The Press.

MONDAY, NOVEMBER 23, 1857.

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IN THE FOURTH PAGE will be found a variety of City News.

THE CALHOUN KANSAS CONSTITUTION.

We perceive that a well-known New York paper, which was one of the first to denounce, in the most indignant terms, the action of the Calhoun Convention in the Territory of Kansas, in refusing to give the Constitution adopted by that Convention to the popular vote, only two days afterwards takes exactly the opposite view, and taxes THE PRESS and the Chicago *Times* with deserting the Administration in this crisis, and with encouraging the anti-slavery politicians of Kansas.

Inconsistency is a characteristic of the paper under notice, and we are not, therefore, surprised to see that on this question it has, according to its custom, flatly contradicted itself. Our own action, however, based as it is upon conviction and upon truth, cannot be abandoned or changed so easily. It may be that we differ from the Administration of the General Government on the new phase of the Kansas issues. If this shall prove to be so, we shall deeply deplore it. We established THE PRESS as an independent Democratic paper, determined to pursue a conservative and straight-forward course, and to stand steadily by correct principles. One of our most cherished objects was to support Mr. BUCHANAN'S Administration. To this duty we were impelled by a thousand considerations of self-respect and political associations. Our course on every question proved that we intended to fulfil this promise in good faith. *And this is our conscientious purpose now.* The opinions we have expressed on the Kansas issue were uttered in the assured and solemn belief that they were the natural deductions from Democratic policy and Democratic pledges in the last Presidential campaign. In that campaign we were individually committed, in many ways, to a fair election in Kansas, and to submitting the whole question of the institutions of that Territory to the people.

The Democrats in all the North and in all the South were committed to the same duty, in terms no less direct and unequivocal. But our action, in the present complexion of this case, resulted also from the declarations of our candidates themselves, and still more, if possible, from the repeated and emphatic assurance to the people of Kansas, written and oral, of Governor WALKER, who acted with his instructions in his hands. We have no complaint to make of those who have been silent during the extraordinary proceedings in Kansas, when Governor WALKER rejected the Oxford and McGhee frauds. But we spoke out because we believed it was right to seize the first opportunity to fulfil the promises made to the people in 1856, and on the 4th of March, 1857; because we desired to strengthen the hands of an upright and faithful public servant like Governor WALKER; and last, not least, because we thought we saw a noble consistency between our course and the policy of the general Administration. If it shall turn out that we have been mistaken in this latter expectation, we shall, as we have said, greatly regret it. We have such full confidence in Mr. BUCHANAN'S fidelity to principle and to public duty, and such full faith in his disinterested patriotism, that we should at once retrace our steps if we did not feel assured that we were right. And while at the same time, it will give us pleasure to conform as much as possible to his example, we are firmly fixed in the belief that, if ever we stood on the rock of truth, and of justice, and of sound Democracy, we do so in our attitude in opposition to the Calhoun Convention in Kansas.

We now desire to state some of the reasons and arguments which have led us, after full deliberation, to oppose the Calhoun Constitution.

The Democratic party fought for the principles of the Kansas-Nebraska bill amidst a storm of obloquy and opposition unparalleled in the political annals of the country. For a time they were utterly overthrown in many of the States of the Confederacy, but firmly convinced of the inherent justice of the principle for which they are struggling, they still fought on. The impregnable ground upon which they had planted themselves was the doctrine of local self-government—the extension to the people of the Territories of the same right of forming their own domestic laws and institutions which the people of the States possessed. This just principle was assailed by claiming for Congress the right of deciding the character of the institutions of the Territories, and denying it to the people. On this score, however, the Democracy of the country fully and finally conquered, and the Supreme Court of the United States virtually put its seal upon their decision by its judgment in the Dred Scott case, and thus closed all practical controversy on this subject forever. The only real point remaining for difference among the citizens of the country is, whether, the power of Congress to control the institutions of the Territories having been surrendered or destroyed, the people of those Territories really should or should not have a fair and full opportunity of deciding their institutions for themselves. To us it seems that from the spirit of our institutions there can be but one answer to such a question. But one answer has been given in any authorized exposition of Democratic views on this subject that we are acquainted with. The language of the Kansas-Nebraska Act is, that *the people* should be left "perfectly free to form and regulate their own institutions in their own way." The Cincinnati National Democratic Convention incorporated into its platform the following resolution:

"*Resolved*, That we recognise the RIGHT OF THE PEOPLE of all the Territories, including Kansas and Nebraska, *acting through the legally and fairly expressed will of a majority of actual resident settlers*, and whenever the number of their inhabitants justifies it, TO FORM A CONSTITUTION, with or without domestic slavery, and be admitted into the Union upon terms of perfect equality with the other States.

