senate's resolution was taken up in the House on Monday, when a long and animated debate ensued; the principal speakers, we learn, were Messrs. Frame and Rogers; the former opposing and the latter advocating the adoption of the resolution. The state of parties in the Legislature appears to be, in the Senate, six Van Buren men, and three Whigs. In the House, eleven Whigs and ten Van Buren men; which gives the latter party a majority of two on joint ballot. In regard to the election of a U. S. Senator, a difference of opinion prevails among the *Reform* members from Sussex Co., who hold the balance of power. In the last Delaware State Journal, is to be found a long communication from the whig portion of that Delegation, consisting of Messrs. Joseph Maull, Aaron Marshall, Richard Jefferson, Robert Houston and Joseph W. Neal, addressed to their five colleagues, who are in favor of a Van Buren Senator, proposing that all resign their seats, and refer the matter directly to their constituents. Whether this proposition will be accepted or not, we are not sufficiently advised as to warrant the expression of an opinion—but *presume* that it will not.

It is *rumored* that several important measures will soon be brought before the Legislature for consideration; not the least important of these, is the removal of the Seat of Justice of New Castle County, and a repeal or modification of the existing License law of this State. Some of the Ladies, too, we understand, are about summoning up their grievances, to be presented to the Legislature, in the shape of petitions praying the abolishment of the law, securing the right of property in a specific case. These are all proper subjects for Legislative action; and the members are no doubt, both able and willing to give them that consideration and action which their importance would seem to entitle them. The two former of these measures were talked of long and loud about the 13th of November last, and for weeks previous; and we do hope, that if they are again brought before the Legislature, they may be acted upon definitely and satisfactorily to the majority of the people. If a further agitation of either of these subjects is meditated, we trust it will be in Legislative Halls of the State, where they can be settled finally and constitutionally.—And we have no doubt but that its decision will reflect the calm and enlightened sentiments of the people.

In regard to the supposed or real grievances which thus prompts the "better half" of creation to ask, in philanthropic tones, of the majesty of man, a redress of wrongs, we would say, their *prayer* falls far *short* of the *actions* of the ladies of good old Massachusetts. Upon the same subject the latter are almost an age in advance—read the following, which we clip from an enchange paper—and if we may be permitted to believe that there is such a thing as TRUTH among men, their *professions* move hand in hand with their *practice*, which commends them to our especial regard:

The female abolitionists in Haverhill, (Mass.) passed, at a late meeting, the following resolution:

Resolved, That we, as abolitionists, use our influence in having our colored friends seated promiscuously in all our congregations; and as long as our churches are disgraced with side seats and corners set apart for them, we will, as much as possible, take our seats with them.'

From the Old Dominion.

THE STATE RIGHTS PARTY.

In common with the great body of the true Democracy of the country, we experience the highest degree of satisfaction in the re union of the State Rights party of the South, with the Republicans of the North. They have ever been sturdy and unflinching Republicans in the worst of times; and although we have differed on some minor points of policy, yet our *principles*, in the main, have been the same. We are abundantly rejoiced to see the happy state of feeling that exists among the Republicans of South Carolina, Alabama, Mississippi, and Louisiana—all old differences are forgiven and forgotten; they are coming together as one man. In Georgia, too, a good spirit prevails, from which we venture to predict the happiest results.

We have seen a communication from Mr. Absalom, of Mayhew, Alabama, in the Montgomery Advertiser, in reply to an attack made upon the Anti Bank Meeting at Wetumpka, with which we were highly pleased. The following is an extract:

"From the days of the adoption of our Constitution, down to the present time, the Republican party—the State Rights party—the Nullifying party—call it by what name you will, have contended for a strict construction of that instrument; and with Mr. Jefferson at its head, in his day, opposed, and yet continue to oppose, every measure involving principles or doctrines antagonistic to this great law of our conduct as a party. In what have we apostatized? In what "servile employments" have we called forth the chagrin of the Sentinel? In what have we 'intrigued and contrived' with the enemy? There was a time when 'principles, not men,' was our motto; and, as a patriot, I rejoice there are many who make all considerations yield to honest conviction. In forming opinions, we ask not, we care not, what Mr. Van Buren or Mr. Neal may think. We analyze the subject matter; if we detect even a particle of Federalism, it spoils the whole. In us, then, it finds no advocates; it cannot find 'connivers and intriguers.' But if, on the other hand, a measure is presented for our consideration, which, on examination, we find consonant to our principles, and necessary in our judgment to the successful operation of our Government we not only yield it our faith, but put our shoulders to the wheel, help who will, or croak who may.

