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THE NORTH CAROLINA STANDARD

PUBLISHED WEEKLY AND SEMI-WEEKLY BY

WILLIAM W. HOLDEN,

EDITOR AND PROPRIETOR.

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THE STANDARD.

RALEIGH, SATURDAY, JAN. 8, 1853.

THE SENATORSHIP.

We give place to-day, as we promised to do in our last, to a communication signed "One of the Proscribed," in relation to the effort in the late Assembly to elect a Senator. The source from which this communication comes, to say nothing of its character, renders it our duty to submit some remarks by way of reply.

Our Correspondent admits that Mr. Dobbin received, in caucus, a majority of the whole Democratic representation in the General Assembly, and that afterwards, in accordance with custom in such cases, his nomination was unanimously agreed to; but he then states that, in his opinion, a sufficient number to have elected ought to have been present, and the two-thirds rule ought to have been adopted. There were but sixty-eight members, he says, in attendance, and these, he contends, had no right to attempt to bind the party. But whose fault was it that the meeting was not full? Where was Gen. Saunders? Why did not he and others come forward and unite in the effort with these sixty-eight to concentrate and harmonize? If the meeting which was held was not full enough to take such action as would bind the party, who, we repeat, is to blame for it? Why, the absence of these gentlemen, which was no doubt intentional, produced the very result which our Correspondent alludes to; and now we are told that another result, *thus rendered impossible by them*, not having been arrived at, *they* are not responsible for the disorganization and the failure to elect which ensued!

That point having been disposed of, we proceed to the next, which is, that a sufficient number to elect ought to have been present. Our Correspondent admits that a sufficient number would have been, necessarily, the whole number; but how could it have been reasonably expected that the whole number would thus meet? One, at least, of the members was confined at the time to his room by sickness; and others of them were opposed, on principle, to going into caucus, though they stood ready to support the nominee. To require the *whole* number of members in such a case is plainly to require what is unreasonable; and to refuse, under such circumstances, to sustain the action of the party, thus taken by sixty-eight out of eighty-six, is to manifest a disposition to give up organization and to rely upon members of the opposite party to make the election.

But, says our Correspondent, the two-thirds rule ought to have been adopted. Wherefore? What similarity is there between a case of this sort and that of a National Convention? In a National Convention States are represented which never have voted and never can vote for a Democratic candidate for President; and if the majority rule prevailed, these minority States, as they are called, might combine and nominate the candidate. So two-thirds of the votes of all the States are required in order to nominate, and *this secures an undoubted majority of Democratic States.* The two-thirds rule, therefore, in a Convention of this character is but another name for the majority rule, for the object of it is, in the main, to secure that majority—not of *Whig* States, but of *Democratic.* The States are equal in the Convention, but not at the ballot-box, for a State which votes for the candidate in Convention may not be able to do so at the polls; but not so with members of the same party assembled in caucus, for *all* of those who vote in caucus can do so in open House. They are equals in strength from first to last, and there is, therefore, no similarity between a caucus of this kind and a National Convention. So this objection of our Correspondent also falls to the ground.

The "Democratic party at Baltimore" adopted this two-thirds rule, not for the party in the States, but as a rule to be observed in National Conventions. It is a rule which peculiarly belongs to such bodies; and we doubt if it ever entered the heads of any considerable number in the last or former National Conventions to attempt to lay it down as a rule for the party in the States. The rule was *not* "imperative" on the Democrats in the late Assembly. They adopted the majority rule, which is, as we have shown, among equals the same rule which is substantially reached in National Conventions; and they gave to their nominee *more* than a majority of the entire Democratic representation in the two Houses.

Our Correspondent says all Gen. Saunders asked was "fair play." We were present at the caucus, and we heard the feelings and opinions of members, during the session, frankly expressed both in and out of caucus; and we know, so far as we heard and saw, that "fair play" *was* extended to Gen. Saunders. It was known that, in accordance with his own wish, his name was not before the caucus; and hence the vote cast for him was quite small. But we hold that no man, *elected as a Democrat*, has a right, *as a Democrat*, to absent himself from meetings of his party with the view of excepting to and opposing the action of such meetings. The evidence of premeditated injustice must be very strong, if not conclusive, to justify such a course; and if any evidence of such injustice existed, or was known to either Gen. Saunders, Mr. Love, Mr. Cotten, Mr. Christmas, or Mr. Watson, the public have yet to hear of it. No, if "fair play" was refused it was refused to Mr. Dobbin, who was the regular nominee of his party, and who *might* have been elected by a cordial union of the whole party upon him.

