

# WILMINGTON GAZETTE.

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## CONGRESS OF THE UNITED STATES, House of Representatives.

Wednesday, Feb. 16.

The house resolved itself into a committee of the whole on the bill to prevent the importation of certain persons into certain states where by the laws thereof their admission is prohibited.

Mr. Hastings moved to amend the bill so as to prohibit the importation only of French negroes and persons of colour.

This motion was opposed by Messrs. Hill and Bacon, and lost without a division.

Mr. S. Smith moved to exempt from the operation of the bill seamen, natives of countries beyond the Cape of Good Hope.

The motion was supported by Mr. Hill, and opposed by Messrs. Newton, Lowndes, and Mott, and lost.

The bill, after undergoing some slight amendments, was reported to the house, and ordered to be engrossed for a third reading.

The house went into a committee of the whole on the bill to amend an act to amend the judicial system of the United States.

The bill is as follows:

Sec. 1. "That the circuit court of the second circuit shall consist of the justice of the supreme court, residing within the third circuit, and the district where such court shall be holden."

"In the third circuit, the said circuit court shall consist of the justice of the supreme court, residing within the fourth circuit, and the district judge of the district where such court shall be holden."

"In the fourth circuit, the said circuit court shall consist of the senior Associate Justice of the supreme court residing within the fifth circuit, and the district judge of the district where such court shall be holden."

"Sec. 2. That the senior associate justice, resident in the fifth circuit, shall attend at the city of Washington, on the first Monday in August, in each year, every year who shall possess the same powers, and perform the same duties as are prescribed in the second section of the act, entitled 'An act to amend the judicial system of the United States.'"

Mr. Elmer moved to strike out the first section, which was carried 42 to 36.

The second section was agreed to, when the committee rose, and reported. The house concurred with the committee in their disagreement to the first section: When Mr. Bayard moved to postpone the further consideration on Monday.

Mr. Randolph reported a bill making appropriations for the support of government for the year 1863. Committed.

Mr. Newton called for the order of the day on the report of a select committee respecting the repeal of the Bankrupt Law.

Mr. S. Smith moved to postpone the subject to the 1st Monday in November.

This motion was supported by Messrs. S. Smith, Mitchell, Bayard, Goddard, Griswold and Thatcher; and opposed by Messrs. Eustis, Newton, Varnum and Hastings.

The yeas and nays were taken on the postponement, and were yeas 39, nays 32. The Speaker declaring in the negative, the question was lost.

The speaker laid before the house a report of the commissioners under the act for an amicable settlement of limits with Georgia, &c. Referred.

Thursday, Feb. 17.

The speaker laid before the house a report from the Secretary of the Treasury enclosing an annual return of the district tonnage of the United States.

Mr. S. Smith presented a petition from certain aliens of Baltimore—Referred.

Mr. John C. Smith, from the committee of claims, reported against the claims of Tobias Lear.

Referred to a committee of the whole to-morrow.

An engrossed bill to revive & continue in force an act to establish trading houses with the Indian tribes, was read a third time and passed.

A bill on the same subject was referred from the Senate, and referred to a committee of the whole to-morrow.

Mr. Randolph, from the committee whom was referred the propositions of the State of Ohio, &c. reported a bill to modify the propositions in the admitting the people of the North-

Western Territory as a state into the union, &c.

Referred to a committee of the whole to-morrow.

The amendments of the Senate to a bill to amend an act fixing the military peace establishment, were read.

Referred to a select committee of three.

The amendments of the senate to the act supplementary to the act respecting consuls and vice-consuls, and for the protection of American seamen, were taken up, and concurred in.

Mr. Nicholson from the committee appointed on the message of the President of the United States, enclosing sundry documents respecting John Pickering, district judge for New-Hampshire, made a report.

The committee report that John Pickering has been guilty of high crimes and misdemeanors; they therefore offer a resolution—that J. Pickering, district judge for New-Hampshire, has been guilty of high crimes and misdemeanors, and that he be impeached therefor.