The instructions of the Administration to Gov. WALKER contain the following paragraphs:

"There are two great objects connected with the present excitement, growing out of the affairs of Kansas, and the attainment of which will bring it to a speedy termination. These were clearly and succinctly stated in the President's recent Inaugural Address, and I embody the paragraphs in the communication, asking your special attention to them. 'It is declared in that instrument to be '*the imperative and indispensable duty of the Government of the United States to secure to every resident inhabitant the free and independent expression of his opinion by his vote.' This sacred right of each individual must be preserved.*' And that being accomplished, nothing can be fairer than to leave the people of a Territory, free from all foreign interference, to decide their own destiny for themselves, subject only to the Constitution of the United States.

"Upon these GREAT RIGHTS OF INDIVIDUAL ACTION AND OF PUBLIC DECISION rests the foundation of American institutions; and if they are faithfully secured to the people of Kansas, the political condition of the Territory will become quiet and satisfactory. THE INSTITUTIONS OF KANSAS SHOULD BE ESTABLISHED BY THE VOTES OF THE PEOPLE OF KANSAS, unawed and uninterrupted by force or fraud. And foreign voters must be excluded, come whence they may, and every attempt to overawe or interrupt the free exercise of the right of voting must be promptly repelled and punished. Freedom and safety for the legal voter, and exclusion and punishment for the illegal one—these should be the great principles of your administration."

Under these instructions Governor WALKER went to Kansas. Among his first public acts was the issue of an address, in which he argued at length, and with great force and ability, the justice and necessity of fairly submitting to the whole people of that Territory any Constitution which should be framed, so that they might have a full and fair opportunity of passing judgment upon all its provisions. In his inaugural address he boldly took the ground that "unless the Convention submit THE CONSTITUTION to *the vote of all the actual resident settlers of Kansas, and the election be fairly and justly conducted*, THE CONSTITUTION WILL BE, AND OUGHT TO BE, REJECTED BY CONGRESS." This was speedily followed by his speech at Topeka, in which he said:

"Now, then, gentlemen, I return you my most sincere thanks for the kind and indulgent attention with which you have listened to my remarks. [A voice, 'what as to the taxes.'] *Long* before I am called on for any official action, the reign of law, of justice, and of the people will be so fully established here that, as good citizens, you will all cheerfully pay this small pittance to support your own government. [A voice, 'We will have a great deal more confidence in the vote of the people to be given next Fall, if you will tell us by what authority the judges are to be appointed.'] I will answer that question, for I have no doubt it is fairly asked and in a fair spirit. [The voice, 'It certainly is.'] I will say then to you, gentlemen, that *if they do not appoint a fair and impartial mode by which the majority of the actual bona fide, resident settlers of Kansas shall vote, through the instrumentality of impartial judges, I will join you all in lawful opposition to their doings, and the President and Congress will reject their Constitution.*

["A voice, 'Will the Convention appoint impartial judges?'] It is their duty to do so. [A voice, 'Will they do so?'] Gentlemen, I am not the Convention, but I do not doubt they will give you impartial judges. [A voice, 'I will ask the Governor if there is any one who will be allowed to vote for this Convention except those registered?'] As regards the past, I have got no power to recall it. The past is irrevocable, even by Almighty power, and I profess to have very little power, much less such power as that. Over the past I have no control; but over the future I have; and I say to you, that *unless a full and fair opportunity is given to the people of Kansas to decide for themselves what shall be their form of government, including the great sectional question which has so long divided you—unless, I repeat, they grant you such an opportunity*, I have one power of which no man or set of men can deprive me, and to which I shall unhesitatingly resort, and that is *to join you in lawful opposition to their acts.* [Cries of 'good, good,' and loud applause, during which the Governor withdrew."]

By these solemn assurances of "fair play" in Kansas, and the general belief that they would be sacredly observed, the Kansas agitation seemed well nigh quieted forever. It is true that a few ultra-Southern men took exceptions to the course of Governor WALKER, but he was warmly sustained by many influential persons, even in that quarter, while the Democracy of the North made great accessions to their ranks, and went forth conquering and to conquer in States that had been hopelessly against us but one short year ago. The Republican majorities of New England were greatly reduced. New York once more wheeled into the Democratic ranks; we were triumphant in Connecticut, New Jersey and Minnesota; we triumphed in Pennsylvania by an immense majority; we came within a few hundred votes of carrying Ohio; we revolutionized Wisconsin entirely; and our organization was greatly strengthened in Iowa, Michigan, Indiana, and Illinois. No man conversant with the public sentiment in the non-slaveholding States can doubt for a moment that the just and conciliatory policy of Gov. WALKER, accepted, as it was, as an earnest of the whole course of the Administration, was one of the most important causes that contributed to the happy change in public sentiment which restored the Democracy to their wonted ascendancy. Believing it the highest duty of a party to faithfully fulfil the just expectations under which a confiding people entrust it with power, before we endorse the action of the Kansas Calhoun Convention, and urge the acceptance of the Constitution it has framed upon Congress, we must be satisfied that the circumstances of its ratification comply with the conditions named in the high Democratic authorities we have quoted. Do they do so?