If these gentlemen, who thus stood out against a majority of the party, had exerted themselves to get a full meeting, and if they had attended the meeting themselves and aided in making a nomination, then there might have been some foundation for some of the remarks of our Correspondent; but the declaration, under the circumstances, in behalf of these gentlemen, that the meeting was not full, and therefore not binding, and that Gen. Saunders did not have "fair play," can have but little if any effect upon unprejudiced and intelligent men.

But our Correspondent adds Gen. Saunders "felt neither politically nor personally bound to aid in putting up those who had sought to put him down. He recognizes no such suicidal policy, and those who seek to enforce such an obligation on his part, must teach others to do justice before they can expect submission to such a wrong." We have yet to learn that James C. Dobbin has sought to "put" any one "down." *He*, certainly, cannot be obnoxious to this charge; and as to his section—if we may so speak—though a portion of it has not, on all occasions, treated Gen. Saunders with the fairness he had a right to expect, yet that cannot excuse him, as our Correspondent would seem to think, for the indulgence of personal feeling when the cause of his party is at stake. It was not *Gen. Saunders*—it was *the Democratic party of Wake County* which was called upon in the late contest to vote for Mr. Dobbin for Senator; and that representative—and we say it with all due respect for Gen. Saunders, as we would of Mr. Dobbin, or any other gentleman occupying Gen. Saunders' position—who cannot, without regard to personal feeling or personal griefs, vote for the nominee of his party and thus carry out the will of those who elected him, has but one thing to do as an alternative, and that is to resign.

We have no wish to prolong this controversy. We have written only under an imperative sense of duty. If gentlemen have been "proscribed," we have not done it—the fault lies not at our door. Gen. Saunders, Mr. Love, Mr. Cotten, Mr. Christmas, and Mr. Watson certainly had a right, as "free and independent" representatives, to pursue the course they did; and we, as in duty bound, *and as a Democrat governed by known rules of party organization*, have commented accordingly. Without organization, Democratic principles would become a dead letter, for no one could be chosen to carry out those principles. We can neither know men nor regard consequences when these principles are put at hazard; were it otherwise we should be unworthy the place we occupy.

Our Correspondent intimates that his "defence" of these gentlemen may be continued. We should prefer, as above stated, that the discussion should stop here; but if gentlemen desire to be heard further, our columns shall not be closed against them.

☞ We have received from the Commercial Office, Wilmington, a neat pamphlet containing the "Transactions of the Medical Society of the State of North Carolina, at its third annual meeting, in Wilmington" in May last. The address of Dr. Satchwell on the occasion is published with the proceedings. Dr. Satchwell's address is on the subject of Malaria. We express no opinion as to its merits except as to style, which is creditable to that gentleman.

We also received, with these proceedings, an address on the part of the Society to the medical profession throughout the State, which we take pleasure in laying before our readers.

☞ We have received the first number of the "Democratic Free Press," established in Wilmington by Lawrence Badger, Esq. The number before us is well filled, and bears the impress of Mr. Badger's spirit and ability as a writer. We wish the Editor much success.

☞ Gov. Reid has appointed Judge Manly to hold Beaufort Special Court, Judge Dick to hold Cumberland Special Court, and Judge Bailey to hold New Hanover Special Court.

"LAST DAYS OF THE SESSION."

The Raleigh Register, in its pretended account of the "last days of the session," asserts that the report of the Committee to the House of Commons, on the evening of the 22d December, "gave the Democrats 28 Districts, the Whigs 18, and left 4 in doubt." "It was this iniquitous and tyrannical bill," continues that paper, "that a portion of the Whigs of the House resolved and declared never should pass, and they deserve honor for it."

Now we affirm what we have heretofore stated, on the best authority, that this report of the Committee, composed of Messrs. Avery and Philips, assigned to the Democrats 22 Districts, to the Whigs 22, and left 6 in doubt. We know what we say—we understand what we are writing about, for we have taken pains to inform ourselves on the subject; and on the contrary, we have no hesitation in expressing the opinion—and this opinion we found upon the Editor's own statements—that the Editor of the Register is uninformed on the subject, and has written at random, without regard to the facts, with the sole view of justifying, if possible, the revolutionary action of his Whig friends.