The Independent Treasury scheme recommends itself to our friendly consideration by its constitutionality, and at the same time by its expediency. No one can doubt that the constitution warrants the establishment of a Treasury Department. The officers of the department would, as matter of course, under the direction of Congress, have the collection, keeping, and disbursement of the public revenue. The first action of our Government was in obedience to these legitimate deductions, and so continued till the power of the Federalists, enabled them to direct and control the affairs of the nation—then was the keeping of the revenue transferred to incorporated companies, with the privilege of using the Government funds till called for. No one holding a National Bank unconstitutional, can believe that the Convention anticipated the use of an institution, as a fiscal agent of the Government, which it did not allow, and whose existence it would not tolerate. Yet our history proves the weakness and inefficiency of constitutional barriers, when opposed to interested and dishonest politicians. A connection was formed between Bank and State. The public money was placed at the disposition of a favored few, some of them foreigners, and has been used to the building up of large fortunes in the hands of those to whom our Government, in its creation, only granted equal immunities and privileges with its other citizens. Though the late revulsion in the monetary affairs of our country was attended with circumstances of personal distress and ruin, which cannot otherwise than call for our sympathies, yet it has had the good effect of breaking asunder this connexion by its own condition, and we are now free to act as the Constitution and the wisdom of the nation shall dictate, as best adapted to secure honesty, and good economy in the administration of this branch of our government.

The Bill reported by Mr. Wright, of New York, to the Senate, at the last session of Congress, commonly called the constitutional Treasury Bill, presents such safeguards, restrictions, and penalties for malfeasance in office, as to offer, so far as can be done, where human agencies are to be used, a security for the faithful performance of the duties of those who may be in office under such a measure. If it, or one like it, should at any time be adopted under the control of Congress, our Government would receive its own dues and pay its own debt; and that too, by degrees, in a currency, which cannot suffer the fluctuations in value of mere "promises to pay." The Sub-Treasury scheme would dispense with all incorporated companies as fiscal agents, and use individuals as such, made responsible by securities, and deterred from derelictions of duty by heavy penalties."

IMPORTANT FROM MEXICO.

War between France and Mexico—Capture of Vera Cruz by the French.

New Orleans slips communicate important intelligence from Mexico. The brig Kanawha, at that port from Laguna 15th December, brings intelligence derived from the Britis barque Pera; from Sacrificios, then at Laguna. From this source we learn that the town of Vera Cruz has been taken by the French, after bombardment. The Mexican General Arista was taken prisoner by the French, and General Santa Anna was so grievously wounded as to render necessary the amputation of a leg.

The Mexican government, not willing to recognize the treaty entered into between Admiral Baudin and General Rincon, and having declared war upon the French government, General Santa Anna placed himself at the head of 5,000 men, and entered Vera Cruz in spite of the treaty. Admiral Baudin having learned that Santa Anna was advancing towards the city, sent a number of boats filled with troops, with orders to spike the cannon of the batteries at Vera Cruz. While they were engaged in this labor, the Mexicans came upon them, and slaughtered a considerable number of officers and soldiers. The French were compelled to retreat towards the squadron, which opened a heavy fire upon the town, dislodged the Mexicans, and took possession of Vera Cruz.

CANADA.