The section of the schedule adopted by the Kansas Convention which refers to the action upon it by the people is as follows:

SEC. 11. Before this Constitution shall be sent to Congress for admission into the Union as a State, it shall be submitted to all the white male inhabitants of this Territory for approval or disapproval, *as follows:* The president of this convention shall, by proclamation, declare that on the 21st day of December, 1857, at the different election precincts now established by law, or which may be established as herein provided in the Territory of Kansas, an election shall be held, *over which shall preside three judges, or a majority of three, to be appointed as follows: The president of this convention shall appoint three commissioners in each county in the Territory, whose duty it shall be to appoint three judges of election in the several precincts of their respective counties*, at which election the Constitution framed by this convention shall be submitted *to all the white male inhabitants of the Territory of Kansas in the said Territory upon that day* and over the age of twenty-one years, for ratification or rejection, in the following manner and form: The voting shall be by ballot. The judges of said election shall cause to be kept two poll-books by two clerks, by them appointed. *The ballots cast at said election shall be endorsed "Constitution with slavery," and "Constitution with no slavery."* One of the said poll-books shall be returned within eight days *to the president of this convention*, and the other shall be retained by the judges of election, and kept open for inspection. *The president*, with two or more members of this convention, *shall examine said poll-books, and if it shall appear upon said examination that a majority of the legal votes cast at said election be in favor of the Constitution with slavery*, he shall immediately have the same transmitted to the Congress of the United States, as hereinbefore provided. But if, upon such examination of said poll-books, it shall appear that a majority of the legal votes cast at said election be in favor of the "Constitution with *no* slavery," then the article providing for slavery shall be stricken from the Constitution by the president of this convention, and no slavery shall exist in the State of Kansas, except that the right of property in slaves now in this Territory shall in no manner be interfered with, and shall have transmitted the Constitution so ratified to the Congress of the United States, as hereinbefore provided. In case of the failure of the president of this convention to perform the duties, by reason of death, resignation, or otherwise, the same duties shall devolve upon the president *pro tem.*

When intelligence of this provision was first received from Kansas, it seemed that by one spontaneous impulse, a number of leading Democratic presses of the country—journals which had been foremost in the defence of the Nebraska Bill and of the Administration—denounced it. We have already quoted from the Providence *Post*, the Albany *Argus*, the Buffalo *Courier*, the Chicago *Times*, the Detroit *Free Press*; and, we may add, such leading journals in this State as Haldeman's Harrisburg *Union*, the Pittsburgh *Post*, and the Pittsburgh *Union*. We could readily instance many others among the papers of our own and other States. The schedule *does not* provide for the submission of the Constitution to the people, and in our view, that objection is fatal to it. We are told the Constitution is unobjectionable in its character. It may be so; but the people of Kansas are the best judges of that. In the existing States, the slightest change in their Constitutions cannot be made without receiving the sanction of the majority of their citizens. If this formality be necessary to secure a mere unimportant change, it is trebly so in deciding upon a whole Constitution. Even if the schedule provided for a fair submission of the question of slavery to the people of Kansas, that would not tend in the slightest degree towards remedying its fatal defect in not submitting the work of the Convention, as a whole, to them.

The whole Democratic party of the Union, in National Convention assembled, "*recognised*" "THE RIGHT *of the people*," "*acting through the legally and fairly expressed will of a majority of actual residents*," to "*form a Constitution.*" The schedule of the Calhoun Convention *denies* them this right. When two such authorities disagree—the voice of the whole Democracy of the Union, speaking in thunder tones, through representatives from every nook and corner of the nation, taking one view, and such a body as the Calhoun Convention, which at best represents but a very small fraction of the party, takes another, we humbly conceive it to be our duty to side with the former. Mr. BUCHANAN'S great Inaugural Address declared (with reference to Kansas) it to be "*the imperative and indispensable duty of the Government to secure to every resident inhabitant the free and independent expression of his opinion by his vote;*" and the Administration held in the instructions to Gov. WALKER, that "THE INSTITUTIONS OF KANSAS SHOULD BE ESTABLISHED BY THE VOTES OF THE PEOPLE OF KANSAS."

We hold to these doctrines. We can conceive of nothing more important upon which the people of Kansas should be allowed to vote *than their Constitution*, and know of no more important institution that can be established by their votes than that instrument. The Calhoun Constitutional Convention denies them this right. It gives them no opportunity of deciding by their votes what their institutions shall be. They are allowed to vote *for the Constitution* with slavery, or *for the Constitution* without slavery; but what doctrine can be more absurd than that slavery or anti-slavery are the only issues that a free people might naturally be expected to differ upon in the formation of a Constitution? The experience of every day proves its utter fallacy. For what is more common than the people of States clearly anti-slavery, as well as those of pro-slavery States, to differ greatly about their Constitutions?