And who was it that agreed to this "*iniquitous* and *tyrannical* bill"? Mr. Philips, of Orange, is the man—a Whig, a gentleman of information on the subject, for he had studied it, as we have reason to believe, before and during the session. And yet, because he had the disposition to agree, in Committee, to something like a just and fair apportionment between the parties, and because he had the manliness to stand by the report, and the patriotism to rebuke, as he did, the disorganizing conduct of Mr. Cherry and others, he is to be held up and denounced as false to his party, and as capable of pressing upon the House and the country an "iniquitous and tyrannical" measure! *He* is to be sacrificed for the benefit of such Whigs as Fagg and Dargan—*he* is to be proscribed because he adhered to truth and justice, and would not stand aside and permit these infatuated partizans to urge the State government into the very vortex of confusion and disorder!

The Register admits that a portion of the Whigs of the House resolved that the bill as reported "never should pass," and that paper says these Whigs "deserve honor for it." Here we have a distinct admission that the Whig party, as represented by these men, *were engaged in the work of revolution*; and here we have, also, the organ of the Whig party glorying in this work and applauding the actors in it. After this, it is worse than useless for the Register to attempt to fix blame on the Democratic members. Still that paper has the audacity to declare thas "it was the *Locofocos* who threatened anarchy and civil commotion—it was they who threatened to leave the State government without organization, if they could not palm off on the Whigs their odious bill." Why, what a monstrous falsehood is this! Who had the power in the House? *The Whigs.* Who spoke to consume time, and declared, both on Wednesday and Thursday, that if the Democrats would not come to *their* terms, and *at once*, that the State government should be broken up? *The Whigs.* Who, as the Register admits, "sat silent"? The Democratic members, with one or two exceptions. Who, at length, came forward to arrest the progress of anarchy and revolution, and to administer a severe rebuke to his party friends for the course they were pursuing? Mr. Baxter, *the Whig Speaker.* These facts are notorious; and yet the Register, with an impudence without precedent in the political annals of this State, comes forward to declare, in the face of these facts, that the Democrats are responsible for the memorable scenes of the 22d and 23d of December, and that the Whigs, "by *their* devotion to the principles of conservatism, of law and of order, prevented locofoco madness from precipitating the government into the horrors of anarchy"!

The "locofoco leaders," adds that paper, "had given out the intimation that they would force through their gerrymander of the Senatorial Districts, even at the hazard of disorganizing the government of the State. Here it was that Mr. Cherry, of Bertie, rose and made his thrilling appeal," &c. We repeat the statement that the House was *Whig*, and how *could* the Democrats have "forced" through their bill? Such a statement as this of the Register carries its own refutation on its front.

There are many of our readers who do not see the Register, and for their benefit as well as for the amusement of the public, we present below a specimen of the Register's Editorials. There is a most interesting recklessness about that paper—a disregard of facts which is well understood here, and a certain brazen, uninformed impudence which is equal to any emergency. Here, for instance, is a specimen of that paper on

The "Standard" and the "Locofoco" Revolutionists.

That pink of perfection, the Raleigh Standard, is endeavoring to produce the impression that the Whigs are responsible for the scenes in the House on the 22d and 23d December. Nothing could be more unbelievable. The gallant Whigs soar far above such scenes. They scorn all combinations to impede the government; but they do oppose, and they did oppose in open House, an infamous proposition to gerrymander them into a circumstance of less force and consideration than they have been accustomed to. The truth is, it was the locofocos that sought to break up the government; and that unscrupulous party fugleman, the Standard, is well aware of the fact. He is brave enough *now*, when gallant Whigs have returned to their homes; but *he* knows, as well as we do, that the Whigs are not to blame. If twelve o'clock had arrived, who would have been obnoxious to the charge of revolution? Why, the locofocos, for it was indispensable that a good Whig bill should be passed *before* twelve o'clock; and yet with this fact obvious to all, the "locofocos sat silent," while the government was careering, by *their* act, to the abyss of anarchy! It was reserved for gallant Whigs, at an hour like this, to save the State. They came to its rescue. Cherry, usually "calm and collected," rose on the occasion to a thrilling point; while Fagg, Dargan, and others, by their pathetic appeals, brought numbers to a stand and tears to the eyes of many. Rejoice, then, Whigs of the State—be strong in your devotion to "law and order," and let first-rate "conservatism" always mark your course. As for the Editor of the Standard, *he* is not to be regarded. *His* statements are locofoco statements, unworthy the attention of any true Whig.

