MONDAY MORNING, JAN. 14

It struck me that Thomas Williams, of Allegheny county, in the House of Representatives, at Harrisburg, to refer the 94th and 95th sections of the Criminal Code to the State Supreme Court for its opinion.

MR. WILLIAMS. It strikes me that the objections to this proposition, novel and extraordinary as it is, are so obvious as to present themselves upon the surface, and to require no extraordinary deliberation on the part of the House. I agree with the gentleman who have spoken, in the opinion that the proposition involves a reflection upon the House, in implying that we are not competent to the performance of our own duty, and asking that we shall go outside to take the opinions of men not themselves qualified, is, I think, in a very extraordinary way, to pass upon constitutional questions, and devising any influence that they may exercise throughout the State purely from the positions which the people have thought proper to give them. If I were disposed to agree with gentlemen here that there are not men in both these Houses quite as able to investigate these questions —that these Houses are not quite as capable to pass upon them, as the Judges of the Supreme Court,—I should propose that you should go elsewhere for information. I should prefer that you should take your appeal to the best lawyers in the Commonwealth, and I think you will not find them upon the bench of the Supreme Court. [A member: "That's so!"] I think the profession is agreed upon that question; I think we are all agreed throughout this State, that that court stands in the confidence of the profession, and I think it equally wants the confidence of the people.

We know that the law has become so uncertain that our reports are like almanacs—they endure but for a year; the same volume we find contradictory decisions, impinging against each other. To such an extent has this prevailed, that it has become almost a State necessity that we should have a re-organization of that court.

When I speak thus, I do not speak for myself merely; I reiterate the language which fell from the late Chief Justice of that Court, now the Secretary of State under the General Government. In an opinion delivered by him in the case, I think of Hole vs. Rittenhouse, he declared that the law has now become so uncertain that no man can consider his title good for more than nine years. To the enforcement of such a tribunal, it is now proposed to submit these questions. I think that when gentlemen ascertain the rules of construction which have prevailed in that court in regard to constitutional provisions, they will be no doubt whether the members of that tribunal are the oracles to which we ought to refer.

This is not all. Looking to the position which these men occupy, I feel very, well assured that they would decline the responsibility which this Legislature proposes to cast upon them. This general voyage of exploration upon which you propose to send them, is not within their province as judges. They may hereafter be called to pass upon these questions in regular form. They are asked now to volunteer (for it would be volunteering as extra-judicial opinion, which they might and it necessary hereafter, upon the advice and arguments of counsel, to take back again—if they paid respect, (as I confess they do not generally,) to such arguments. When we carry a case to the Supreme Court of Pennsylvania, we suppose that it is to be argued by counsel; that much light may be and will be thrown upon it by the researches of learned men from every quarter of the Commonwealth. Most Courts would look and do look in that direction for instruction. They do not pretend upon any question to make up their opinions in advance. It is with the aid furnished by the investigations of learned lawyers, that tribunals of this description pass upon the causes which are submitted to them. Now, you ask these men—men of a peculiar political faith—to pass *ex parte*, without a hearing, upon a question of a case involving an examination of all our statute books, and looking to popular or political indications which have for the first time suggested it. I say, that if the members of that Court have regard to the delicacy which should always characterize a Court, which should always govern a Court in the execution of its highest trust, they would altogether decline the mission with which it is proposed to entrust them.

But, Mr. Speaker, there are other objections. It is assumed here that there are grave doubts in regard to the constitutionality of these laws. Whence come these doubts? What authority is there for an opinion that they are unconstitutional? Does the Executive think so? Has he said so? No; but the very country; he tells you that there is no doubt as to their constitutionality. We are asked to remove them from our statute books, not because they are wrong, but merely in deference to a morbid opinion in regard to them which is supposed to prevail in the Southern slave States of this Union. I do not think for my own part that it is worth while to go out of our way to propitiate those States. They are estranged from us now. No amount of concession will appease them. "You can do but one thing—(I suggest it for the consideration of gentlemen here)—you must say that you consent that they shall govern us; you must capture the majority principle in the Union. In no other way can you appease this insatiable spirit. There is no peace offering which you can lay upon its altar that will satisfy it.