Again, Governor WALKER assured the people of Kansas that, "unless the Convention submitted *the Constitution*" to the people, it "*ought to be rejected by Congress;*" and he assurred them that, unless it was thus submitted, he would earnestly oppose its ratification. The Convention has pursued a different course. Its action is in direct conflict to his policy, in the very teeth of his advice. In this difference we prefer to side with WALKER and against the Convention.

We are told, however, that the slavery question is really the only one seriously at issue, and that the people of Kansas have an opportunity afforded them of voting upon, and thus deciding it. We understand the authorities we have quoted to assure them this right, however, under provisions and circumstances which forbid the idea of fraud. The resolution of the Cincinnati platform contemplates the "*legally and fairly* expressed will of a majority of the inhabitants." The instructions to Governor WALKER urge him to secure "*freedom and safety for the legal voter, and exclusion and punishment for the illegal one.*" The inaugural of Governor WALKER declared, that unless the election was "*fairly and justly conducted*, the Constitution will be, and ought to be, rejected by Congress." Does the provision in the schedule which we have quoted afford, in view of the well-known state of affairs in Kansas, fair ground for the belief that, in the event that the free-State men participate in the election, it will be fairly conducted?

The whole control in this matter seems to be vested in the President of the Convention. He orders the election—appoints three commissioners in each county, who are to appoint three judges of election in the several precincts of the respective counties—and he is to receive the returns, decide upon the legality of the votes cast, and ascertain whether a majority has been given for "Constitution with slavery," or "Constitution with no slavery." An attempt has been been made to silence all objections to this form of procedure, by the allegation that in many States and Territories the presidents of Constitutional Conventions have issued the writs for the elections which were to decide the fate of those Constitutions. To this we can conceive no serious objection. But we are not aware of any instance where the manner of holding elections usual on all ordinary occasions was *entirely changed for the popular vote on a Constitution, as is the case in Kansas.* By the election laws of that Territory, provisions are made for the appointment of officers to hold the elections, entirely different from those contained in this schedule, and the returns are to be sent to the Secretary of the Territory, and to be opened by him in the presence of the Governor. Why is all this changed in Kansas? Considering the outrageous frauds lately practised in the Oxford precinct and McGhee county—that Governor WALKER set aside those fraudulent returns—that a meeting of a number of the members of the Constitutional Convention denounced him for his action in that matter—and that close upon the heels of these events we find that Convention, in the important matter of an election upon a Constitution, utterly ignoring the Governor and Secretary, and placing supreme power in the whole matter of appointing judges of elections and the examination of the returns in the hands of its President—is it probable that an election held under such auspices will be fairly conducted? Will such an election—with officers appointed by such an authority—with its returns to be examined in the manner provided—probably be "fairly and justly conducted" to that extent which Gov. WALKER contemplated in his pledges to the people of Kansas?—will it be such an election as he considered absolutely essential to command for the Constitution the approval of Congress? Let each man, with the history of Kansas before him, answer these questions for himself, and be satisfied that there is good ground for hoping that the proposed submission of this slavery clause will be something more than a mere fraud and farce, before he becomes ready to justify the adoption of such a Constitution by Congress.

It is contended that if the present Constitution is not acceptable to the people of Kansas, they can readily and speedily change it after Congress has admitted that Territory into the Union. By the schedule no provision is made for any change before the year 1864. We are glad to learn, however, that by some this clause is construed to mean that before that time the people can change it in a more summary mode than is therein prescribed; and that high legal authorities concur in this opinion. But on this point there is a doubt, and that very doubt should condemn the whole procedure. If the people really have the right to change the Constitution immediately after the admission of Kansas into the Union, the schedule should have said so; but the design of the Convention to forbid such a change for seven years seems to us evident, although it is possible the language it has used is susceptible of another interpretation.

We struggled with all our energies for the passage of the Nebraska bill; for the triumph of its principles before the great tribunal of the people; for the election of Mr. BUCHANAN; for the defence of his Administration, including his Kansas policy; and in defence of the official action of Governor WALKER; and we now desire as earnestly as any man in the country a fair and peaceful settlement of this whole question. But we ask that the people should have the right to form their own institutions in their own way; and that this right should be secured to them freely, fairly, and unequivocally. We ask that when Kansas comes into the Union, it shall be under a Constitution which has received the endorsement of a majority of her citizens, fairly expressed—that she should take her place as a member of the Confederacy under an instrument which has in every line acquired that full degree of vitality that popular approval alone can give, not under a Constitution framed under restrictions which ignore the sovereignty of her citizens and treat them as the inhabitants of a subjugated province.

These, then, are some of the reasons and arguments by which our course has been controlled on this great and vital issue. Others not less powerful might have been presented, but our article is already long enough. Can any citizen see in all this a purpose, latent or otherwise, to oppose the Administration of Mr. BUCHANAN? On the contrary, are not all the precedents such as he had, in one way or another, approved? It is our sincere desire to promote the welfare of his Administration—to strengthen him throughout the Union, and especially in the free States—and to stand clear and fair before the country as one who has never yet broken his faith to Democratic principles, or turned his back upon a crisis in which the rights of the people were involved.