The foregoing is a tolerable specimen of the Editorials of our cotemporary. We may give, hereafter, one of his "thrilling appeals" to his Whig friends to "awake, arise, and shake off the dew-drops that glitter on their garments, and march once more to battle and to victory!"

We have not yet exhausted this subject.

DEATH OF DUNCAN CAMERON.

The Hon. Duncan Cameron expired at his residence, near this City, on Monday evening last, after a lingering illness, in the 76th year of his age.

We copy from Wheeler's History of North Carolina, the following sketch of Judge Cameron's life:

"HON. DUNCAN CAMERON, who resides in Raleigh, was born in Mecklenburg County, Virginia, in 1777, son of an Episcopalian clergyman.

He studied law, and came to North Carolina in 1797.

In 1800, he was appointed Clerk of the Supreme Court, then called Court of Conference.

In 1806, he was elected a member of the House of Commons from Orange County, and again 1807, '12, and '13, when he was a firm and decided advocate for the war.

In 1814, he was elected Judge of the Shperior Court, which he resigned in 1816.

In 1819, he was elected to the Senate from Orange County, and in 1822 and 1823.

In 1829, he was elected President of the old State Bank.

On the organization of the present Bank of the State of North Carolina, in September, 1834, he was chosen its President, over whose affairs he presided with unexampled financial skill and fidelity until a few years since, when he resigned (January, 1849), and was succeeded by George W. Mordecai, Esq."

Judge Cameron came to the bar, in Orange County, in 1797 or 1798; and by his laborious habits, his prompt and accurate attention to business, and the native weight and vigor of his intellect, he soon obtained a large practice. Step by step he ascended the ladder of distinction; and for many years preceding his death he wielded a commanding influence in the State. No man possessed a clearer head or a sounder judgment. He was the devoted friend of internal improvements, and of all schemes calculated to develop the resources and improve the condition of the State. He has gone down to the grave full of years as of honors, and his name will occupy a prominent place in the history of his adopted State. But we leave it to abler hands than our own to do justice to his memory. An extended sketch of his life would not only be gratifying to his numerous friends, but useful to the rising generation; and we trust we shall be pardoned for expressing the hope that the Hon. D. L. Swain, who was intimately acquainted with the deceased, and who is also most fully and accurately informed as to past as well as transpiring events in the history of the State and her distinguished men, will consent to undertake the task of preparing such a sketch.

The body of Judge Cameron was removed to his former residence in Orange, for interment.

CONGRESS.

In the Senate, on the 3d, Gen. Cass presented the memorial of the Baptist Union of Maryland, praying that measures be taken to secure to Americans abroad liberty of conscience. Mr. Cass spoke at some length on the occasion.

On the same day, in the House, a debate took place on the Cuban question, in which Messrs. Venable, Stephens, Bailey, and others took part. We shall publish Mr. Venable's remarks in full when they come to hand.

On the same day Mr. Wilcox alluded to the Senate bill conferring the title of Lieuteant-General on Gen. Scott, and expressed the hope that the bill would pass the House unanimously.

☞ We shall publish, in our next, the remarks of Mr. Reid, of Duplin, delivered in the Commons at the late session, on the subject of the Senatorial Distritts.

FIGHTING EDITORS.—*Excitement at Steubenville, Ohio.* For some time past, a bitter personal quarrel has been waging between the editors of the Steubenville (Ohio) Herald and the Messenger, growing out of a rivalry between the two to get an early copy of the President's Message. The Herald man charges him of the Messenger with getting from the post-office and keeping for his own exclusive use all the copies of the message sent on in advance for the use of editors generally at that place. Consequently, on the 25th ult., according to the Herald, the editor of the Messenger entered the Herald office, locked the door upon the editor, drew a dagger, and threatened to murder him on the spot unless he signed a paper which the Messenger editor held. The Herald man, (to save his life, he says,) signed it, and afterwards had the Messenger man arrested. The wife of the editor of the Messenger, the day previous, it is said, procured a horse whip, and proceeded to the Herald office to demand satisfaction for introducing her name into the controversy, but not finding the editor in, she made at one of his workmen, who was compelled to make a hasty exit. The affair has created considerable excitement in that unusually quiet village.

THE SENATORSHIP.

