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MONDAY, MARCH 31, 1866

The subsequent act has been in our possession several days for publication, but prevented from appearing by the late flood of foreign and domestic news.

A Law of the state of Maryland, passed at Annapolis, January 28th, 1866. (Published by order of the Corporation of the city of Baltimore.)

An additional supplement to an act, entitled, An act to erect Baltimore town, in Baltimore county, into a city, and to incorporate the inhabitants thereof. WHEREAS it is represented to this general assembly, by the mayor and city council of Baltimore, that certain alterations in the charter of that city would be productive of considerable advantage, and they having prayed that the following amendments may be made thereto; and the same appearing reasonable, therefore, II. Be it enacted, by the General Assembly of Maryland, That the mode of voting at the city elections shall hereafter be by ballot, in the same manner as delegates to the general assembly now are elected, and that such elections shall commence and close at the same times of the day as other elections do now open and close.

III. And whereas by the act of incorporation of said city, the corporation are to provide for the safe keeping and preservation of the standard of weights and measures fixed by congress, and for the regulating thereby all weights and measures used within the city and precincts, and inasmuch as congress have not yet fixed any standard of weights and measures, and as much fraud and imposition may be practised from a want of such standard, Be it enacted, That the mayor and city council shall have and exercise the right of regulating all weights and measures within the city and precincts aforesaid, by the present standard, until one shall be determined on by congress.

IV. And be it enacted, That this act shall take effect and be in force on and after the first day of February next.

V. And be it enacted, That all and every provision of the act to which this is a supplement, that is inconsistent with this act, be and the same is hereby repealed.

VI. And, whereas by the act to erect Baltimore town, in Baltimore county, into a city, and to incorporate the inhabitants thereof, certain principles have been established, which are found injurious and inconvenient in their practical operation upon the police and municipal regulations of the said city, therefore this legislature, willing to remove such obstructions to the advancement of the general welfare, by enlarging the range of selection, without impairing the public security, and by giving more full and complete effect to the elective franchise in the choice of the constitutional authorities of the said city, ordain and establish the following amendments and alterations, as calculated to remedy the inconveniences which are now experienced; therefore, Be it enacted, That on the first Monday, in October, eighteen hundred and seven, and on the first Monday in October in every year thereafter, the mayor shall be elected by a plurality of all the ballots given in by the voters qualified to vote in the respective wards of the said city for delegates to the general assembly, and the judges of the said election in the several wards shall conduct the same in the manner and form prescribed by the act to regulate elections, passed at the present session of the legislature, and shall make return, under their hands and seals, of the person so elected mayor, and lodge the said return with the register of the city, and in case two or more persons shall have an equal number of ballots for the office of mayor, the said judges shall determine by lot, before they separate, which of the said persons, so having an equal number of ballots, shall be appointed to the office of mayor, and shall make their return accordingly.

VII. And be it enacted, That the mayor shall not continue in office more than five years successively, nor be eligible as mayor until the expiration of three years after he shall have been out of office; and in case of vacancy, by the death, resignation, disqualification or removal, of the said mayor, the members of the first and second branches of the city council shall immediately convene, upon the notification of the register of the city, whose duty it shall be to make such notification, and the members of the said first and second branches of the city council, when so convened, shall proceed, by their joint ballot, to fill up the said vacancy for the remainder of the year.

VIII. And be it enacted, That the voters in the several wards of the said city, having the requisite qualification to vote for delegates, to the general assembly, shall, on the first Monday in October, eighteen hundred and seven, and on the first Monday in October in every year

thereafter, assemble at the usual place of holding the elections in their respective wards, and shall elect, by ballot, two members to represent the said ward in the first branch of the city council, and the persons so elected shall be residents of the ward for which they are elected, and shall be proprietors of leasehold or freehold property in the said city to the value of five hundred pounds current money.

IX. And be it enacted, That the voters in the several wards of the said city, qualified as aforesaid, shall, on the first Monday in October, eighteen hundred and seven, and on the first Monday in October in every second year thereafter, assemble at the usual place of holding the elections in their respective wards, and shall elect, by ballot, one member to represent the said ward in the second branch of the city council, and the person so elected shall be a resident of the ward for which he is elected, and shall be a proprietor of leasehold or freehold property in the said city to the value of five hundred pounds current money.