Referred to a committee of the whole on Wednesday, and the documents ordered to be printed.

Mr. Newton called for the order of the day on the report of a select committee, recommending the adoption of a resolution, that it is not expedient to repeal the Bankrupt Law.

Mr. Griswold moved to postpone the consideration of the report till the first Tuesday in November next.

This produced a spirited debate which continued beyond the usual hour of adjournment.

On the incidental question of postponement, the main principle of repeal was discussed; those in favour of the postponement being against the repeal.

Messrs. Griswold, S. Smith, Goddard, Thatcher, Bayard, Gregg, Eustis, Dana, and Mitchell, supported, and Messrs. Newton, Varnum, Hastings, and Bacon, opposed the postponement; when the question was taken by Yeas and Nays, and carried—Yeas 50, Nays 39.

Mr. Nicholson reported a bill to reduce the marine corps of the United States.

Referred to a committee of the whole on Monday next.

Mr. Varnum reported that it was expedient to agree to the amendments of the Senate to the bill to amend the act respecting a military peace establishment.

Mr. Griswold moved instructions to the committee on the Bankrupt Act, to report by bill or otherwise, such amendments, if any, as they may deem necessary to that act.

Mr. Alston moved a postponement of the motion till the first Tuesday of November. He thought they had heard enough about the Bankrupt Act this session, and he hoped they should for the remainder of the session hear no more about it.

Mr. Griswold said whether the house did or did not get upon the amendments reported, it would be better to have them reported, that the minds of members, who held seats in the next house, might take them into consideration, and be prepared to act upon them at the ensuing session.

The motion to postpone was carried—Yeas 40, Nays 39.

Mr. Bayard reported a bill for the relief of Joshua Harvey and others.

Referred to a committee of the whole on Monday next.

Mr. R. Williams offered the following as an additional rule in the standing rules of the house.

Resolved, that all motions respecting the priority of business, shall be decided without debate.

Ordered to lie on the table.

Friday, Feb. 18.

A bill was read appropriating 2,000 dollars for the working of the salt springs on the Wabash river.

Referred to a committee of the whole house on Monday.

Mr. Hoge presented a petition from a number of inhabitants of Pennsylvania respecting the obstructed navigation of the Mississippi.

Referred to a committee of the whole on the state of the union.

Mr. Nicholson reported a bill for regulating the grants of land, and providing for the disposal of lands South of Tennessee.

Referred to a committee of the whole on Tuesday.

Mr. Nicholson also reported a bill for settling sundry claims to the public lands of the United States south of Tennessee.

Referred to a committee of the whole on Tuesday next.

Mr. Nicholson, chairman of the committee who reported the above bills, stated that the claimants of the lands of Tennessee had applied to the committee to be heard before them by Counsel. The committee being of opinion that time would be gained by hearing the counsel before the house, submitted a resolution that Counsel should be heard at the bar of the house on Tuesday.

On taking up the resolution, a debate ensued. Messrs. Nicholson, Bayard, Bacon, Griswold, and R. Williams, supported, and Mr. Randolph opposed taking it into consideration; when it was carried without a division.

The resolution offered by Mr. Nicholson then passed. Yeas 47.

After discussion, the bill making an appropriation for the Navy for the year 1863, in committee of the whole, was ordered to be engrossed for a third reading on Monday.

The bill concerning the insuring, of buildings, goods and furniture, in the county of Alexandria, in the territory of Columbia, was ordered to a third reading on Monday.

Mr. Leib called for the bill to amend the naturalization act; on which the house went into a committee of the whole—Mr. Varnum in the chair.

The bill exempts those aliens who came into the U. States between June, 1798, and April, 1862, from the obligation of declaring their intention to become citizens.

Mr. Bayard spoke against and Mr. S. Smith in favor of the bill.

Mr. Goddard being adverse to the bill, moved that the committee should rise, in order to dismiss them from any further consideration of it.

This motion was supported by Messrs. Bayard and Thatcher, and opposed by Messrs. S. Smith, Leib, and Smilie,— Yeas 42.