To the Editor of the Standard:

Your editorial of Saturday, under the head of "the Senatorship" demands a brief notice. As you have arraigned the member from Wake, Chatham, Warren, Johnston and Haywood, by name as disorganisers, you cannot in common fairness refuse them a hearing. To remain silent under such a charge would be a tacit admission of its truth—to refuse them a hearing on your part would be adding injury to wrong. This you cannot do after your disclaimer of any intention to do them injustice. They do not come before the public "to offer excuses for the course they pursued." They intend to occupy higher grounds. Men who have the independence to think and to act for themselves, are not to receive the lash with impunity, though it may be inflicted by the hand of a partizan press, under the claim of "a faithful exponent of the public feeling and the public will." The "proscribed few" intend not only to defend, but to justify—and to show, that if the democratic party failed in the election of a United State's Senator, others besides themselves are to share in the responsibility. You say—"A caucus or a meeting of the Democratic members was held, and the Hon. James C. Dobbin, of Cumberland, was nominated for Senator. He received not merely a majority of the members present, but a majority of the entire Democratic representation in the General Assembly; and his nomination was afterwards unanimously agreed to." This statement may be true in part, but it does not disclose the whole truth. This the public have the right to know in order to a correct understanding of the question. And this they shall know, as we speak from the record. The Democrats had in the last Legislature 86 members—the Whigs 84—requiring 86 to elect on joint ballot. A caucus was held about the middle of November, and after every effort to obtain a full meeting, only *sixty-eight* attended. On the *second* ballot Mr. Dobbin received 45 votes—23 being cast against him and 18 absent. The meeting refused to adopt the "*two-thirds rule*," and voted without any one being in nomination. Those that were present pledged their support—the absent gave no such pledges. Was such a meeting as this entitled to the character and authority of a party caucus, claiming unconditional submission to its nomination? We answer most emphatically no—and say *eight democrats* refused so to recognize it. *To have given the caucus such weight and authority, a sufficient number to elect should have been present, and the two-thirds rule adopted.* Without this the nomination was calculated to produce discord, not harmony, and should have been given up without a moment's hesitation. Had such a course been pursued, either Mr. Dobbin or some other democrat, equally sound and acceptable, would have been elected. The alarm about the election of a Whig was a phantom only intend to frighten the timid, and force submission to the will of the interested. The great democratic party at Baltimore had resolved by a vote by States 269 to 13, that in all party nominations the two-thirds rule should be adopted—and whether just or unjust, politic or impolitic, the rule is imperative, and when called for must be observed, or the nomination loses the weight and authority of a party nomination. And yet here was a caucus of only 68 out of 86 present—the nominee receiving but 45 votes—whilst the whole of the 86 was necessary to his election. To persist in such a nomination under such circumstances, and that after repeated failures, argued a degree of infatuation bordering more on rashness than indiscretion. The opinion you are pleased to express as to Gen. Saunders—"the moral force of his example and his vote"—may go for what it is worth—all he asked was "fair play"—he felt neither politically or personally bound to aid in putting up those who had sought to put him down. He recognizes no such suicidal policy, and those who seek to enforce such an obligation upon his part, must teach others to do justice, before they can expect submission to such a wrong. Here this defence shall stop for the present. There are other matters besides the Senatoral election connected with this discussion which may be brought forward hereafter. It is not necessary to do so at this time. This future events must decide. As to what you say about Mr. Love, that gentleman adhered to the pledge he gave to his people—and he who redeems his pligited faith to his constituents has nothing to fear, whoever may be his accuser.

ONE OF THE PROSCRIBED.

CURE FOR DEAFNESS, DUMBNESS AND BLINDNESS. An English physician has recently arrived in New Orleans, who professes to cure the deaf, the dumb, and the blind, by the use of prussic acid. The following paragraph is copied from the London Times, as evidence of his success in England:

"A number of scientific gentlemen assembled yesterday at the house of Doctor Turnbull, in Russell-square, to witness the results produced by a process recently discovered by the Doctor, and applied for the cure of deafness and blindness.

"Between twenty and thirty patients attended, many of whom, it was stated by their parents, had been born deaf and dumb. They were submitted to various tests, by which it was proved that their deafness had been cured by the application of Dr. Turnbull's remedies; and what appears most singular is, that whether the disease depended upon paralysis of the auditory nerve, rupture of the tympanum, or obstruction of the internal passages, relief had been immediately obtained, or complete cure effected without delay, pain or inconvenience. Several patients who represented that they had been completely blind, said that they could now see perfectly well."