But I decure, Mr. Speaker, that we shall wait until we are called upon in a formal way. It is admitted upon all hands that there is nothing wrong upon our statute book. Why should we hurry to explore it—to search for sins? Why should we promise expurgation. If the Southern States have causes of complaint, let them come to us in the regular way, through the proper channels, and we will look into our statute books to ascertain whether the matters of which they complain be right or wrong. If they be right, then it is my judgment that they shall stand; if they be wrong, (would be the first man to redress that wrong.

Interesting Letter from an Officer at Fort Sumter.

The *Troy Times* publishes two letters from an officer under command of Maj. Anderson to his father in Troy. The first was written from Fort Moultrie before its evacuation, in which he speaks of the preparation for an attack, of a steamer which came down every night to watch the movements at the fort and to prevent reinforcements, of the expectations that Fort Sumter would be seized, and that then they should be the centre of a triangle, exposed to the fires from each point. He says further:

"We are now so strong that we expect to give such an account of ourselves as our friends need not be ashamed of. Yet it will be almost unexampled in history that so small a force should deliberately prepare for what everybody now sees must be the result.

There have been not a few offers of aid from the northern States. Regiments would come, and in plenty, and it is indeed one of the most cheering passages in our anxious experience that we have evidence of practical sympathy. But not a man will be accepted, unless by order of the proper Department at Washington. We will try to sustain the credit of our position with these few. The spirit of the men is noble; they are generally actuated by a sentiment of doing their duty, and perhaps one of the best evidences of their conduct may be found in the fact that not a man has deserted, or been drunk, for nearly three months."

The other letter is as follows:

"FORT SUMTER, Evening, Dec. 26.

My Dear Father: Before this reaches you, you will probably have learned that we have literally 'taken the bull by the horns.' Soon after sunset, this evening, we evacuated Fort Moultrie, and are now established in this impregnable fortress, where we are perfectly unapproachable; while, at the same time, we command perfectly the harbor and Fort Moultrie itself. Vessels have been sent down every night and have watched us closely, with a view to prevent this very move, but we have weathered them. Horrah for Major Anderson! We have that is not afraid of responsibility, and re judgment and a better sense of duty than have ordinarily guided public men.

At Fort Moultrie we could not fail to have succumbed before the large force that was probably on the point of being launched against us. Between batteries, a close fire of riflemen and a few columns of assault, we must have been forced to yield; although it would not have been without the loss, perhaps of every man there.

Major Anderson has been delighted with the temper and spirit of this little command, not a man of which would have flinched from any struggle that might have befallen us. We are not to be assailed here. It is four times as large as Fort Moultrie, but the walls are sixty feet high, and no landing can be made. There is but one regret: that is, that Fort Moultrie should not have been blown up. To-night, however, everything that can be destroyed will be. I am sure a general feeling of relief will be experienced by the country at large at this step, taken solely upon Major Anderson's responsibility.

Not a man at the fort had the slightest intimation of this move, and only one or two officers, until the moment it was executed. Our property and the families are safe here, with six months provisions, hospital stores, &c. The guns at Moultrie are spiked and the flag-staff cut down, so that no Palmetto flag can ever float on that stick. There will be great excitement in the city, signal rockets are fired from the island, but it was too late; we have decidedly got the ball by the muzzle. The revenue can be collected now, and the Administration can do its duty if it will.

We all think we have done the right thing, because we are stronger than ever; and although we left our old home with regret, and clothed much to wear, the labor that has been lavished there, we are unquestionably now in our right place and position as soldiers and citizens. We did not leave from fear, but because there our blood would have been uselessly shed. Here, each sitting is impossible, unless these people are determined to butt their heads against these walls, and I hope they have brains enough left not to attempt that. To-morrow morning, the stars and stripes will be hoisted over our new position, although the sight will sting South Carolina to the quick."

An Attack from Alabama upon the Forts at Pensacola.

The *Times* publishes the following from a letter dated at Montgomery, Ala., Jan. 4:

"——I have no doubt but there is now on foot ——, and I say I *know* there is—*a scheme to capture the forts, and public works at Pensacola.* The plan has its headquarters at this place, no doubt, and preparations are now being made here to this end. The details are kept secret, of course, but the preparations are going on, and our military are to take a hand in it. *It is confidently expected that a considerable force will leave here in a few days.*

Now, you know that I am a loyal citizen of Alabama, and sufficiently opposed to all the schemes of the enemies of the South. But I look upon this movement as madness, just as I look upon the action of South Carolina in regard to the public property of South Carolina in regard to the public property of South Carolina in regard to the public property