MOST IMPORTANT EUROPEAN AND INDIAN NEWS BY THE "ATLANTIC."

Yesterday evening, the United States mail-steamer *Atlantic*, which left Liverpool on the 11th inst., arrived at New York. The intelligence is a fortnight later from India, and four days' later from Europe.

The capture of Delhi is confirmed. The King of Delhi had surrendered. His two sons had been shot. General Nicholson had died of his wounds received in the assault. Lucknow had been relieved by General Havelock, but General Neil had been killed.

The Bank of England had advanced the rate for discount to *ten* per cent, which had the effect of stopping the drain of gold from her vaults. The Funds had declined on the announcement, but had rallied and closed, on the day the *Atlantic* sailed, at 89¾ to 90. There was a report that the Bank of France had failed. But this was discredited, and was supposed to have arisen from her having raised her rates for discount. The Western Bank of Scotland had stopped payment—liabilities $80,000,000. This bank had 100 branches in various parts of Scotland, where, as well as at Glasgow, (headquarters of the bank,) great inconvenience is caused. Eventually, all its liabilities will be paid. This failure had caused a run upon other banks. The City Bank of Glasgow is stated to have stopped payment also—but we suspect that this is a mistake in the telegram, and that the Western Bank was meant.

DENNISTOUN & Co. had suspended payment—on the ground of disappointment in remittances from the United States. The liabilities are $10,000,000. This was a very rich Glasgow house, with branches at London, Liverpool, New York, New Orleans, and Australia. BABCOCK & Co., of Glasgow and New York, had gone for $1,500,000; also, BROADWAY & BABCOCK, in the East India trade, for $1,000,000. BENNOCK, TWENTYMAN, & RIGG, of London, a great silk house connected with Manchester, and New York, have also failed for $1,000,000. In short, commercial houses, hitherto strong, were failing in all directions. The Government, though strongly urged, positively refused to interfere, by order in council, to permit the Bank of England to ease the money market, by violation of its charter.

Cotton, produce, breadstuffs, and provisions were all greatly depressed.

NEWSPAPERS TO AND FROM CANADA.—The Montreal *New Era* says that after the first of January, all United States papers, posted in Canada, must be prepaid 1d each, and if mailed in the United States, the same postage is to be collected at the place of delivery.

A GREAT QUESTION.

The following article from yesterday's *Sunday Dispatch*, on the subject of the debate in City Councils, on the payment of interest on that portion of the subscriptions of Philadelphia made by the Districts of Northern Liberties and Spring Garden, to the great Pennsylvania Railroad, states the case so tersely that we adopt it for our own—regretting that any such debate should have taken place, and that even for a moment, a doubt should have tarnished the fair fame of this great city. We are rejoiced to be able to state that there is every reason to hope that at the next meeting of Councils, the appropriation of the payment of the interest will be made, and, for the honor of Philadelphia, we do sincerely trust that it will be made by a unanimous vote. Repudiation is a capital crime in municipalities, and should be shunned like the plague:

The Common Council, on Thursday last, virtually repudiated a part of the city debt. The trouble has arisen out of the subscriptions made to the Pennsylvania Railroad Company by the late districts of the Northern Liberties and Spring Garden. It is alleged that there was an agreement that the railroad company was to pay the interest on the bonds issued for those subscriptions. The latter has failed to do so, and the question is whether the city ought to pay. We are sorry to say that the number of members who were induced to take a wrong view of the matter, was sufficient to cause a tie vote, whereby the ordinance was lost. The reasons given by those who thus sanctioned a dishonorable course are not sound, and cannot be sustained by common sense. It is said that the company undertook to pay the interest in all cases, and the ordinances authorizing the subscriptions are appealed to in order to sustain this view. But those ordinances *do not contain* any pledge, or assertion that a pledge was made by the company to save the city harmless at all times from claims for the interest. Nothing of the sort appears in the ordinances. The only matter upon which such a claim can be set up is the following:

Said bonds to have attached coupons, in orders for interest, payable at the office of the Pennsylvania Railroad Company, said coupons to be receivable from the Pennsylvania Railroad Company in payment of the interest or on account of dividends due by said company, on the stock held by the said district of the Northern Liberties.

The provision in the ordinance of Spring Garden is similar.

The case, therefore, stands as follows: The districts named (the debts of which have since been assumed by the city of Philadelphia) issue their bonds *absolutely*, with a notice that the interest, instead of being payable at the city treasury, shall be payable at the Pennsylvania Railroad office, and also with an agreement to take the coupons from the company *in payment of interest* or for dividends. The allegation now made is that those districts never had anything to do with the interest, but that the holders of the bonds agreed to look only to the Pennsylvania Railroad Company. If so, why the provision that the city would accept the coupons for interest? *What* interest? If the railroad company is to be solely responsible to the holders of the coupons, it could owe no interest to the *city*. The latter could in no case be liable, and the agreement to receive the coupons in payment of interest could have meant nothing. Another agreement in the ordinance is, that the coupons shall be received as payment of dividends on the stock of the company. Thus, if a dividend is declared on the stock, for the purchase of which the districts issued their bonds, the company is not compelled to pay *cash* for such dividends, but may turn over the coupons which it has paid on behalf of the districts.