SALES AND IMPROVEMENTS. Judging from the prices paid for property, and the improvements in and near town, it must surely be in a high state of prosperity. During the last week or two the following sales have been made: J. H. Bowditch, an unimproved lot, on Main street, 25 feet front, 150 feet deep, to Colin Macnair for $1000. J. S. Pender, Hotel, lot on Main street, 150 feet square, to L. S. Dunn for $10,000. James Weddell, dwelling and store, lot on Main street, 100 feet square, to S. L. Hart for $4,500. John S. Dancy, gin house, lot on Back street, 150 feet square, to F. L. Bond for $800. Near town, Jos. S. Pender, 3 acres to W. S. Battle for $450. R. R. Bridgers, 5 acres to H. B. Bryan for $500. About a mile from town, J. S. Pender, 50 acres to Josiah Lawrence for $26 per acre. Some 15 or 16 miles from town, R. R. Bridgers, plantation to J. L. Horne and B. B. Barron for $14,000. Also, W. F. Dancy, Strabane, to R. R. Bridgers for $10,000.

In the way of improvements, Dr. Lawrence and Jas. Mehegan are just completing a couple of fine buildings. J. S. Pender is constructing another cottage. And H. B. Bryan is preparing to erect a very handsome and stylish dwelling, if his stables tell the truth. They surely bespeak something grand.

Tarborough Southerner.

WHO IS RESPONSIBLE? The Raleigh Register and the Wilmington Herald are trying hard, by mere assertion, to prove the Democratic party in the Legislature responsible for the disorderly and revolutionary conduct that characterized the proceedings of the Legislature just previous to the close of the session. We would remind these papers that the Senate was Democratic and the House Whig, and that the disorderly and disgraceful proceedings *occurred in the House.* It was in the power of the Whigs in the House to do as they pleased, and they are responsible. Their own Speaker was compelled to desert their revolutionary standard, and to resign the office to which they had elevated him. A few Whigs receded from their perilous course, and saved the State Government from overthrow, but the Whig party persisted to the last in its revolutionary efforts; and that party is responsible for the disorders of the last week of the Session. *Cobb. Rep. & Pat.*

ANOTHER GORDIAN KNOT IN THE U. S. SENATE. Governor Foote of Mississippi, says the Richmond Enquirer, has notified B. N. Kinyon of Tishemingo, that he, the Governor, will immediately after the 4th March next, transmit to Mr. K. a commission as U. S. Senator, to fill the seat now held by Mr. Brooke, and which will become vacant at that time. Mr. K. in his reply, notifies the Governor of his willingness to accept the appointment. Gov. Foote writes thus to Mr. K.:

"On looking into the Senatorial *precedents*, you will find that it was decided, at a very early period, that the Executive of a State has no right to appoint to a Senatorial vacancy which had not at the period of such appointment, *actually arisen.* Therefore, no appointment made before the *4th day of March* would be valid. This is quite unfortunate, as it is almost certain that no appointment can be made at so late a day as the 4th of March, which would enable the person appointed to reach Washington in time for Senatorial service during the special session of the Senate, which, according to usage, will commence on the next 4th of March. All that perhaps can be now done, is to see that the seat in the Senate, which is to become vacant on the 4th of March, 1853, shall be occupied on the 1st Monday of December of the same year."

The case referred to is evidently that of James Lanman, of Connecticut, who presented to the U. S. Senate credentials of his appointment by the Governor of that State as a Senator "to take effect immediately after the 3d of March, 1825, and to continue until the next meeting of the Legislature" of said State. After discussion, Mr. Lanman's claim to a seat was rejected, on the ground that "it is not competent for the Executive of a State, in the recess of a Legislature, to appoint a Senator to fill a vacancy which *shall happen*, but has not happened at the time of the appointment."