When the committee reported the bill, the house ordered it to a third reading on Monday.

Monday, Feb. 21.

An engrossed bill making appropriation for the navy for the year 1863, was read a third time and passed.

The bill appropriates the sum of 1,093,797 dollars 42 cents.

An engrossed bill concerning the insurance of goods, buildings, and furniture in the county of Alexandria, in the territory of Columbia, was read a third time and passed.

Mr. Leib presented a petition from Daniel St. Clair, which was referred.

The bill in addition to an act entitled an act to establish a uniform rule of naturalization, &c. was read a 3d time.

The question was put on the passage of the bill.

Mr. Goddard spoke against the bill, and concluded by moving the postponement of the further consideration of the bill to the 1st Monday in November.

This motion was supported by Messrs. Dana, Davis and Goddard; and opposed by Mr. Smilie.

The question was taken by Yeas and Nays, and lost—Yeas 40—Nays 42.

Mr. Griswold moved a resolution to recommit the bill to a select committee, with instructions to enquire whether the petitions from certain aliens presented on the 14th February, were in fact subscribed by the persons therein named.

Mr. Randolph called for a division of the question.

The speaker put the question on the first member of the motion, to recommit the bill.

Motion lost—Yeas 36—Nays 37.

The residue of the motion fell of course.

The question was then taken by Yeas and Nays on the passage of the bill—Yeas 38—Nays 42.

The bill was therefore lost.

Mr. E. Williams called up his resolution, making it a standing rule of the house that all questions respecting priority of business should be decided without debate.

Carried without a division.

Mr. Griswold said he would submit a motion which had grown out of the debate on the bill amendatory of the naturalization act; which was, that a select committee be appointed to enquire whether certain petitions from sundry aliens presented on the 14th instant, were in fact subscribed by the persons therein named.

The taking of this motion into consideration was supported by Mr. Gris-

wold, and opposed by Messrs. Jackson, Nicholson and S. Smith.

Lost, Yeas 33, Nays 49.

The house went into a committee of the whole—Mr. Varnum in the chair—on the amendments of the senate to the bill providing an additional armament for the protection of the commerce and seamen of the United States.

The senate proposed a new section, authorising the President to build a number of gun boats not exceeding fifteen, and appropriating 50,000 dollars therefor.

Mr. Griswold moved the recommitment of the bill to a select committee.

Lost, Yeas 17.

The amendment of the senate was then agreed to.

The house went into a committee of the whole on the bill making an appropriation for the support of government for the year 1863.

The several blanks were filled, and the bill reported, agreed to in the house, and ordered to a third reading to-morrow.

Among the appropriations of the bill is one between three or four thousand dollars for completing the Jail in the city of Washington.

The house went into a committee of the whole on a bill in addition to and modification of the propositions contained in an act admitting the North Western Territory into the union.

The committee rose and reported the bill without amendment.

The house took up the report of the committee, concurred, and ordered the bill to a third reading to-morrow.

The house took into consideration the bill extending the time for the location of military land warrants, &c.

Mr. Dawson offered a new section authorising the secretary of war to issue warrants to major general Fayette to the amount for which a major general is entitled.

Before a decision was had on this motion, the house adjourned.

Tuesday, Feb. 22.

An engrossed bill in addition to and modification of certain propositions contained in an act for admitting the people of the eastern division of the North Western Territory as a state into the union, was read a third time, and passed, Yeas 62.

Mr. Gregg spoke against the bill.

Messrs. Randolph and Bacon defended it.

A bill making appropriations for the support of government for the year 1863, was read a third time, and passed.

A letter was received from the claimants, and their agents, of lands ceded by Georgia, to the United States, declining to appear by counsel at the bar of the house; and offering certain new propositions of compromise with the United States.

Referred to a committee of the whole to whom was referred a bill for settling claims to lands north of Tennessee—and ordered to be printed.

The speaker laid before the house a report from the secretaries of the treasury and war, and the comptroller of the treasury, respecting claims of Nova Scotia refugees.

Referred to a select committee of three.