This clearly recognises the coupons as an indebtedness of the districts, and by receiving them for the dividends, the districts agreed to accept their own obligations as satisfaction from the company, thus making the coupons paid by the company a set-off against the dividends, the coupons being received as as much as cash.

The case is like that where a merchant issues his note payable at a particular bank. If he has money in the bank, or if the bank is indebted to him, it will pay the note; if, on the contrary, the bank has no funds, the note will be protested. Did any one ever pretend that, because the debtor declared in his note that it was payable at the bank, the latter were compelled to pay it, although there were no funds to meet it? Such a proposition would be laughed at in the commercial community; and yet, upon precisely such a proposition, do the repudiators in the Common Council depend.

It is true that the payment of this interest is at present very inconvenient, but that fact has nothing to do with the *justice* of this measure. It may also be urged that the Pennsylvania Railroad Company has heretofore paid this interest; in doing so it has merely acted as agent for the city of Philadelphia. It was ready to pay the interest, and it made no difference whether the coupons were paid at the city treasury or at the railroad office. But now that the company undertook to not pay them, the matter takes a different complexion. The city of Philadelphia is absolutely liable on the face of the bonds as the legal successor of the districts of the Northern Liberties and Spring Garden. There is no stipulation that the holders shall look to the railroad company, nor have they anything to do with the latter.

The only honest course is for the city to *pay the interest*; it cannot repudiate it, nor can it successfully contest the right of the holders of the coupons to recover judgment at law. If there is an agreement between the company and the city that the former shall pay the interest, the fact is no defence to the absolute undertaking of the municipal corporation. The proper method is for the city to pay the coupons in accordance with its agreement in the bonds, and then sue the railroad company for a breach of its contract to pay the interest, and recover against it, if such an agreement can be established by sufficient evidence.

☞ We rarely stop to correct errors that occur in our columns, because these are incidental to all daily papers; but the following paragraph, from Saturday's leader, was so misprinted or miswritten, that we republish it with corrections:

We have called the arguments in favor of submitting the Kansas Constitution to the people of Kansas "technicalities," as a matter of courtesy to those who showed such profound devotion to "technicalities" in the case of the Oxford and McGhee frauds; but they are *principles* instead of "technicalities." And yet, over all these principles or technicalities the advocates of the Kansas Constitution would ride. In the one case—that of Oxford and McGhee—they demand that a fraud should be sustained because technicalities can be pleaded in its behalf; and in the other—that of the fraudulent Constitution—they demand that *fraud should be sustained in despite of technicalities or principles.* We need make no further comments.

UNIVERSITY OF PENNSYLVANIA.—In the college-hall, at 8 o'clock this evening, the annual oration before the Society of the Alumni of the University of Pennsylvania will be delivered by GEORGE M. WHARTON, Esq. A large and brilliant audience is expected upon this occasion, and an intellectual treat of no ordinary excellence is anticipated.

PUBLIC ENTERTAINMENTS.

The *programme* of amusements for the present week is unusually attractive. There are changes almost every where, except at the Arch-street Theatre, and Sanford's Opera-House.

At Mr. Wheatley's this evening, "Richelieu" will be repeated, with the fine cast of Friday evening; also the play of "Time Tries All," in which, Mrs. Bowers, Mr. Thayer, and Mr. Clarke are to appear.

Mr. Sanford will repeat the amusing burlesque of Miss Stanley's "Seven Ages of Woman"—ten different characters being personated by Dan Gardner. Two performances will take place at Sanford's on Thanksgiving day.

At Walnut Street Theatre the operatic drama of "The Enchantress," in four parts, will be played, Miss Richings and Mr. Richings appearing in the leading parts. The reduced prices will be continued.

Welsh's National Theatre will open as a Circus, this evening, with a large equestrian company, including many females, some with French names, and some with American.

The Buckleys remove to Jayne's Hall, where they commence, to-morrow evening, with the original Ethiopian performances. They announce an extra day-performance for Thursday.

Miss E. L Williams, an English vocalist, who has appeared with success at Barnum's, New York, gives an entertainment, this evening, at Concert Hall. It is something in the manner of Miss Emma Stanley's capital piece, "The Seven Ages," and is entitled the "Ladies' Dream." It was written for Miss Williams, by Lover, author of "Rory O'More," and Miss Williams is to personate twelve characters, and sing eighteen songs.

At Thomson's Varieties, (where an extra performance is promised for Thanks-giving day,) Miss Clara Morton, and Herr Hollnager, a solo violinist, make their first appearance this evening.