This appointment and acceptance will raise a novel and important question in the Senate, as to whether the expiration of a six years term, when the Legislature has not chosen to elect to the one about to commence, is such a vacancy as the Governor is authorized to fill. The power of the Governor to make the appointment, under such circumstances, will be a matter of great doubt and controversy. We confess that our opinion has always been that the constitution limits the authority of the Executive to fill such vacancies as arise after an election by the Legislature, and not by expiration of a term. We know that this has been the policy and practice of Virginia, as manifested on some memorable occasions. It is proper to state, however, that a contrary opinion is entertained by journals of standing and intelligence. For instance the Norfolk Argus thus sustains the action of Gov. Foote and appeals to Gov. Reid of North Carolina to appoint a Senator of the United States, after the 4th of March, under a state of things precisely the same as that in Mississippi:

"SENATORIAL VACANCY IN NORTH CAROLINA. We stated in yesterday's *Argus* that the Legislature of North Carolina adjourned *sine die* on Monday, without electing a United States Senator to supply the vacancy occasioned by the expiration of the term of Senator Mangum, which happens on the 4th of March next. If there is no authority in the executive of that State to fill the vacancy, then North Carolina will have but a single representative in the Senate chamber, for two years to come, unless Gov. Reid should consider it his duty to call an extra session of the Legislature for the purpose of electing a Senator. But has not Gov. Reid the power of appointment, now that the Legislature has neglected to discharge its duty in this particular? This is an important constitutional question, and one worthy of consideration and examination. We are not aware that there are any precedents upon the subject, though we see it stated in a Whig journal that the U. S. Senate decided, a number of years since, that the Governors of the States have no authority to fill vacancies arising under such circumstances.

The provisions of the Constitution, pertinent to the point involved in the controversy are as follows:

"The Senate of the United States *shall* be composed of *two* Senators from each State, chosen by the Legislature thereof for six years."

And again:

"If vacancies happen by resignation *or otherwise* during the recess of the Legislature of any State, the executive thereof may make temporary appointments, until the next meeting of the Legislature, which shall then fill such vacancies."

The time, places and manner of holding elections for Senators is to be prescribed by the Legislature of each State unless Congress shall at any time by law alter such regulations. It will be observed from the clauses above quoted that the constitution makes it imperative that there *shall* be always *two* Senators from each State, and that in case of vacancies by "resignation or *otherwise*"—the failure for instance of the legislature to elect, the executive of the State is to make temporary appointments. We know that the legislatures of the several States are in the habit, and very properly too, of electing Senators in advance before the term of the incumbent expires. But the question presents itself, when does the term of a Senator expire? Certainly not until six years from the period at which he was elected. Judge Mangum continues a Senator from North Carolina up to the 4th of March next. At that time and not before under the limitations of the Constitution, his seat becomes *vacant*, so that in fact, the vacancy 'happens' during the recess of the Legislature. But concede that this is not a correct view of the meaning of the Constitution—then the other alternative arises that such a vacancy has happened by the failure of the Legislature to elect which is contemplated by that portion of the Constitution which authorizes the executive of the States, when a vacancy shall happen by resignation or *otherwise* to fill it.

Suppose that Mr. Mangum was to die to-morrow, could it be seriously contended that Gov. Reid would only have a right to appoint a successor to him until the 4th of March next? And that if he were to make an appointment until the Legislature should again assemble to fill the vacancy, that it would be transcending his powers and a violation of the constitution? To our view, such a position would be unphilosophical and untenable.

A similar case precisely, to the one in North Carolina, has occurred in Mississippi. There the Legislature could not agree as to who should be Senator, and they adjourned without making an election. Since the adjournment, however, Gov. Foote, who is deeply versed in constitutional law, has appointed a successor to Mr. Brooke, whose term expires in March next. So profound a lawyer as Gov. Foote, would scarcely have ventured upon such an act without being fully satisfied as to his authority for doing it. We trust that Gov. Reid will not hesitate to follow his example, and that he will carry out the wishes of his party by bestowing the appointment upon the noble and talented Dobbin."

NEW YORK CRYSTAL PALACE. This building, with the exception of the floor, will be constructed entirely of iron and glass. Ten large and eight winding staircases connect the principal floor with the gallery. The building contains, on the ground floor, 111,000 square feet of space, and in its galleries, which are 54 feet wide, 52,000 square feet more, making a total area of 172,000 square feet for the purpose of exhibition. There are thus on the ground floor two acres and a half, or exactly 2 52-100; in the galleries, one acre and 44-100; total, within an inconsiderable fraction, four acres. The dome is supported by 24 columns, which go up above the second story to a height of 63 feet above the floor. The quantity of iron to be used for the building will amount to about 1,350 tons. The roof will cover an area of 144,000 square feet. The glass for the building will amount to 30,000 square feet, in 9,097 panes, 16 by 24 or 26 inches.