X. And be it enacted, That in all cases the names of persons voted for, and the offices to which they are respectively elected, shall be designated in each ballot, and the judges of the said elections shall conduct the same in the manner and form prescribed by the act to regulate elections, passed at the present session, shall make their return accordingly, and deposit the same, with their polls, in the office of the register of the city, and it shall be the duty of the said register to notify the persons so elected, and in case of vacancy or vacancies in either branch of the city council, the same shall be supplied by election in the same manner as vacancies in the first branch are directed to be supplied by the original act.

XI. And be it enacted, That no person shall be eligible to the office of mayor or register, or as a member, or as a clerk of either branch of the city council, who holds an office of profit or trust under the government of the United States, the state of Maryland, or the corporation of the city of Baltimore.

XII. And be it enacted, That the first and second branch of the city council shall, in the first week of their annual session, by their joint ballot, recommend two persons to each office now existing, or which may arise under any ordinance of the said corporation, and the mayor shall appoint and commission one of the persons so recommended to fill the respective offices during one year, and may also fill up all vacancies which shall happen in any office during the recess of the city council.

XIII. And be it enacted, That so much of the original act, or any supplement thereto, as are inconsistent with, or contrary to, the provisions of this act, be and the same are hereby repealed; provided nevertheless, that the changes and alterations ordained and established by this act, in addition to those prayed by the corporation, shall be assented to at the time and in the manner herein after mentioned.

XIV. Provided always, and be it enacted, That the several amendments and alterations established by this act, in addition to those prayed by the corporation, shall have no effect or operation, unless the same shall be assented to by a majority of all the members of the first branch of the city council, after a new election of members, in the first session after such new election; but in case the members of the first branch of the city council, or a majority of them, should determine to adopt a part of the said amendment and reject the remainder, then it shall and may be lawful for them so to do, and the amendments so assented to shall be valid and obligatory to all intents and purposes as a part of the charter of the city of Baltimore.

Congress.

THURSDAY, March 6. DEBATE On Mr. Gregg's Resolution. (CONTINUED.)

MR. SMILIE.—I am in favor, Mr. Chairman, of the resolution under consideration; and lest it should be supposed I am an enthusiast in respect to commerce, and deserve to be classed among that desperate order of men called merchants, according to the representation which we have had yesterday from the gentleman from Virginia, I beg leave to make a few remarks on the abstract question, whether commerce ought to be considered as beneficial in its relation to the U. S. I have long thought that there is an essential difference between what is, in the common language of the world, a splendid and great, and a happy people. I have been led to think, that the situation of the people of the U. S. separated from the rest of the world by an ocean of 3000 miles, possessing an immense region of land, having full employment for all her people in the cultivation of the earth, having, from the variety of her climates and the difference of her soil, the means of supplying herself, not only with all the necessities of life in abundance, but with many of its comforts, and even some of its luxuries: from these considerations, I have been led to think it had been happier if the American people, when they became an independent nation, had found themselves without commerce, and had still remained so. Thus, circumstanced, they would certainly have avoided those dangers which flow from the weakness of an ex-

tended trade, and those intuxes which have hitherto proved so fatal to morals, happiness, and liberty. In my opinion, we should have been a happier people without commerce. Among the considerations which have induced me to believe that this would have been a happy state, is, that we should have enjoyed a perfect state of safety. We should not have been under the necessity of conflicting with foreign nations, because commerce, and commerce alone, can produce those conflicts.—I have expressed this opinion, to show that I have not been led by any particular attachment to commerce, to take that part which I have declared I would do on the present occasion. But what was the situation of the American people when they first found themselves a nation? And what are duties imposed upon us by the compact we entered into? As to any abstract opinions we may entertain on this subject, they ought to have no influence here upon us. I stand here on other ground, and dare not resist the dictates of duty. I was astonished yesterday to hear it mentioned by the gentleman from Virginia (Mr. J. Randolph) and boldly asserted, referring to the constitution, that the American government was under no obligation to protect any property of its citizens one foot from the shore. I was astonished at this declaration, because I could see to what it went. I saw, if this was the opinion of the southern states, where it would end. The situation of this people, when they became a nation, was this:—The eastern states might properly be said to be a commercial people, as they lived by commerce; the middle states were partly commercial and partly agricultural; the southern states, properly speaking, were agricultural. This opposition of character must have created great difficulty in forming the constitution, and, in truth, this and other points threw great obstacles in the way of its formation. But a spirit of concession overcame all difficulties. Is it, however, to be believed that the eastern states, properly commercial, or the middle, partaking equally of the commercial and agricultural character, would have united with the southern states, if they had been told that commerce was to receive no protection? No, sir, it cannot be believed.—But I take higher ground—the compact itself referred to by the gentleman from Virginia. Let us examine the powers vested in Congress under this compact, and decide whether commerce was or was not intended to be protected. If there was nothing specific in these powers, the first page would show the intention of its framers. "We the people of the U. S. in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defence, promote the general welfare," &c. If we go on to the 10th page, we shall there find the power given to Congress "to provide and maintain a navy." Is the protection of commerce contemplated here, or is it not? In other parts of the instrument, we perceive the power to regulate commerce vested in Congress. Will any man pretend to say that the power of establishing a navy can be exercised independent of commerce? Every man of common sense knows that a navy cannot even exist without it.