MISS JULIANA MAY AT WASHINGTON.—Miss Juliann May's second concert took place on the 19th instant, and, despite the very inclement weather, attracted a full attendance of fashionables. She sang better than on her first concert, with greater confidence, and consequently with greater effect. She gave "Non fu Sogno," from Verdi's Lombardi, with great power and brilliancy, and in a style which displayed the admirable effects of her Italian training. Mr. Frazer made his first appearance before a Washington audience on this occasion, and fully sustained his reputation as the best English tenor who has visited our shores. He sang a beautiful ballad by Romer, "The One we Love," and the fine old spirit-stirring song of "The Bay of Biscay," in both of which he received the honor of an *encore*. In addition to a fine voice and style, Mr. Frazer possesses a very distinct enunciation, and, as he sang in English, his audience had the gratification of hearing what he was singing about, which greatly enhanced their pleasure, and contributed to his success. Mr. W. H. Palmer, and Mr. Harry Sanderson, each performed solos on the piano; but so different are their styles, that it might almost be said to be, under their hands, a different instrument—the smooth and finished classicality of the former contrasting so well with the dash and brilliancy of the latter. Miss May intends visiting Philadelphia, Baltimore and the principal cities.

The packers at Cincinnati who contracted for hogs last summer, deliverable this fall, at $6.50 per cwt., not, are losing heavily. One establishment on Monday last cut up three hundred, and found his net loss to be $536.55. The *Gazette* says that purchases made now at $5.50 do not afford as wide a margin for profit as is desirable.

There is now hanging in the bar-room of the Buck Hotel, in the borough of Lebanon, a license granted by the "Honorable Governor of Pennsylvania, James Penn," in the year one thousand seven hundred and sixty-five. It is most singular in phraseology, and strictly forbids the "sale or gift of any intoxicating drinks to Indians or notorious drunkards."

Benjamin Ficklin, Jr., who was taken prisoner by the Mormons, in their recent attack upon the Government wagons, is from Charlottesville, Va. Mr. Ficklin had been sent out by Magraw, the contractor, to purchase flour, when he and his party were seized and retained a short time as prisoners.

J. C. Bement, convicted of bigamy, was sentenced at Norwalk, Ohio, on the 11th inst., to four years in the penitentiary.

BY MIDNIGHT MAIL.

FROM WASHINGTON.

Mexico—Her Distracted Condition—Independence of Sonora—Sir William Gore Ouseley and Mr. Buchanan—United States Minister to Nicaragua.

[Correspondence of The Press.]

WASHINGTON, Nov. 22, 1857.

The present distracted condition of Mexico, which is made apparent by the latest news from that quarter of the world, excites, as it ought to, the gravest consideration of this Government, in view of the probable change of its relations to the United States. This Republic is deeply concerned in the affairs of that and other neighboring States, and should see to it in time, that, by reason of their political convulsions, our rights are not endangered.

In certain cases, where it can fairly be anticipated that danger to those rights, or even to our interests, may ensue by the continuance of internal disorders in a neighboring State, from the machinations of foreign agents or otherwise, the law of nations permits us to interfere, and, if need be, to exert an armed intervention for our protection. This is the rule for an extreme proceeding. Now, with the northern States of Mexico, overrun by hordes of ferocious savages, and no power in the Federal Government to repel them, and to save the unfortunate inhabitants from annihilation, with insurrections everywhere within its limits, and no arm of authority to quell them, with provinces unoared for and their appeals unregarded, it is not speaking unadvisedly to say that such anarchy and unnatural government cannot long endure. Government is in society an undeniable right, for without it there are no guarantees for either life, liberty, or property.

I do not say that this Government will interfere with force of arms in Mexican affairs, in the vain attempt to harmonize conflicting elements; but I do say, looking to the protests which have gone to the Supreme Government from Sonora and the inhabitants of the regions tributary to the trade of the Gulf of California, to the intimate intercourse and profitable traffic of that people with our own citizens in California, and the bearing that traffic may assume towards the growing settlements of Arizona and New Mexico, that Mr. Buchanan and his Administration cannot be idle spectators to the changing events in that Confederacy.

The people of Sonora and the adjacent Mexican territory, under the proclamation of Governor Pesquiera, will resist all filibuster movements against them from American soil, yet they will, if report be true, insist upon a separate and distinct Government from Mexico. Their arguments are the same as those which were advanced by Mexico in her defence, when in 1821 she rid herself of the galling yoke of Spain. The Supreme Government will exert its entire strength to put down so dangerous an invitation to general revolt, but in the consequent civil broil mayhap the adventurers who long to revenge Crabbe and the massacre of Cavorca, will erect another Texas in that land.