The Montreal Gazette of the 31st ult. has an account, said to be from a despatch received at 'head quarters,' of the burning of several houses and barns on the Rockville frontier, by a party from this side, headed by one Gregan—all of whom escaped to the states.—Gregan's own house, which it appears is on the other side of the line, was burned afterwards by those who had been burned out by him, by way of retaliation. Measures had been taken to identify the marauders, with a view to demanding their delivery for the Governor of Vermont.

The trials pending before the court martial at Montreal were to a close on 2d inst., but sentence had not been pronounced.

From the Evening Post.

Disturbances at Oswego.—Extract of a letter from Oswego, dated 2d January, 1839:

We had a sad mob here yesterday. Our Collector, Mr. G. McWhorter, received information on Monday evening that two brass cannon were secreted near the bridge. He immediate gave information to Capt. Gwynn, who commanded here with a small force of the United States troops, who posted sentries over the guns until morning. The Collector and an officer of the United States went with a guard to take possession of them, when they were prevented by a mob that increased to between two and three hundred persons; after bearing their insults for some time, the Collector sent for Captain G. with his whole force—after their arrival and bearing the insults of the mob for half an hour, they returned to their barracks without the recovery of the guns. The mob then took possession and mounted them on their carriages, and in bravado to the laws, continued, firing them until night, finishing their lawless act, by burning the Collector and a deputy marshal of the United States in effigy.

Texas and Arkansas.—It is not a little amusing to notice the grasping and restless desires of this pigmy republic of yesterday, as manifested by the actions of her official functionaries. Not satisfied with the triumph over her more powerful and experiened foster mother, MEXICO, by which she became mistress of a greater number of acres of land—aye, and better ones, too, than she deserve, or that she will settle good, honest, intelligent citizens upon for half a century to come—has actually taken posssesion of no inconsiderable portion of the territory of her neighbor, the State of Arkansas. Our readers are not unapprised of the fact, that the boundary line between the U. States and Texas is in dispute, The territory claimed by both parties, comprises the large and wealthy County of Miller, in the State of Arkansas. Hon. William Conway, Judge of the Sixth Judicial Circuit Court of Arkansas, has recently addressed a long letter to the Governor of the State, in which he states that our all valiant neighbors of Texas have determined not to wait for a regular establishment of the boundary between us, but have taken actual possession of the territory in dispute, and established civil jurisdiction therein. This, when taken in connection with the fact as stated in our last, of their incursions upon the territory of Louisiana, affords striking evidence of the personal material of which that republic of chivalry is composed. After all this, we know not, whether we would be much surprised were we to hear that Mr. Commander General RUSK was at the head of a number of well trained battallions, marching to our capitol to dictate terms preparatory to a final settlement of the controversy in point. Verily, this one star republic of Houston's is rising in the political horizon of nations like magic, and we fear is destined to eclipse all who have preceded it.—*Del. Gaz.*

Another Boundary Question—A contumacy is likely to arise between the Territory of Wisconsin and the State of Illinois, respecting the boundary line between them. Wisconsin claims under an ordinance of Congress in 1787 and the cession of Virginia, all the country north of a line drawn from the Southern extremity of Lake Michigan, due west to the Mississippi. This would cut off from Illinois a tract about the size of the State of Connecticut, including Chicago, the only port Illinois has on Lake Michigan, Galena, the lead mines and in short the most valuable portion of the State, with a population nearly double that of Wisconsin. Such an accession would entitle Wisconsin to be immediately admitted into the Union, and to two representatives in Congress. The legislature have instructed a committee to draft a memorial to Congress on the subject, and to ask for a law to form a constitution and a State Government. The matter will doubtless be a subject of a protracted discussion in Congress.

Charley Hammond, of the Cincinnati Gazette raps his federal brethren at Harrisburg, over the knuckles after the following manner.

"The Whigs that claim seats from Philadelphia county as Senators and Representatives, are notoriously not the persons elected by the people, They cannot rightfully occupy the seats they contend for.

And it is evidence how grossly their party feelings abuse their estimation of character, that they lend themselves to a transaction so discreditable."

Charley had better take care how he tells tales, or Ritner will despatch Gen. Buckshot after him.