Having sufficiently established the right of commerce to protection under the constitution. I come now to consider the resolution under consideration. We find our rights invaded by foreign nations, and an attack made by one nation on our carrying trade, which in my opinion cannot be warranted by the law of nations. I shall not condescend to argue this point. I believe it to be a lawful trade, let whoever may deny it. I have taken some pains to make myself acquainted with the subject, by reading several treatises upon it; and notwithstanding the contempt with which a certain book was treated yesterday by a gentleman from Virginia, I will venture to predict, that when the mortal part of that gentleman and myself shall be laid in ashes, the author of that work will be considered a great man. Nor do I judge in this case exclusively in my own opinion, but from my opinion of men of distinguished talents, from different and distant parts of the union, who all concur in saying that the writer has conclusively established the principles he contends for. Indeed I could not have believed, had I not heard it, that a representative of the American people, in the face of the legislature would have relinquished so precious a principle! But there was a curious feat in all the luminous discoveries yesterday disclosed to us by the gentleman from Virginia, in which he strictly observed, the rule of a rhetorician, when a point could not be justified, to go over it as well as he could. On the impudent of our seamen he said nothing. He knew that the American feelings would not bear it. When I think of what I called the carrying trade, I consider a small evil compared to this. It has been compared to Algerine slavery, but it is worse. What is this impressment? Your citizens are seized by the hands of violence, and if they refuse to fight the battles of those who thus lay violent hands upon them, you see them hang at the yard-arm.—In the first place, they are obliged to expose their persons to murder, in fighting the battles of men to whom they owe no allegiance. They are obliged to commit murder, for a man is murdered to take away the life of a man who has gi-

vents no offence, at the same time that they expose their own persons to the commission of murder. This is the true point of light in which I have always considered this horrid and barbarous act for which, indeed, I cannot find language sufficiently strong, to express the indignation I feel. This is the situation of our country. Our commerce depredated upon in every sea, our citizens dragged from their homes, and despoiled of all they hold dear. We are told we are not to mind these things, that the nation who commits the outrages is a powerful nation. But really as an American, I cannot feel the force of this observation.

The gentleman from Virginia, yesterday assumed it as a principle, and the whole of his argument turned on it, that this is a war measure, and that its friends are for going to war. Were I satisfied of the truth of this remark, I should change my mind with regard to the resolution. But is it a war measure? I believe the same duties and obligations exist between nations, as between individuals in a state of nature. If my neighbor treats me with injustice, I have a right to decline all intercourse with him without giving him a right to knock me down. If we deem it our interest not to trade with a particular nation, have we not a right to say so? A nation with whom we have no commercial treaty, and towards whom, therefore, in regard to trade, we have a right to act as we please. If a commercial treaty existed between us, it would be our duty to observe it; but without one, we have an undoubted right to say whether we have or have not a use for her productions. If, then, this be a peace measure, why treat it as a war measure?—But it is said that it will lead to war. Great Britain is said to be a great nation, high spirited, and proud, and therefore we must not take this step, for fear of the consequences.—Trace this argument. See where it leads us. It leads us to this. That with a powerful nation we must on no account whatever quarrel, tho' she may commit ever so many aggressions on our right. No, we must not, let her go whatever length she may, until on this same principle, we shall be called upon to surrender our independence, because we have to deal with a powerful nation! If we do not make a stand now, against her aggressions, when or where shall we do it? But one alternative will remain—To bend our necks, to crouch beneath the tyrant, to submit without murmur to her insolence and injustice.