Mr. Bayard offered a resolution altering the period of the sitting of the supreme court from the 1st Monday in February to the 1st Monday of August.

Carried—Yeas 38—Nays 53.

Referred to a select committee.

On motion of Mr. Huger leave was given to a description of claimants, other than those who had previously applied, to be heard in person or by counsel at the bar of the house, this day.

When Mr. Moultrie retired.

Mr. Nicholson moved the reference of the petition of Alexander Moultrie to the committee of the whole on the above subject.

The house took up the bill respecting military land warrants.

Mr. Dawson's amendment to allow general La Fayette a quantity of land correspondent to his rank, was taken up, and after some objection made, on the score of form, was carried without a division.

On engrossing the bill for a third reading, Messrs. Southard, & Shepard, spoke in favor of, and Mr. Varnum against it.

Carried, and ordered to a third reading to-morrow.

The galleries were cleared to take up two bills of a confidential nature, received from the senate.

FROM THE AURORA.

FROM WASHINGTON,

SENATE OF THE U. STATES.

Thursday, Feb. 5.

Debate on the report of the committee on the petition of the eleven dismissed judges.

[When we entered the house, Mr. G. Morris had been some minutes on his legs but we have since understood, that the exordium of his speech consisted of professions of a desire to promote harmony and concord—of obedience to the law which had abolished the former judiciary law—and of respect for the government in general. From the concluding sentence of this division of his speech we inferred that he nevertheless considered the repeal of that law as great an evil as the opening of Pandora's box, that it was calculated to be the fruitful source of disaffection and discord, and that its tendency was to lead us directly to a military government—what we heard was as follows.]

Mr. G. Morris\*\*\*\*\* by such an innovation on powers coequal with other branches of government, by subjecting that branch of government to the legislature which the constitution has been most careful in preserving independent and superior to power or fear, every temptation is given for inroads on the other departments, and for finally absorbing the whole in a military despotism—if such confusion is countenanced here, and sanctioned by a solemn decision, our clouded dignity is suspended by a feeble thread indeed; our legislative powers are but the instruments of justice, subject to be wielded by the passions or the rage of every ambitious leader: our freedom is but a shadow, the shadow of a shade: but he hoped every gentleman in that house valued freedom too high to suffer its perversion and consequent destruction.

Another corollary presented itself upon which the report of the committee was supported. Inasmuch as the senate is an improper body to decide

claims of the memorialists, it would not have been proper to have given an opinion on them; the question belongs in its essence to another tribunal, the courts of justice; and as it would have been incorrect to anticipate the merits of the case of an opinion, equally improper would it be to discuss it either in the committee or in that house. It might be said indeed that the house of representatives had discussed the memorial and given a decision; it would not be to him a conclusive argument that because that house may have done what is wrong that we should not do what is right. But even taking it for granted that they had acted discreetly, if what they had done amounted to anything it went to an opinion favorable to the claims of the memorialists. Gentlemen who heard this assertion might think the assertion strange, but it was nevertheless true upon the record of that house, and he had no business to seek for their opinion but upon their journals. That record says it is true that the prayer of the petitioners ought not to be granted; this ought not may imply an opinion of the inexpediency; it may be founded on a notion without a consideration of their constitutional authority or the legal right of the claimants. This is inferable from the proceeding at large, for it appears that a motion was made in that house to strike out the words "late judges," and this was carried by a large majority. What does this declare? Did they not exercise all the functions and discharge the duties of judges until the act of last session had gone into operation? Does not the refusal to describe them as late judges declare by implication they are judges still? Nothing could be more clear in his conception.

The committee of this house has further taken the liberty to express a belief, that a speedy investigation of the question involving the duties and rights of the memorialists, would be highly important. He had learned in his youth when he had turned over volumes of professional knowledge; that the delay of justice, is a most grievous punishment. It was felt to be so in cases between man and man. How much more important is it that an end be put to this question involving private and public rights. Is it not of the first importance to put the question to sleep, that it may not disturb our quiet more; for be our decision what it may now, it will be part of the supreme law of this land