Though it may be stated to the contrary, I do not believe that Sir William Gore Ouseley will continue his way from here to Central America, the post to which, as special commissioner, he has been assigned by the British Government, with the infinite satisfaction which he looked for. The United States, in her negotiations, will no longer, even by implication, follow in the leading strings of her Britannic Majesty's ministers, but will, on this continent, steadily pursue, without regard to the quibbles of England, a fair and independent American policy. Edmund Burke dealed, without being contradicted, that England had the vast possessions in that quarter to which she laid claim, and such will be Mr. Buchanan's denial when they are advanced at this day.

Lord Palmerston, the embodiment of English policy, fights bitterly against all Isthmusian projets which promise to inure to the benefit of others. He contended against the reopening by France of the canal across the Isthmus of Suez; and he will oppose the projects for the construction of canals across the isthmuses of Central America, and elsewhere in the world where they are contemplated, unless he can have the sole control of them. But this policy, for the future, will not be altogether conjectural, for Mr. Buchanan, I think, will at once compel Great Britain to take that position which she will be willing to sustain before the civilized world. In any case, it is not doubted that the Monroe doctrine will be strictly adhered to by this Government.

There is a foolish rumor going the round of the papers, that the Administration had it in intention to arrest and imprison as hostages of war, Mr. Bernhisel, delegate in Congress from Utah, and Mormons wherever they could be found in the States, for security against further depredations by Brigham Young and his saints. It is needless almost to say that there is not the shadow of truth for this rumor. Mr. Buchanan will, with the means afforded him by Congress, execute the laws of the United States under the Constitution promptly and fully. If there be collision of armed forces and intercine war, the blame will be upon those who resist him in the discharge of his Executive functions. As I wrote you Saturday, there will be no interference with the religion of the inhabitants of Utah, except in so far as its requirements compel a violation of constitutional provisions.

The Administration are casting about for the proper man for United States Minister to Nicaragua, to go out there, and while watching our interests, to checkmate the insidious and dangerous moves of English diplomacy. Several gentlemen of learning and admitted capacity have been named for this position of trust, but as yet the appointment has not been made. It may be taken for granted, however, that Sir William Gore Ouseley will not arrive at his destination much sooner than our own representative. X. Y.

DOUBLE MURDER AND SUICIDE ON LONG ISLAND.

At Port Jefferson, L. I., on Saturday morning, while Mrs. Waters was at breakfast, in company with her son-in-law, Mr. Sturdevant, and his wife, Mr. Waters, her husband, suddenly entered the room with an iron bar in his hand, and without speaking a word, struck either his own wife or Mr. Sturdevant with the formidable weapon which he carried with him a violent and, it is supposed, fatal blow on the head. The only person in the house besides the party at breakfast was a boy, about ten years old, who concealed himself, and heard several other blows given. Waters, weapon in hand, followed the lad, who escaped and alarmed the village.

People rushed to the house, and, a few paces outside it, Mrs. Sturdevant lay in a state of insensibility on the ground. Her head and face were covered with blood, and she had received a heavy stroke from an iron bar, on the head, which would, of itself have been sufficient, it is believed, to cause death. Besides this, she was beaten by the same weapon in other parts of the body, and had two smaller wounds in the head.

The weapon was found near the barn, and is a square iron bar, about an inch and a quarter diagonally from angle to angle, and about three and a half feet in length.

Inside the house Mr Waters and Mr. Sturdevant lay dead, their heads battered in a frightful manner, and the persons altogether presenting the most horrible spectacle that can be imagined. In the barn, suspended from a joist, by the neck, were the remains of the fiendish maniac who had been the cause of all the calamity. He was quite dead, and his body, as it was suspended, with the muscles of the face distorted, and all the other appearances the result of strangulation.

The cause of the murders is stated as follows: Mrs. Waters was very much attached to her daughter and her husband, and she possessed a portion of property since the death of her first husband. She was very liberal with her daughter, and it is supposed that her husband, noticing many material proofs of this liberality, imagined that he was not the chief object of her cares and affection, and reflecting upon this, or perhaps fearing that she might finally be led to settle all her property on her son-in-law, he came to the maniacal conclusion of avenging himself in the heart-rending manner in which he barbarously murdered his wife, his friend and himself, and attempted almost successfully in one instance to destroy the lives of two others If Mrs. Sturdevant should recover the particulars may be learned.

PHILADELPHIA MARKETS.

SATURDAY EVENING, November 21.—There is a moderate degree of activity noticeable in the breadstuffs market, and prices are without any quotable change to-day. The sales of flour comprise 500 bbls, of a standard brand, at a price kept secret; 1,100 bbls do at $5.25a$5.31, the latter for selected Western, and 2,000 bbls extra at $5 62½a$5.87½ for common and selected brands. The sales to the local trade are to a fair extent within the range of the same quotations, and $6a $7.25 per bbl for extra family and fancy lots, as to quality. Corn meal and rye flour are but little inquired for, and dull at $3.18¾a$3.25 for the former, and $4.50 per bbl for the latter. Wheat is in moderate supply, but the demand from millers and shippers is limited,