It is surprising to me to see this resolution scouted by gentlemen, when this same measure has ever been considered as the most proper instrument with which to contend with G. Britain. If we look back to the time of the stamp act, we will see that this was then the opinion of the American people. Voluntarily associating themselves together, they cheerfully and unhesitatingly, as the means of obtaining redress, relinquished the luxuries, and even the necessities of life drawn from G. Britain. These associations were volunteers, as from the situation of the colonies they could not be otherwise. And it is remarkable that G. Britain did not consider this as a cause of war, though the people of this country were then her subjects. Coming down to latter times, and approaching the period of our national independence, the same measure was reported to, and considered an effectual expedient to obtain redress of our grievances. In 1776, what was the sense of the people of England on this subject, and how did they feel the effects of the non-importation agreement of the colonies? Let them speak for themselves. (To be continued.)

TUESDAY, March 25.

Mr. Crowninshield, from the committee of commerce and manufactures, reported a bill to amend in the cases therein mentioned, the act to regulate the collection of duties on imports and tonnage, which was referred to a committee of the whole on Thursday.

Mr. J. C. Smith, from the committee of claims, made an unfavorable report on the memorial of Daniel Cotton, in which the house concurred.

Mr. D. R. Williams offered a resolution, directing the postmaster-general, after the day of to cause the post office for the city of Washington to be kept at or near the capital.

Wednesday, March 26. On motion of Mr. Nelson, a committee was appointed to bring in a bill supplementary to the militia act of the district of Columbia. The committee on public lands on the petition of — Robertson, made a report, concluding with a resolution, that the petitioner have leave to withdraw his petition, under the impression that if any provision be made for his case it should be of a general nature, including all like cases. Mr. Blackledge, from the best information he has been able to collect, by an examination of the documents laid on our table, as well as by conversation with gentlemen better acquainted with the subject than myself, I had that from the sales of public lands already made there will be to be collected in the course of about four years upwards of two millions of dollars from the same sources of information I likewise learn, that in the course of the present year, in the state of Ohio only, upwards of 100,000 dollars are to be paid, for the lands sold by the government, and that for a part of it are to be commuted in this or the next month. The bill was referred to Congress at

the session, praying for an extension of credit for the balances due from the purchasers, and depicting the difficulties to which many must be reduced if our laws are rigidly enforced, ought to draw our attention to what is to be the probable consequences of a system, which in practice is found likely to bring largely in debt to the government, so considerable a portion of the citizens of any section of the union. To my mind there is nothing more obvious, than that if the present system of selling our lands is persevered in, the peace of the union may and probably will not be preserved. Men who have paid three-fifths, or perhaps more of the purchase money for their lands, and spent several years hard labor in improving them, cannot feel very strongly attached, nay, must feel an aversion, to a government, whose rigid policy, in consequence of their having failed to pay the balance which may be due, takes from them not only their lands and improvements, but even refuses to refund that part of the purchase money which may have been paid. Let the number of persons of this description increase to that extent to which our present system naturally leads, and I fear, sir, it will be impossible to enforce your laws. No man will dare to bid at your sales, his life must be in danger if he does; and though the lands in such cases would revert to the government, what good would it do them? The first purchaser is in possession, and the spirit of the community in which he lives is in favor of his holding it. To evict him you must resort to force, the consequences of which are too obvious to need description. A committee of this house has already decided the principle, that it would be improper to grant a longer indulgence to those whose time of credit has expired. To have decided otherwise would have been to adopt towards your debtors for the purchase of your lands, a practice directly contrary to that which under similar circumstances of hardship has been uniformly observed towards your debtors at the custom houses: a distinction which cannot, as I conceive, be justified by any principle of policy or justice. I know of no way by which the evils to be apprehended can be so effectually averted as to put a stop to the practice of selling the public lands on credit, and with the view to bringing the subject before Congress, and ascertaining their opinion upon it, I beg leave to submit the following resolution:

Resolved, That the committee on public lands be instructed to enquire into the expediency of repealing all such parts of the several acts for the sale of the lands of the U. States as authorizes a credit on any part of the purchase money, and that they report their opinion thereupon. Mr. Newton moved an amendment, going to refer this resolution to the committee of ways and means, which did not prevail. Ayes 13. When the resolution was agreed to without a division. Mr. G. W. Campbell, from the committee to whom were referred sundry memorials from the legislature and inhabitants of the Mississippi territory, relative to the establishment of a hospital at Natchez, made a report in favor of aiding such an institution, by granting 15,000 acres of land. Referred to a committee of the whole house on Monday.

A message was received from the Senate, stating that they insist on their amendment to the bill for fixing the compensation of the officers of the house, that they have agreed to the resolution returning thanks to Mr. Nissen, the Danish consul at Tripoli, that they have agreed to the amendments of the house to the Ohio road bill (this bill has consequently passed both houses) and that they have receded from all their amendments but the last to the bill providing laws for the army.

BRITISH AFFAIRS.

The bill prohibiting the importation of certain (British) goods, wares and merchandises was read the third time.

Mr. J. Randolph spoke for a few minutes against the passage of the bill.

He was followed by Mr. Clopton, who advocated the passage in a short speech, prefacing his remarks by observing that during the whole previous course of this business he had been detained from the house by extreme illness.

Mr. Newton then spoke at considerable length on the same side.

Mr. Lyon moved to recommitt the bill, with the view of so amending it as to give its operation effect on the 1st of July, and also with the view of proposing further amendments.

Mr. Bidwell opposed the recommendation. Mr. Sloan made a few remarks in favor of the bill.

Mr. J. Randolph again spoke against the passage of the bill.

The motion to recommitt was lost. Ayes 20. When the yeas and nays were taken on the passage of the bill, and were—Yeas 93. Nays 32. The house resolved itself into a committee of the whole. Mr. Gregg in the chair, on the bill making appropriations for the civil list.

The yeas and nays were called and the bill reported to the house.

THURSDAY, March 27. The house were again exclusively engaged in considering the bill making appropriation for the support of the military establishment, and the other making appropriations for the support of the navy, for the year 1866, which were referred to a committee of the whole house.

Mr. Clark moved the following resolution: Resolved, That it is expedient so far to amend the act fixing the military peace establishment of the U. S. as to abolish the office of brigadier general in the army of the U. S.

DOCUMENTS

Accompanying the President's message of the 19th instant. Natchitoches, 1st February, 1866.

Sir, You are immediately to proceed with the detachment now under your command, to the neighborhood of Adams, where, should you fall in with a stationary party of armed Spaniards, you will command them, or any other armed party of foreigners which you may discover, to withdraw beyond the Sabine river. In case of their refusing to comply, you are to treat them agreeably to the orders of the secretary of war, (a certified extract of which accompanies these instructions,) as far as relates to the pursuit, capture, and detention of invaders or aggressors; and avoid the spilling of blood, but when these orders cannot otherwise be executed. You are to patrol, if practicable, the country between this and Sabine, be on your guard against surprise, and communicate to me, by express, from time to time, any occurrence worthy of notice. (Signed) M. PORTER, Major, Artillerie Commandant, Capt. Edward D. Turner, 2d regiment Infantry. (Copy.) Adams, February 6, 1866. After a tedious march we arrived in front of the Spanish post yesterday, and

the following resolution: Resolved, That the committee on public lands be instructed to enquire into the expediency of repealing all such parts of the several acts for the sale of the lands of the U. States as authorizes a credit on any part of the purchase money, and that they report their opinion thereupon. Mr. Newton moved an amendment, going to refer this resolution to the committee of ways and means, which did not prevail. Ayes 13. When the resolution was agreed to without a division. Mr. G. W. Campbell, from the committee to whom were referred sundry memorials from the legislature and inhabitants of the Mississippi territory, relative to the establishment of a hospital at Natchez, made a report in favor of aiding such an institution, by granting 15,000 acres of land. Referred to a committee of the whole house on Monday. A message was received from the Senate, stating that they insist on their amendment to the bill for fixing the compensation of the officers of the house, that they have agreed to the resolution returning thanks to Mr. Nissen, the Danish consul at Tripoli, that they have agreed to the amendments of the house to the Ohio road bill (this bill has consequently passed both houses) and that they have receded from all their amendments but the last to the bill providing laws for the army.

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